

SUBSTANCE ABUSE

South Lyon Community Schools recognizes that the misuse and/or abuse of drugs, alcohol and tobacco is a serious problem with legal, physical, and social implications for the entire school community.

In accordance with Federal and State law, the Board hereby establishes a "Drug-Free School Zone" that extends 1000 feet from the boundary of any school property, within the Drug-Free School Zone, or at any District-related event.

Furthermore, the Superintendent or his/her designee shall take the necessary steps to ensure that an individual eighteen (18) years of age or older who knowingly delivers or distributes controlled substances so designated and prohibited by Michigan statute within the Drug-Free School Zone to another person is prosecuted to the fullest extent of the law.

Accordingly, no staff member, volunteer, or contractor shall knowingly sell, market, distribute, or promote the use of a dietary supplement that contains a performance-enhancing compound or a performance-enhancing drug (e.g., anabolic steroids) to a student with whom the staff member, volunteer, or contractor has contact as a part of his/her duties. Furthermore, the staff member, volunteer, or contractor shall not endorse or suggest the ingestion, intranasal application, or inhalation of a dietary supplement that contains a performance-enhancing compound or a performance-enhancing drug by a student with whom s/he has contact as part of his/her duties.

The Board as outlined in this policy prohibits the use, possession, sale, delivery, distribution or transfer of any prohibited drug, alcohol, tobacco or drug paraphernalia at any time on District property or at any District related event.

The District bases its substance abuse policy on the following precepts:

- A. The purpose of the District's substance abuse disciplinary code is to promote the health and safety of all.
- B. The student has the primary responsibility for decisions related to the personal prevention of substance abuse.
- C. The substance abuse prevention program is provided through a sequential K-12 health curriculum that has been approved by the Board.

For the purpose of this policy, "prohibited drugs" shall mean:

- A. all controlled substances as so designated and prohibited by Michigan statute and/or Federal statute;
- B. all chemicals that release toxic vapors and/or may be used as inhalants;
- C. all alcoholic beverages and any other beverages - the purchase of which is prohibited or controlled by law including non-alcoholic malt beverages, "near beer", "brew", "bru" or any other name which is capable of conveying the impression to the purchaser that the beverage has an alcoholic content;
- D. any prescription or non-prescription medication, except those for which permission to use in school has been granted pursuant to Board Policy 5330, Administration of Medications;
- E. counterfeit controlled substances or controlled substance analogues ("look-alike" drugs), including but not limited to, synthetic cannabis, herbal incense, K2, K6, and Spice;
- F. Androgenic anabolic steroids and other performance enhancing drugs as determined annually by the Department of Community Health and use of a performance-enhancing substance regardless of source by a student is a violation that will affect a student's athletic eligibility and extra-curricular participation, as determined by the Board. A list of performance-enhancing substances developed by the State Department of Community Health shall be updated annually and included in AG 2431D. This notice and list shall also be published in the Parent/Student Handbook provided annually.
- G. any other illegal substance so designated and prohibited by law.

"Prohibited drugs" shall not include those prescription or non-prescription drugs, medications, vitamins or similar substances such as pain relievers, analgesics, laxatives or cough medicines so long as such substances are possessed by students for their individual use, and not for any improper purpose and the possession by the student is in accordance with Board Policy 5330, Administration of Medications. However, Board Policy prohibits sharing, distributing and the improper use of prescription or non-prescription drugs. Disciplinary action for these infractions is at the discretion of the building administrator.

For the purpose of this policy "drug paraphernalia" shall mean materials and/or devices intended for or adapted for use with any prohibited drugs, alcohol or tobacco.

DISCIPLINARY ACTION

When a student is under the influence of, possesses, distributes or initiates any transaction of prohibited drugs, alcohol, tobacco and/or drug paraphernalia on school property and at school-related functions, the response of the South Lyon Community Schools is governed by this policy.

Disciplinary action shall be based on the offending student's cumulative record of violations of Policy 5530, as well as consideration of Restorative Practices factors detailed in Policy 5500, Code of Student Conduct. Violations from previously attended school districts shall be considered.

