

POLICY AC

**NON-DISCRIMINATION / EQUAL OPPORTUNITY AND AFFIRMATIVE
ACTION**

I. Policy Statement

- A. The Milford School Department recognizes the dignity of the individual student/employee to work and learn in an environment, which is free of discrimination on the basis of sex, race, national origin, age, religion, marital status, or handicap. Accordingly, students and employees are prohibited from engaging in discriminatory practices. In addition, Milford School Department assures that it will comply with all Federal and State laws, rules, and regulations which exist regarding civil and human rights.
- B. Assurance of non-discrimination will be provided through compliance with policies and procedures developed by Milford School Department.
- C. The need for such policies and procedures, and their development and inclusion in current administrative requirements, shall be documented through the maintenance of Milford School Department Affirmative Action Plans.
- D. Responsibility for implementing and enforcing this policy rests with the Superintendent of Schools and/or the Affirmative Action Officer designated by Milford School Department.

II. Dissemination Statement

- A. It shall be the policy of Milford School Department to disseminate the Affirmative Action Policy in *its* entirety at least annually by means of the newspaper and in the student handbook in grades K-12.

An abridged statement shall read as follows:

"Maine School Milford School Department will not discriminate in its education or employment practices on the basis of sex or any other anti-discrimination standards included in State or Federal law."

III. Affirmative Action Grievance Procedure for Maine School Milford School Department

The purpose of this policy is to establish procedures for processing discrimination complaints.

I. Students or Employees

When the grievant is a student or employee, the grievance shall be handled as described below:

POLICY AC

NON-DISCRIMINATION / EQUAL OPPORTUNITY AND AFFIRMATIVE
ACTION

A. Definitions

1. Affirmative Action Officer

The Maine School Milford School Department's Affirmative Action Officer is the designated employee responsible for resolving discrimination complaints by acting as a counselor and mediator for the parties involved.

2. Grievance Committee

The Grievance Committee provides a staff advisory function in processing discrimination complaints. It is recommended that the Affirmative Action Committee fulfill the roll of the Grievance Committee, or if a separate Grievance Committee is established, it be a sub-committee of the Affirmative Action Committee.

3. Grievable Incident

A grievable incident would include, but not be limited to, an act of alleged discrimination on the basis of sex, color, race, national origin, religion, marital status, age or handicap.

B. Procedures

Any student/employee, who believes he or she has been discriminated against, may file a grievance according to the following procedure.

1. Informal Process

Every effort will be made by the Milford School Department's Affirmative Action Officer to resolve the grievance in as informal a manner as possible by talking with the person or persons alleged to have violated the Milford School Department policy of non-discrimination. If it is not possible to resolve such complaints in this manner, then Step One of the formal process shall be implemented.

2. Formal Process

- (a) Step One: All grievances shall be brought to the attention of the Milford School Department Affirmative Action Officer within thirty (30) working days of the time the grievant first learned, or should have known of the grievable incident. The Affirmative Action Officer will assist the grievant through the grievance process beginning with the informal process. The Affirmative Action Officer will also investigate, or cause to be investigated, the identified complaint. If the Affirmative Action Officer cannot resolve this within fifteen (15) working days, then Step Two will be

POLICY AC

NON-DISCRIMINATION / EQUAL OPPORTUNITY AND AFFIRMATIVE
ACTION

initiated.

(b) Step Two: The grievant will initiate this step by filing a written grievance with the Chair of the Affirmative Action Committee with five (5) working days following the termination of Step One. In addition, the Affirmative Action Officer will file a report of his or her findings and/or recommendations based on the results of Step One.

i. The Affirmative Action Committee will review the complaint and the Affirmative Action Officer's report and render a decision, in writing to the grievant within ten (10) working days or receiving the complaint. (A hearing may be called at the discretion of the Affirmative Action Committee.)

(c) Step Three: The grievant may appeal the decision by filing a written grievance with the Department within five (5) working days following the termination of Step Two. (If the complaint involves the Superintendent, then Step Three will be passed over and Step Four will be used.) In addition, the Chair of the Affirmative Action Committee will file a report of the Committee's recommendations based on the results of Step Two.

