

Breathalyzer Screening at School Dances or Celebrations¹

Alcohol use by a student at a school dance or celebration is illegal and poses a serious threat not only to his/her own well-being, but also to the well-being of the entire school community. The Board of Education finds that alcohol intoxication at such events has increased and has created disruption and disharmony in the conduct of such events, and that such intoxication cannot be tolerated at any school-sponsored activity or event. The Board of Education further finds that this Policy is necessary to preserve safety and order at school sponsored dances and celebrations.

1. Prior to entering any Dance or Celebration, all students will be screened as follows:
 - a. Students purchase their tickets (if tickets are required) prior to the event.
 - b. Upon entering the school or the venue of the Dance or Celebration students will be directed to one or more screening areas. One student will be tested at a time in each screening area. The screening area will be a room or an area where the students can be tested without the process being witnessed by other students.
 - c. An administrator or trained teacher will administer the breathalyzer.
 - d. The student will be admitted to the event if the reading is negative.
 - e. If the reading is positive (.01BAC) the student may then request a maximum of two additional tests taken at least 2 minutes apart. If these additional tests are positive, the student will NOT be admitted to the event and his/her parent-guardian will be notified and requested to take the student home.
 - f. If the student has tested positive and the parent/guardian cannot be reached or is not willing to pick up the student, the administrator will keep the student at school (or the location where the event is taking place) until arrangements can be made to get the student home safely. The police will not be contacted unless the student appears intent upon driving a motor vehicle.
 - g. No search of the student's person, clothing, or belongings will be conducted unless a staff member has a reasonable suspicion apart from the positive breathalyzer result that a search would produce evidence of possession of alcohol or other illegal substances.
 - h. If the student has tested positive but is not in possession of alcohol (or other illegal substances), no disciplinary action will be taken against him or her, beyond not being admitted to the dance or celebration, and having his/her parents informed.

¹ The term "Celebration" includes parties, picnics, socials, and social outings, whether or not dancing will be involved in the event. The terms "Dance" and "Celebration" as used in this policy do NOT include any curricular or for-credit activities, or any interscholastic athletic activities, pep rallies, or other interscholastic competitive or competition-related activities.

i. If a student refuses to take the breathalyzer, s/he will not be admitted to the event. If the student appears to be intoxicated or if there is an odor of alcohol or if the District staff member has information that the student has been drinking, then his/her parents will be contacted and asked to come and take the student home. No other disciplinary action will be taken as a result of a refusal to take the breathalyzer test. The police will not be contacted unless the District staff member reasonably suspects that the student is under the influence of alcohol or drugs, and the student appears intent upon driving a motor vehicle.

j. Any student denied admission to a dance or celebration under this policy will be refunded the fee or charge, if any, which the student has paid to attend such dance or celebration.

2. Screening after Student has entered Dance or Celebration.

a. There is always the possibility that a student may become intoxicated after passing an initial breathalyzer screening. Being under the influence of alcohol or any controlled substance while at a school sponsored event, including a Dance or Celebration, is a violation of District Policy JICH and JICH-R and will be dealt with in the same manner as if it occurred at school during the school day. The administrator in charge may request that a student who is already in the dance or celebration take a breathalyzer test if he/she has a reasonable suspicion that the student has used alcohol. Generally, such suspicion may be based upon a credible witness report, or if a school staff member observes any of the following behaviors:

- Slurred speech
- Unsteady gait
- Impaired motor control
- Flushed face
- Smell of intoxicating liquor on breath, clothing or person
- Vomiting

b. If the student tests positive on the breathalyzer, s/he may request a second and third test. See Section 1.e.

c. If these tests are positive, or if the student refuses to take the breathalyzer test, then the administrator will follow the procedure as written in Section 1 above concerning getting the student home.

d. School discipline will be administered, not excluding the possibility of suspension or expulsion depending on the number of offenses and severity.

e. Any student ejected from a dance or celebration under this Section 2 will not receive a refund of the dance or celebration admission fee, if any.

3. More than one positive screening

a. Any student testing positive on the breathalyzer for more than one dance or celebration during a school year will not be allowed to attend any Dolores School District dances or celebrations for the remainder of the school year.

b. It is specifically noted that 3.a. above means that, if the student is a senior, s/he will not be allowed to attend any remaining senior activities (e.g. senior breakfast, senior picnic, or senior trip that occur after the second event where s/he has been tested positive for alcohol).

Adopted: April 9, 2015

LEGAL REFS.: 20 U.S.C. §7101 *et seq.* (*Safe & Drug-Free Schools and Communities Act of 1994*)
C.R.S. 18-18-102 (3), (5) (*definition of "anabolic steroid" and "controlled substance"*)
C.R.S. 18-18-407 (2) (*crime to sell, distribute or possess controlled substance on or near school grounds or school vehicles*)
C.R.S. 22-1-110 (*instruction related to alcohol and drugs*)
C.R.S. 22-32-109.1 (2)(a)(l)(G) (*policy required as part of safe schools plan*)
C.R.S. 22-33-106 (1)(d) (*suspension or expulsion discretionary for the sale of a drug or controlled substance*)
C.R.S. 25-1.5-106 (12)(b) (*possession or use of medical marijuana in or on school grounds or in a school bus is prohibited*)
C.R.S. 25-14-103.5 (*boards of education must adopt policies prohibiting use of retail marijuana on school property*)

CROSS REFS.: IHAMA, Teaching about Drugs, Alcohol and Tobacco
JICH and JICH-R, Drug and Alcohol Use by Students
JIH, Student Interrogations, Searches and Arrests
JK*-2, Discipline of Students with Disabilities
JKD/JKE, Suspension/Expulsion of Students
JLCD, Administering Medications to Students

Dolores School District RE-4A, Dolores, Colorado