Policy 5500, Code of Student Conduct, shall be utilized regarding all procedures under this regulation.

Violations of this policy are separated into the following:

- A. Being Under the Influence - The student consumes, uses, and/or exhibits characteristics attributable to the use of prohibited drugs and/or alcohol.
- B. Possession - The student has prohibited drugs, alcohol, tobacco and/or drug paraphernalia on his/her person, or stored in his/her belongings, which may include a backpack, purse, locker or vehicle.
- C. Distribution - The student sells or distributes, or demonstrates the intent to sell or distribute a prohibited drug, alcohol, tobacco and/or drug paraphernalia to another person, whether or not in exchange for compensation, or has in his/her possession a quantity of drugs in excess of that normally used for personal use.

Note: Any individual who brings a prohibited drug and shares it or distributes the prohibited drug in any format shall always be considered a distributor.

- D. Initiation – The student requests another student to bring a prohibited substance onto school property or to a school related event, or initiates the transaction during the school day.

Initiation or Under the Influence and/or Possession of Prohibited Drugs and/or Alcohol

- A. *Initiation or Under the Influence and/or Possession - First Offense*

If, based upon reasonable cause, a student is suspected of initiating a transaction or being under the influence or in possession of prohibited drugs and/or alcohol, school administration shall:

1. Investigate the situation by means which may include a breathalyzer administered by law enforcement officials.
2. If it is determined a violation has occurred, school administration shall:
 - a. Contact the parents/guardians of the student.
 - b. Contact the law enforcement.
 - c. Conduct a parent-student conference.
 - d. After considering the Restorative Practices factors detailed in Policy 5500, Student Code of Conduct, determine whether a suspension would be the appropriate consequence and, if so, determine the appropriate length of the suspension. They will also determine whether the student should be referred— for a disciplinary hearing before the Board. The Board shall be notified by the Superintendent of any suspension of more than ten (10) days and up to thirty (30) days. A long-term suspension will only be issued after rebuttal of the presumption against such suspensions.
 - e. Determine whether a reduction in the suspension is appropriate based on the completion of an intervention plan mutually agreed upon by the parents and school administrator. The intervention plan may include but is not limited to the following:
 - Professional drug and alcohol assessment by an outside agency.
 - Drug testing a minimum of twice by an outside agency.
 - Out-Patient Treatment.
 - In-Patient Treatment.
 - Outside counseling by a licensed professional.
 - Active participation in AA/NA meetings.

All expenses associated with the above shall be the responsibility of the student/parent.

- f. Impose social probation to be reviewed after ten (10) weeks. Social probation and suspension time shall not run concurrently. The ten (10) weeks will begin when the student returns from suspension, with the exception of the summer months where social probation will precede the school suspension. Social probation for summer infractions begins August 1. For infractions that occur or investigations that conclude after August 1, social probation begins at that time. If the time period for social probation has not been fulfilled before the student is suspended from school, the duration of the social probation will be carried over when the student returns from the suspension. For social probation that has not been fully served by the last day of the school year, the remaining time will begin August 1. A student whose social probation begins or continues on August 1 is also excluded from all summer activities and may not be on school property. During social probation, students are also not allowed on any school property for any community events (e.g., Panther football). If there are special circumstances regarding community events, requests for written approval may be made to the Superintendent or his/her designee. It is the student's responsibility to contact the school administration and request a review of their social probation status.

B. Initiation or Under the Influence and/or Possession - Second and Subsequent Offenses

After consideration of Restorative Practices at the building level, a disciplinary hearing before the Board, which may result in expulsion, may be held.