(d) The Superintendent will review the complaint and the Affirmative Action Committee's report and render a decision, in writing, to the grievant within ten (10) working days of receiving the complaint.

(e) Step Four: Within five (5) working days after receiving the Superintendent's written decision, the grievant may file a written appeal to the Commissioner of Education and Cultural Services.

IV. Disciplinary Action

If disciplinary action is recommended as a result of a grievance, such action will be taken utilizing appropriate procedures as established by collective bargaining agreements and the appropriate policies as established by the Milford School Department Joint Board.

*Legal Reference See also:
Policy GBAA*

POLICY ACAA

HARASSMENT AND SEXUAL HARASSMENT OF STUDENTS

Milford School Department recognizes the right of each student to perform in an atmosphere, which is free of intimidation, ridicule, hostility and offensiveness. In order to insure such an atmosphere, Milford School Department should not engage in harassment of students and students should not harass other students, where harassment is based on race, color, sex, religion, national origin or handicap. Acts of this nature are not only a violation of this policy but also constitute illegal discrimination under state and federal laws.

Examples of prohibited harassment:

- * Unwelcome sexual advances, gestures, comments or contact;
- * Threats;
- * Offensive jokes;
- * Ridicule, slurs, derogatory action or remarks.

Students should also be advised of the importance of informing the harasser that his/her behavior is unwelcome, offensive, in poor taste, or highly inappropriate. However, if a student feels uncomfortable with confronting the harasser, the student is encouraged to inform the Affirmative Action Coordinator. The Affirmative Action Coordinator shall advise the person who has allegedly been harassed of the various options available to the person: Title IX civil action; formal request for discipline by the Milford School Department superintendent and/ or schools, or by filing a complaint to the Directors of the United States Office of Civil Rights, U. S. Department of Education, Washington, D. C.

Legal Reference:

POLICY ACAA

HARASSMENT AND SEXUAL HARASSMENT OF STUDENTS

Harassment of students because of race, color, sex, sexual orientation, religion, ancestry or national origin, or disability is prohibited. Such conduct is a violation of School Committee policy and may constitute illegal discrimination under state and federal laws.

Harassment

Harassment includes but is not limited to verbal abuse based on race, color, sex, sexual orientation, religion, ancestry or national origin, or disability. Harassment that rises to the level of physical assault, battery and/or abuse are also addressed in the Board policy JICIA-Weapons, Violence and School Safety.

Sexual Harassment

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors or pressure to engage in sexual activity, physical contact of a sexual nature, gestures, comments, or other physical, written or verbal conduct that is gender-based that interferes with a student's education. School employees, fellow students, volunteers and visitors to the school, and other persons with whom students may interact in order to pursue school activities are required to refrain from such conduct.

Harassment/sexual harassment of students by school employees is considered grounds for disciplinary action, up to and including discharge. Harassment/sexual harassment of students by other students is considered grounds for disciplinary action, up to and including expulsion. The Superintendent will determine appropriate sanctions for harassment of students by persons other than school employees and students.

The Superintendent or the employee designated as the Title IX Coordinator [may be the Affirmative Action Officer/Sexual Harassment Officer(s) as determined by the local school unit] will investigate complaints of harassment in accordance with the Student Harassment Complaint Procedure. School employees, students, and parents shall be informed of this policy/procedure through handbooks and/or other means selected by the school administration.

Legal Reference: Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.)

Title VI of the Civil Rights Act of 1964 (42 USC § 2000 (d)»

5 MRSA §§ 4602; 4681 et seq.

20-A MRSA § 6553

*Cross Reference: ACAA-R-Student Harassment Complaint Procedure
AC-Non-discrimination/Equal Opportunity and Affirmative Action
ACAD-Hazing JICIA-Weapons, Violence, **Bullying** and School Safety*

***Adopted:**
Milford School Committee 10/104/07*

ACAA-R

**STUDENT DISCRIMINATION AND HARASSMENT
COMPLAINT PROCEDURE**

The School Committee has adopted this procedure in order to provide a method of prompt and equitable resolution of student complaints of discrimination or discriminatory harassment as described in policies AC-Nondiscrimination/Equal Opportunity and Affirmative Action and ACAA Harassment and Sexual Harassment of Students.

