

## Students

### Search and Seizure - Breathalyzer

#### Breathalyzer Policy

It is the policy of the Clinton Board of Education that all students have the right to attend school and school-sponsored events in an environment that is free from the use of alcohol. Alcohol interferes with the learning environments of students and the performance of students. Having alcohol in a person's system in or on school property, in any district-owned or contracted vehicle or at school-sponsored events is prohibited. Having alcohol in one's system is defined for purposes of the policy as having any amount of alcohol in one's body system(s).

As institutions of learning, the Clinton public schools are committed to providing an environment in which students can further their own intellectual, social, moral and physical development and in which students and instructors can work together in pursuit of knowledge and understanding. The Clinton public schools believe that a student's health and well being are essential elements necessary for optimal learning. We believe that the use of alcohol during adolescence is unhealthy and dangerous and undermines the learning process.

The Clinton public schools are committed to providing a safe, healthy environment for its community. Student involvement with alcohol, tobacco, or other illegal substances poses serious safety and health risks to the student involved, as well as others in the school community, and adversely affects educational and extracurricular programs. The Clinton public schools also have the obligation to abide by society's rules.

The Clinton Board of Education authorizes the principal and/or assistant principal or any law enforcement officer to require a student to provide one or more samples of his or her breath for the purpose of determining the presence of alcohol whenever the officer or principal/assistant principal or designee has reasonable suspicion that the student is under the influence of alcohol while the student is on school premises or while participating in any school-sponsored activity whether on or off school premises. The authorized officer shall use a breath-screening device approved by the Connecticut Department of Transportation or the State Attorney's Office for the purpose of determining the presence of alcohol in a person's breath. The results of the breath screening device or the fact that a student refused to submit to breath testing shall be used in any hearing or proceedings regarding the discipline, suspension, or expulsion of a student due to alcohol use.

Policy adopted:	October 16, 2006	CLINTON PUBLIC SCHOOLS
		Clinton, Connecticut

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#### Breathalyzer Regulation

The following rules shall be used by the Clinton public schools when responding to a student's involvement with alcohol. School rules in the critical area of alcohol use are motivated not only by respect for the law, but also by a genuine concern for the physical, psychological and emotional well being for all its students. The possession, purchase, or consumption (use) on any Clinton public school campus or at any other school-sponsored activity/event at any time or place is prohibited.

A student who violates the alcohol policy outlined above will be subject to disciplinary action, which may include expulsion, regardless of the student's previous disciplinary record. In addition, a student who violates the above policy may be required to undergo drug/alcohol counseling. Any student who chooses to remain in the presence of someone engaging in any prohibited activities may also be subject to disciplinary action.

Any student found in violation of the school's alcohol policy will be subject to the disciplinary policy, up to and including expulsion.

The breath screening device will be used during school time or at any school function, on or off school grounds, as requested or determined by the principal/assistant principal or designee. The breath screening device may be used by either testing every student or a sample of students entering the event or when there is reasonable suspicion to believe that a student may be under the influence of alcohol.

When screening every student at an event, the alcohol tester shall operate in the "Passive Mode." In this mode, the alcohol tester can detect alcohol in a student's breath by the mere exhaling of a breath. If alcohol is detected, the student shall be brought to a private area and the parents shall be notified. Once the parents are notified, the student shall provide an "Active" breath sample. This Active sample will be collected by attaching the mouthpiece to the alcohol tester and the student blowing into the mouthpiece.

If there is reasonable suspicion that a student is under the influence while at an event, on or off school grounds the student may be escorted to a private area where a "passive" test may be administered. If it is determined that there is alcohol on the student's breath, the student's parents will be notified and the procedure for obtaining an active sample, as described above, will be followed. If a student refuses to abide by the provisions of this policy, then the student's parents will be notified and the student will not be allowed to participate in the event.

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If during the school day a student denies to an administrator that he/she has consumed alcoholic beverage(s) and elects not to utilize the breath tester to establish his/her alcohol-free state, the judgment of the administrator will then be utilized to determine whether or not the student has consumed an alcoholic beverage and will take appropriate disciplinary action.

Definition of Reasonable Suspicion

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

- 1. Observed use or possession of alcohol;
- 2. Odor of an alcoholic beverage or the presence of an alcohol container;
- 3. Slurred speech, unsteady gait, lack of coordination, bloodshot or glazed eyes; or
- 4. Marked change in personal behavior not attributable to other factors; or
- 5. Behavior that is risky, aggressive or disruptive.

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