Possession, Distribution and/or Initiation of Drug Paraphernalia

A. First Offense

1. Investigate the situation.
2. If it is determined a violation has occurred, school administration shall:
 - a. Contact the parents/guardians of the student.
 - b. Contact the law enforcement.
 - c. Conduct a parent-student conference.

d. After considering the Restorative Practices factors detailed in Policy 5500, Student Code of Conduct, determine whether a suspension would be the appropriate consequence and, if so, determine the appropriate length of the suspension. They will also determine whether the student should be referred for a disciplinary hearing before the Board. The Board shall be notified by the Superintendent of any suspension of more than ten (10) days and up to thirty (30) days. A long-term suspension will only be issued after rebuttal of the presumption against such suspensions.

e. Determine whether a reduction in the suspension is appropriate based on the completion of an intervention plan mutually agreed upon by the parents and school administrator. The intervention plan may include but is not limited to the following:

- Professional drug and alcohol assessment by an outside agency.
- Drug testing a minimum of twice by an outside agency.
- Out-Patient Treatment.
- In-Patient Treatment.
- Outside counseling by a licensed professional.
- Active participation in AA/NA meetings.

All expenses associated with the above shall be the responsibility of the student/parent.

f. Impose social probation to be reviewed after ten (10) weeks. Social probation and suspension time shall not run concurrently. The ten (10) weeks will begin when the student returns from suspension, with the exception of the summer months where social probation will precede the school suspension. Social probation for summer infractions begin August 1. For infractions that occur or investigations that conclude after August 1, social probation begins at that time. If the time period for social probation has not been fulfilled before the student is suspended from school, the duration of the social probation will be carried over when the student returns from the suspension. For social probation that has not been fully served by the last day of the school

year, the remaining time will begin August 1. A student whose social probation begins or continues on August 1 is also excluded from all summer activities and may not be on school property. During social probation, students are also not allowed on any school property for any community events (e.g., Panther football).). If there are special circumstances regarding community events, requests for written approval may be made to the Superintendent or his/her designee. It is the student's responsibility to contact the school administration and request a review of their social probation status.

B. Second and Subsequent Offenses Regarding Drug Paraphernalia

After consideration of Restorative Practices at the building level, a disciplinary hearing before the Board, which may result in expulsion, may be held.

Distribution of Prohibited Drugs and/or Alcohol

If a student, based upon reasonable cause, is suspected of distributing or initiating or demonstrating the intent to distribute a prohibited drug including alcohol, school administration shall:

- A. Investigate the situation.
- B. If it is determined a violation has occurred, school administration shall:
 - 1. Contact the parents/guardians.
 - 2. Contact the law enforcement.
 - 3. Conduct a parent-student conference.

4 After considering the Restorative Practices factors detailed in Policy 5500, Student Code of Conduct, determine whether a suspension would be the appropriate consequence and, if so, determine the appropriate length of the suspension. They will also determine whether the student should be referred for a disciplinary hearing before the Board. The Board shall be notified by the Superintendent of any suspension—more than ten (10) days and up to thirty (30) days. A long-term suspension will only be issued after rebuttal of the presumption against such suspensions.

5. Determine whether a reduction in the suspension is appropriate based on

completion of an intervention plan mutually agreed upon by the parents and school administrator. The intervention plan may include but is not limited to the following:

- a. Professional drug and alcohol assessment by an outside agency.
- b. Drug testing a minimum of twice by an outside agency.
- c. Out-Patient Treatment.
- d. In-Patient Treatment
- e. Outside counseling by a licensed professional
- f. Active participation in AA/NA meetings.

All expenses associated with the above shall be the responsibility of the student/parent.

6. Impose social probation to be reviewed after ten (10) weeks. Social probation and suspension time shall not run concurrently. The ten (10) weeks will begin when the student returns from suspension, with the exception of the summer months where social probation will precede the school suspension. Social probation for summer infractions begin August 1. If the time period for social probation has not been fulfilled before the student is suspended from school, the duration of the social probation will be carried over when the student returns from the suspension. For infractions that occur or investigations that conclude after August 1, social probation begins at that time. For social probation that has not been fully served by the last day of the school year, the remaining time will begin August 1. A student whose social probation begins or continues on August 1 is also excluded from all summer activities and may not be on school property. During social probation, students are also not allowed on any school property for any community events (e.g., Panther football).). If there are special circumstances regarding community events, requests for written approval may be made to the Superintendent or his/her designee. It is the student's responsibility to contact the school administration and request a review of their social probation status.