Definitions - For purposes of this procedure:

- A. A "Complaint" is defined as an allegation that a student has been discriminated against or harassed on the basis of race, color, sex, sexual orientation, religion, ancestry, national origin, or disability.
- B. "Discrimination or harassment" means discrimination or harassment on the basis of race, color, sex, sexual orientation, religion, ancestry, national origin, or disability.
- A. Any student who believes he/she has been discriminated against or harassed should report their concern promptly to school principal or Affirmative Action Officer. Students who are unsure whether discrimination or harassment has occurred are encouraged to discuss the situation with the school principal or Affirmative Action Officer.
- B. School staff are expected to report possible incidents of discrimination or harassment of students. Parents and other adults are also encouraged to report any concerns about possible discrimination or harassment of students.
- C. Students and others will not be retaliated against for making a Complaint. Any retaliation by students or school staff will result in disciplinary measures, up to and including expulsion or dismissal.
- D. Students are encouraged to utilize the school unit's Complaint Procedure. However, students are hereby notified that they also have the right to report Complaints to the Maine Human Rights Commission, State House Station 51, Augusta, ME 04333 (telephone: 207-624-6050) and/or to the federal Office for Civil Rights, Regional Director, U.S. Department of Education, S.W. McCormack POCH Room 222, Boston, MA 02109-4557 (telephone: 617-223-9662).

COMPLAINT HANDLING AND INVESTIGATION

- A. The school administrator receiving the Complaint shall promptly inform the Superintendent and the person(s) who is the subject of the Complaint that a Complaint has been received.
- B. The school administrator receiving the Complaint may pursue an informal resolution of the Complaint with the agreement of the parties involved. The informal resolution is subject to the approval of the Superintendent, who shall consider whether the informal resolution is in the best interest of the school unit in light of the particular circumstances and applicable policies and laws.
- C. The Complaint will be investigated by the school administrator receiving the complaint unless the Superintendent chooses to investigate the complaint or designates another person to investigate it on his/her behalf. Any Complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any Complaint about the Superintendent should be submitted to the chairperson of the School Committee, who should consult with legal counsel concerning the handling and investigation of the Complaint.
 - 1. The person who is the subject of the Complaint will be provided with an opportunity to be heard as part of the investigation.
 - 2. If the Complaint is against an employee of the school unit, any applicable individual or collective bargaining contract provisions shall be followed.
 - 3. Privacy rights of all parties to the Complaint shall be maintained in accordance with applicable state and federal laws.
 - 4. A written record of the investigation process shall be kept
 - 5. The administrator investigating the Complaint may take interim remedial measures to reduce the risk of further discrimination or harassment while the investigation is pending.
 - 6. If the Complaint is investigated by a person other than the Superintendent, that person shall consult with the Superintendent concerning the investigation, conclusions, and any remedial and/or disciplinary actions.
 - 7. The investigation shall be completed within 21 business days of receiving the Complaint, if practicable.
- D. If the school administrator investigating the Complaint determines that

discrimination or harassment occurred, he/she shall, in consultation with the Superintendent:

1. Determine what remedial action is required, if any;
 2. Determine what disciplinary action should be taken against the person(s) who engaged in discrimination or harassment, if any; and
 3. Inform the student who made the Complaint in writing of the results of the investigation and its resolution (in accordance with applicable state and federal privacy laws).
- E. If the student's parents/legal guardians are dissatisfied with the resolution, an appeal may be made in writing to the Superintendent within 14 business days after receiving notice of the resolution. The Superintendent shall review the investigation report and may conduct further investigation if deemed appropriate. The Superintendent's decision shall be final.

*Legal Reference: Americans with Disabilities Act (28 CFR § 35.07)
Section 504 of the Vocational Rehabilitation Act (34 CFR § 104.7)
Title IX of the Education Amendments of 1972 (20 U.S.c. § 1681 et seq.) Title VI of
the Civil Rights Act of 1964 (P.L. 88-352)
20 USC § 1232g; 34 CFR Part 99
5 MRSA §§ 4571; 4602; 4681 et seq.
20-A MRSA §§ 6001 et seq.*

*Cross Reference: AC -Nondiscrimination/Equal Opportunity and Affirmative Action ACAA -
Harassment and Sexual Harassment of Students*

*Approved by:
Milford School Committee 10104/07*

ACAB

HARASSMENT AND SEXUAL HARASSMENT OF EMPLOYEES

Milford School Department recognizes the right of each employee to perform in an atmosphere that is free of intimidation, ridicule, hostility and offensiveness. In order to insure such an atmosphere, the Milford School Department should not engage in harassment of employees and employees should not harass other employees, where harassment is based on race, color, sex, religion, national origin or handicap. Acts of this nature are not only a violation of this policy but also constitute illegal discrimination under state and federal laws.

