

TOLLAND PUBLIC SCHOOLS
Tolland, Connecticut

ADMINISTRATIVE REGULATION

REGARDING: ALCOHOL SCREENING

Number: 5111
STUDENTS

APPROVED: 5/23/07

TESTING TO CONFIRM REASONABLE SUSPICION OF ALCOHOL USE

If there is reasonable suspicion that a student is under the influence of alcohol at school or at a school-sponsored event, the student shall be removed to a separate area for observation and questioning concerning alcohol consumption. The student will be informed as to how the Passive Alcohol Sensor (PAS) device operates and will be asked to breathe across the intake part of the device. Testing will be conducted by trained personnel, in a separate area whenever possible, to maintain student privacy. Any student who tests positive will be asked to submit to a second test using a breathalyzer. If the student tests positive for a second time, the school will contact his/her parents and may be subject to appropriate disciplinary action consistent with district policies and procedures. If necessary, the student will be brought to the school nurse for medical treatment and emergency medical protocols shall be followed.

If the student tests positive on either test, or if the student refuses to take the test when there is reasonable suspicion of alcohol use, the student may be subject to appropriate disciplinary action consistent with district policies and procedures.

Reasonable suspicion shall include, but not be limited to, any of the following:

1. Observed use or possession of alcohol;
2. Alcohol odor or the presence of an alcohol container;
3. Slurred speech, unsteady gait, lack of coordination, bloodshot or glazed eyes; or
4. Marked changes in personal behavior not attributable to other factors.

EXTRACURRICULAR/VOLUNTARY SCHOOL-SPONSORED EVENTS

The Board also allows for the use of PAS devices and breathalyzers in connection with students' participation in extracurricular/voluntary school-sponsored events and activities without the need for school personnel to first have reasonable suspicion of alcohol use. Such suspicionless testing will occur only if students are notified prior to the event or school-sponsored activity that a PAS or breathalyzer may be used, and that they may be denied entry and/or removed from the event or activity for either refusing to submit to such testing or for testing positive for alcohol use. Students will be notified through such means as a student handbook, written notices, school announcements or similar notification.

When PAS devices and/or a breathalyzer will be used at a voluntary school-sponsored event (i.e. school dances, proms, etc.), such devices shall be administered as follows:

1. All students participating in the activity or school-sponsored event will be asked to submit to a PAS screening. Students will be asked to breathe across the intake part of the device.
2. If the PAS device detects alcohol, the student shall be removed to a separate area for observation and questioning concerning alcohol consumption. After fifteen (15) minutes, the student will be asked to submit to a breathalyzer test to confirm the presence of alcohol.
3. Should the student test positive after the second test, school personnel will contact the student's parents and the student shall be removed/denied entry to the activity or school-sponsored event. The student may be subject to appropriate disciplinary action consistent with district policies and procedures.
4. Any student who refuses to breathe into the PAS device, or who refuses to submit to the breathalyzer test, may be excluded or removed from the activity or school-sponsored event and may face additional disciplinary actions.
5. The district retains the right to contact local law enforcement officials at any time, as deemed appropriate, consistent with district practice and policy.

LEGAL REFERENCE: Connecticut General Statutes

10-19 Teaching about Alcohol, Nicotine or Tobacco, Drugs and Acquired Immune Deficiency Syndrome. Training of Personnel.

10-154a Professional Communications Between Teacher or Nurse and Student. Surrender of Physical Evidence Obtained from Students.

10-221(D) Boards of Education to Prescribe Rules, Policies and Procedures.

21a-240 Definitions. (Dependency-Producing Drugs)

21a-243 Regulation Re: Schedules of Controlled Substances.

New Jersey V. T.L.O., 469 U.S. 325 (1985)

Vernonia School District 47j V. Acton, 515 U.S. 646 (1995)

Todd V. Rush County Schools, 133 F.3d 984 (7th Cir. 1998)

Knox County Education Association V. Knox County Board of Education, 158 F 3d 361, 385-386 (6th Cir. 1998)