C. Second and Subsequent Offenses Regarding Drugs and or alcohol

After consideration of Restorative Practices at the building level, a

disciplinary hearing before the Board, which may result in expulsion, may be held.

POSSESSION OR USE OF TOBACCO PRODUCTS, VAPOR PRODUCTS,
ALTERNATIVE NICOTINE DELIVERY PRODUCTS OR PARAPHERNALIA

Definitions

“Tobacco Product” means a product that contains tobacco and is intended for human consumption including, but not limited to, cigarettes, non-cigarette smoking tobacco, or smokeless tobacco as those terms are defined in Section 2 of the tobacco products tax act, 1993 PA 327, MCL 205.422, and cigars.

“Vapor Product” means a noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electric, chemical or mechanical means, regardless of shape or size that can be used to produce vapor from nicotine or in a solution or other form. Vapor products include an electronic cigarette (E cigarette), electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and a vapor cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette (E cigarette), electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.

“Alternative Nicotine Delivery Product” means a noncombustible product containing nicotine that is intended for human consumption whether chewed, absorbed, dissolved or ingested by any other means.

Possession or Use of Tobacco Products, Vapor Products, Alternative Nicotine Delivery Products or Paraphernalia

Possession or use will result in the confiscation of tobacco products, vapor products, alternative nicotine products or paraphernalia and parent notification.

- A. *First offense* for use and/or possession will result in confiscation of prohibited materials, parent notification and consideration of Restorative Practices factors detailed in Policy 5500, Student Code of Conduct, to determine whether a suspension would be appropriate. An alternative consequence may be a five (5) hour detention and participation in the school sponsored, after-school Nicotine Awareness program. Failure to complete all sessions will result in the full suspension being imposed.
- B. *Second offense and additional offenses* for use will result in confiscation of prohibited materials, parent notification and consideration of Restorative Practices factors detailed in Policy 5500 ,Student Code of Conduct, to determine whether a suspension would be appropriate.

The use or possession of tobacco products, vapor products, alternative nicotine delivery products or paraphernalia by any persons in violation of this policy will result in disciplinary action including, as appropriate, contacting the law enforcement for violation of any/all of the following; 1) the Tobacco-Free Schools law which is a misdemeanor, punishable by a fine of not more than fifty dollars (\$50.00). 2) Lyon Township Ordinance 2-16 "Amendment to the Tobacco Products Ordinance," which is a civil infraction which shall be punishable by a fine of not more than \$50.00 for the first violation and a fine of not more than \$100.00 for a second or subsequent violation, or 3) City of South Lyon Ordinances 11-16 and 12-16, which is a misdemeanor punishable by a fine of not more the \$50.00 for each violation.

Please reference Board Policy - Use of Tobacco Products on School Property.

Distribution or Initiation of Tobacco Products, Vapor Products, Alternative Nicotine Delivery Products or Paraphernalia

- A. *First offense* will result in confiscation of prohibited materials, parent notification and consideration of Restorative Practices factors detailed in Policy 5500, Student Code of Conduct, to determine whether a suspension would be appropriate. An alternative consequence may be a five (5) hour detention and participation in the school sponsored, after-school Nicotine Awareness program. Failure to complete all sessions will result in the full suspension being imposed.

- B. *Second offense and additional offenses* for use will result in confiscation of prohibited materials, parent notification and consideration of Restorative Practices factors detailed in Policy 5500 ,Student Code of Conduct, to determine whether a suspension would be appropriate.

M.C.L.A. 380.1170, 333.26301 et seq., 333.7410, 333.7410A
A.C. Rule R388.271 et seq.
Senate Bill 350, 1990
Drug-Free Schools and Communities Act of 1986, 20 U.S.C. 3171 et seq.
20 U.S.C. 3224A

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