Examples of prohibited harassment:

- * Unwelcome sexual advances, gestures, comments or contact;
- * Threats;
- * Offensive jokes;
- * Ridicule, slurs, derogatory action or remarks.

Employees should also be advised of the importance of informing the harasser that his/her behavior is unwelcome, offensive, in poor taste, or highly inappropriate. However, if an employee feels uncomfortable with confronting the harasser, the employee is encouraged to inform the Affirmative Action Coordinator. The Affirmative Action Coordinator shall advise the person who has allegedly been harassed of the various options available to the person: Title IX civil rights action, formal request for discipline by the Milford School Department superintendent or schools, filing a complaint to the Directors of the United States Office of Civil Rights, U. S. Department of Education, and Washington D.C.

Legal Reference:

POLICY AD
EDUCATION PHILOSOPHY/MISSION

Vision

All children will become caring, competent, and contented adults.

Mission

To improve teaching and learning. Mission, Milford School Department.

The mission of Milford School Department is to support the member school committees of Milford School Department by employing and empowering a superintendent and his/ her staff. The superintendent will provide leadership which allows staff and students to achieve the stated v-vision, mission, and beliefs of the schools and who will assure that the local schools will meet federal, state, and local standards.

Through the superintendent's office, Milford School Department will provide the following services for its member school units: Policy development, curriculum development and assessment, staff development, special services direction, personnel management, program management, grant management and business services, including finance, facilities, food service, and transportation.

LEGAL REFERENCE:

POLICY AD
EDUCATION PHILOSOPHY/MISSION

Vision

All children will become caring, competent, and contented adults.

Mission

School committees, administrators, teachers, support staff, and the communities need to constantly seek better ways to assure that all children have an opportunity to become caring, competent, and contented adults. These opportunities must reflect high standards of excellence.

Beliefs

Caring people appreciate complex economic and political inter-relationships. They understand many cultures and respect and value human diversity. They participate in decision-making responsibly. They care for the environment. Caring people seek to make the world a better place.

Competent people demonstrate high performance and standards of excellence. They have a solid academic foundation and demonstrate the ability to apply this foundation. They have the ability to use the tools of learning and technology. They possess communication skills. They are creative and willing to take reasoned risks. Competent people have the ability to function as economically independent individuals.

Contented people have a healthy body and mind. They have a sense of aesthetic appreciation. They have the ability to make appropriate life choices. They have a sense of humor and the ability to enjoy life as it is. They have a positive sense of their own unique worth. They are willing to make positive changes. Contented people have the ability to have fun.

Students need learning that is active, connected, continuous, exciting, habit-forming, integrated, new, pleasurable, and purposeful.

Students need a safe, healthy environment. They need a school, which stresses collaboration and the sharing of responsibility with the family and other agencies.

We believe that our success in the 21st century must be based on the achievement of high standards of excellence in all areas.

We believe that each community served by Milford School Department must be empowered to adopt its own version of this statement of vision, mission, and beliefs.

*Legal Reference:
Adopted 12/13/95*

TOBACCO, ALCOHOL, DRUG USE BY PUBLIC ON SCHOOL PROPERTY

Guests and visitors are prohibited from consuming, possessing, furnishing, selling or being under the influence of alcohol or scheduled drugs (as defined in 17-A M.R.S.A. SSI101), or using tobacco in any school building, on any school facilities, or at any school sponsored, organized or associated function, or on any property, facility or vehicle owned or operated by or for Milford School Department. This prohibition does not apply to a legally defined drug specifically prescribed for the individual's own use by his/ her doctor.

A. Action

When a school employee becomes aware of a violation of this policy, he/ she will notify the individual about the violation. The Civility Policy (510) shall apply.

B. Repeated Action

When an individual who has received a verbal warning notifies a school administrator of a second violation of this policy, the administrator will notify the individual about the violation in writing. A copy shall be provided to the superintendent and the school committee.

C. Third Event

When a school administrator is notified of a third violation of this policy by the same individual, after having received an earlier warning and written notice, school officials will notify the individual about the violation in writing a second time. Registered mail or other proof of receipt shall be required. A copy shall be provided to the superintendent and the school committee. The individual shall be referred to the school committee for exclusion any school building, on any school facilities, or at any school sponsored, organized or associated function, or on any property, facility or vehicle owned or operated by or for Milford School Department.

D. Fourth Event

Any individual so excluded who again violates this policy shall thereafter be charged with trespass, and referred to law enforcement agencies for action.

E. Violation of Law

In the event a violation of State or federal laws is identified, school officials are authorized to refer the situation directly to law enforcement agencies.

F. Superintendent's Responsibility

The superintendent shall develop a program of proper notification of concerned parties.

Legal Reference:

See Also: 306, 401, 402

POLICY ADC
ALCOHOL/TOBACCO/DRUG POLICY-ADDENDUM

II. STUDENTS POLICIES AND PROCEDURES

C. Disciplinary Action

1. Level 1

a) First Offense - Provide for a 3-day in-school suspension.

PROCEDURES During A 3-DAY IN-SCHOOL

SUSPENSION

1. Student will remain in assigned area at all times and may not leave assigned area without permission. Student may not have contact with other students.
2. Student will complete all regularly assigned work satisfactorily before suspension is considered completed.
3. In addition to the above requirements, the student will complete work on educational packets that have been previously approved by the SAT. The SAT will meet with student's teachers to notify them of the student's program.
 - a) Educational material such as videos or pamphlets may be assigned to the student.
 - b) Assignments may include written essays and/or work sheets, research projects or other similar work.
 - c) A letter will be forwarded to the student's parentis/guardian identifying the components and requirements of the student's individual plan.
4. The SAT process will be initiated.

POLICY ADC

**ALCOHOL/DRUG ABUSE, TOBACCO, AND SMOKING STUDENT POLICY
AND PROCEDURE**

Milford School Department, in recognition of its role as an educational leader in its four communities, will work closely with other community organizations and individuals who share the task of addressing tobacco, alcohol and drug dependency issues. The school system recognizes tobacco, alcohol and drug dependency as a treatable disease and acknowledges its responsibility to establish policies and procedures for helping employees and students address their own tobacco/alcohol/drug use and abuse problems as well as those of their families. In establishing policies and procedures for tobacco/alcohol/drug abuse dependency education, prevention and early intervention for students and employees, Milford School Department will ensure the confidential nature of all school records and any referrals to non-school agencies or individuals. It is understood that these policies and procedures are designed to achieve restoration of health and provide support for full recovery as well as delineate standards, prohibitions and consequences regarding the use, possession and distribution of tobacco, alcohol or illegal drugs.

*Legal Reference:
Adopted Pre-1981, M -2/11/91, B -2/21/91, A -2/27/91, G -3/18/91, Revised
10/28/98*

ADC-R

STUDENTS POLICIES AND PROCEDURES

- a) Use and Abuse of Alcohol and Other Drugs by Students.
- i) Milford School Department recognizes that the use of mind-altering substances is a significant health problem for students, resulting in negative effects on the behavior, learning and development of each individual. Familial tobacco/ alcohol/drug abuse problems, likewise, affect the learning of children and place them at high risk of developing chemical health problems.
 - ii) Student health problems are primarily the responsibility of the parents or guardians. However, the school and community share in that responsibility because alcohol/drug abuse health problems often affect learning and development.
 - iii) The school system supports education and awareness activities for school personnel, students and parents. These educational programs cover tobacco/alcohol/drug abuse problems, including the symptomology of tobacco, alcohol and drug dependency and related problems affecting students.
 - iv) The school system believes that a tobacco/ alcohol/drug abuse policy should include:
 - a) Firm standards and prohibitions about the use, possession and distribution of tobacco, alcohol or illegal drugs and,
 - b) Assurances to the students that the school will help them confront and overcome their tobacco/alcohol/drug use problems.
 - c) Consequently, the school committee is committed to offering a comprehensive health program that addresses both primary and secondary prevention.
 - vi) Primary prevention includes, yet is not limited to, those activities that focus on health education, self-esteem, tobacco, alcohol or drug-free alternatives, decision-making and coping skills.
 - vii) Secondary prevention addresses early intervention, self-referral, professional referral, follow-up and support services for students and families \who may have tobacco/alcohol/drug abuse problems.
- b) Student Tobacco/ Alcohol/Drug Abuse Rule
- i) Students are prohibited from consuming, possessing, furnishing, selling, receiving, buying or being under the influence of prohibited substances in school or at any school sponsored, organized or associated function or on any property, facility or vehicle owned or operated by or for School Milford School Department. It is not a violation for a student to use in school a legally defined drug specifically prescribed for the student's own use by his/her doctor and taken in accordance with the policy for the administration of medicine to students. (See attached policy 316.)
 - ii) The term "prohibited substance" shall include, but not be limited to:
 - a) Tobacco;
 - b) Alcohol;
 - c) Schedule drugs (as defined in 17-A M.R.S.A. SS1101);
 - d) Any chemical, which can effect or change a student's mental, physical or behavioral pattern, including steroids, as well as, but not limited to volatile materials such as glue, paint or aerosols, when possessed for the purpose of inhalation;

- e) Paraphernalia -implements used for distribution or consumption of a prohibited substance; or
 - f) Any substance that is described as or is purported to be a prohibited substance defined in this section.
- c) Disciplinary Action
- i) Level 1: Consumption, possession, receipt, or being under the influence of a prohibited substance.
 - a) First Offense: The administrator shall:
 - (1) Confiscate prohibited substance and verify offense;
 - (2) Meet with student;
 - (3) Notify parents/ guardian, superintendent and/ or law enforcement;
 - (4) Meet with guidance counselor, chemical health coordinator and/or initiate Student Assistance Team process;
 - (5) Provide for a 3-day in school detention.
 - b) Second and Subsequent Offenses: The administrator shall:
 - (1) Same as for first offense, steps a-d;
 - (2) Provide for out of school suspension or expulsion;
 - c) Discretion
 - (1) The administrator shall have the authority and discretion to deviate from the above disciplinary measures set out above.
 - (2) The administrator shall take into account the degree to which a student voluntarily sought help.
 - ii) Level 2: Furnishing, selling or buying of prohibited substances.
 - a) First Offense: The administrator shall:
 - (1) Confiscate prohibited substance and verify offense;
 - (2) Meet with student;
 - (3) Notify parent(s)/ guardian(s), superintendent and/ or law enforcement;
 - (4) Meet with guidance counselor, chemical health coordinator and/ or initiate the Student Assistance Team process;
 - (5) Refer to Department of Human Services Child Protective Services if parent(s)/guardian(s) refuse to cooperate with above procedure;
 - (6) Five day in-school detention.
 - b) Second and Subsequent Offenses: The administrator shall:
 - (1) Confiscate prohibited substance and verify offense;
 - (2) Meet with student;
 - (3) Notify parent(s)/ guardian(s), superintendent and/ or law enforcement;
 - (4) Meet with guidance counselor, chemical health coordinator and/ or initiate the Student Assistance Team process;
 - (5) Refer to Department of Human Services Child Protective Services if parent(s)/guardian(s) refuse to cooperate with above procedure;
 - (6) Out of school suspension or expulsion.
 - c) Discretion
 - (1) The administrator shall have the authority and discretion to deviate from the above disciplinary measures set out above.
 - (2) The administrator shall take into account the degree to which a student voluntarily sought help.
- d) Procedure for School Functions School personnel responsible for a student who has violated the tobacco/ alcohol/ drug policy set out above shall:
- i) Remove the student from the function and /or return the student to

- school grounds retaining him/her while following steps b-g;
 - ii) Call the student's parent(s)/guardian(s) to assume physical responsibility;
 - iii) If the parent(s)/guardian(s) is not available, call the person listed on the student's school emergency card to assume physical responsibility;
 - iv) If no one is available to assume physical responsibility for one student, and it is after school hours, call the appropriate law enforcement agency;
 - v) If none of the other alternatives are available, and employee may transport the student home if accompanied by another adult;
 - vi) Notify school administrator of incident; and
 - vii) Under no circumstances is a student to be left unsupervised.
- e) Role of School Staff
- i) Any staff member with a reasonable basis to suspect a student of violating the Tobacco/alcohol/ Drug Abuse Policy shall:
 - a) Take necessary action, not otherwise prohibited by school policy, to secure the health and safety of the student(s) involved;
 - b) Report the incident to the building or assistant principal, or in the absence of these administrators, to another appropriate administrator.
 - ii) Any staff member approached by a student voluntarily seeking help for a tobacco/alcohol/drug abuse related problem shall refer the student to a designated member of the Student Assistance Team and will otherwise maintain the confidentiality of the student volunteered information.
- a) while the information provided by the volunteering student to the staff member may not be used in any disciplinary action, the student may otherwise be susceptible to disciplinary action.
- b) The fact that a student sought help from a staff member is an ameliorating factor to be considered in any disciplinary action.
- Student Assistance Team Upon receipt of a referral related to tobacco, alcohol or drug abuse, the student assistance team (S.A.T.) will meet, collect education related data, and decide whether the student should be referred for professional evaluation.
- i) S.A.T. members
 - a) The S.A.T. shall consist of an administrator, guidance counselor or chemical health coordinator, school nurse, and at least one of the student's teachers.
 - b) The S.A.T. may consist of other individuals as deemed appropriate including a parent(s)/guardian(s).
 - ii) Referrals
 - a) A student may be referred to the S.A.T. by school employees or fellow students by the filling out of a student referral form.
 - b) Student may refer themselves to the S.A.T. by filling out a student referral form.
 - c) Action Taken Upon Referral
 - (1) The S.A.T. shall meet as soon as possible after receipt of a referral.
 - (2) The S.A.T. shall collect data concerning the student's academic and behavioral performance from school employees and the student's records.

- a) If considered necessary to fulfill their responsibility under this policy, the S.A.T. may contact the student's home to gather further data.
- b) If considered necessary to fulfill their responsibility under this policy, the S.A.T. may contact other students to gather further data.
- (3) The S.A.T. shall make a non-clinical assessment of whether a referral for evaluation is necessary based upon the referral form and collected information and shall act accordingly.
- (4) The S.A.T. shall notify the student's parent(s)/guardian(s) and may meet with the student and the student's parent(s)/guardian(s) to discuss its non-clinical assessment and/or its recommendation for a referral for evaluation.
- (5) The S.A.T. need not notify the parents of the referred student, however, if its members have reasonable cause to suspect that the student has been or is likely to be abuse or neglected by his or her parents or legal guardian as a result of parent(s)/guardian(s) contact.
- (6) "Abuse or neglect" means a threat to the student's health or welfare by the physical, mental or emotional injury or impairment, sexual abuse or exploitation, deprivation of essential needs or lack or protection from these.
- (7) Where the S.A.T. decides not to notify parents of the referral because of suspected abuse or neglect, the S.A.T. shall notify the Department of Human Services in accordance with 22M.R.S.A. SS4011 .
- d) The S.A.T. shall take no further action relative to the referred student unless that student provides appropriate express consent in accordance with the law, and the consent permits both the S.A.T. and the student's parent(s)/guardian(s) access to the student's tobacco/alcohol or drug abuse records.
- e) Upon receipt of appropriate consent, the S.A.T. shall meet to consider necessary modifications in the student's educational program.
- g) In School Detention/Suspension/ Expulsion of Exceptional Students. When considering suspension or expulsion of a student who has been identified as exceptional, refer to Maine Special Education regulations 10.10 and 10.11. (See attached regulations.)
- h) Violation of Liquor Enforcement Laws on Serving Minors Milford School Department is committed to keeping students chemically free and to supporting state laws, which strictly forbids the sale or distribution of tobacco, alcohol and other drugs to minors. When the administration becomes aware on information that is not consistent with the discouraging of tobacco/alcohol/drug abuse among students and when it specifically learns of student parties and other functions where abuse may occur, it is the position of Milford School Department that this information must be shared with the appropriate authorities and agencies.

Legal Reference:

Adopted Pre-1981, M -2/ 11/ 91, B -2/21/91, A -2/27/91, G -3/ 18/ 91, Revised 10/ 28/98

POLICY ADC

ALCOHOL, DRUGS, AND TOBACCO USE BY PERSONNEL

A. INTRODUCTION

Milford School Department is concerned about the effects that tobacco, alcohol or drug use may have on an employee's job performance and personal health as well as an employee's ability to serve as a positive role model in the Milford School Department schools and communities.

This statement of policy specifically relates to the disease of alcohol/drug abuse itself. It is not concerned with social drinking. The policy is designed to achieve restoration of full health to individuals whose job performance has been affected by alcohol/drug abuse problems.

School Milford School Department actively encourages any employee who needs help for an alcohol/drug abuse problem to voluntarily seek diagnosis and to follow through with the treatment that may be recommended by qualified professionals in order to arrest the condition as early as possible. If professionally diagnosed as being chemically dependent, the employee will receive the same consideration and opportunity for treatment that is extended to employees with other types of illness. While under treatment for an alcohol /drug abuse problem, the employee may use available sick leave.

B. Benefits and insurance coverage shall be provided to employees for alcohol/drug dependency and emotional disorders as specified in current insurance policies.

C. School Personnel Tobacco/Alcohol/Drug Abuse Rule

School policy prohibits any employee or recognized volunteer of the school system from consuming, possessing, furnishing, selling or being under the influence of alcohol or schedule drugs (as defined in 17-A M.R.S.A. SS I 101), or using tobacco in school or at any school sponsored, organized or associated function at which students are present or on any property, facility or vehicle owned or operated by or for Milford School Department. It is not a violation of school policy for an employee or recognized volunteer of the school system to use in school a legally defined drug specifically prescribed for the employee's or volunteer's own use by his/her doctor.

D. Disciplinary Action

1. Possession/Use

- a) When the school is notified of a reported violation of school policy set out above, involving possession or consumption, school officials will notify the employee or volunteer and shall attempt to verify the nature and extent of the violation. Upon verification of the alleged violation, the appropriate administrator shall take the following steps:
- b) Ensure that the employee or volunteer who is drug/alcohol affected is transported, if possible, to a safe environment by his or her appropriate supervisor or designee.
- c) Take appropriate disciplinary action, up to and including dismissal in accordance with any applicable collective bargaining agreement in effect at the time of the occurrence if the employee's actions place or placed children's safety or educational welfare in jeopardy.
- d) Take appropriate disciplinary action if the employee was smoking within school environment.
- e) If the employee or volunteer agrees to discuss the nature and extent of his or her substance abuse problem and agrees to seek appropriate treatment, then the school committee shall refer the employee or volunteer to an appropriate professional.

2. Furnishing/Selling/Buying

When the school is notified of a reported violation of school policy set out above, involving furnishing, selling, or buying of alcohol, tobacco or scheduled drugs school officials will notify the employee or volunteer and shall attempt to verify the nature and extent of the violation. Upon verification of the alleged violation, the administrator shall take the following steps:

- a) Ensure that the employee or volunteer who is drug/alcohol affected is transported, if possible to a safe environment by his or her appropriate supervisor or designee.
- b) Immediately suspend any person violating this rule.
- c) If the employee violated this rule, then the employee name shall be furnished to proper law enforcement officials and the employee will be permanently removed from his/her position in a manner consistent with the collective bargaining agreement if effect at the time of the occurrence.

E. Counseling and Treatment Procedures

I. Self-referral

- a) Milford School Department strongly encourages any school employee or recognized volunteer to voluntarily seek help for any possible alcohol or drug dependency problem. The primary role of the administrator receiving a request for help is to direct the person to an appropriate resource.

- b) Where necessary, the school system will work with outside agencies that can provide such referrals and will facilitate the contact and arrangement of services between the individual and the service agency.
- c) The administrator shall keep all voluntary referrals confidential.

*Legal Reference:
Adopted Pre-1981, M -2/ 11/91, B -2/ 21/91, A -2/27/91, G -3/18/91,
Revised 10/28/98*