

ALCOHOL, DRUG, TOBACCO AND SMOKING USE PROCEDURES FOR STUDENTS

A. Use and Abuse of Alcohol and Other Drugs by Students.

1. The 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.
2. 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.
3. 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.
4. 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.
5. Consequently, the school committee is committed to offering a comprehensive health program that addresses both primary and secondary prevention.
6. 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.
7. Secondary prevention addresses early intervention, self-referral, professional referral, follow-up to students and families who may have tobacco/alcohol/drug abuse problems. The family is responsible for any financial obligations associated with the above.

B. Student Tobacco/Alcohol/Drug Abuse Rule

1. 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 the 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 policy JLCD.)

2. The term "prohibited substance" shall include, but not be limited to:
 - a) Tobacco;
 - b) Alcohol; shall mean any alcoholic beverage, malt beverage, or fortified wine or other intoxicating liquor.
 - c) Schedule drugs (as defined in 17-A M.R.S.A. SS1101); shall mean any controlled substance or scheduled drug as defined in federal and state laws/regulations, any regulated or unregulated substance, such as certain herbal products, that affects or is represented to affect an individual's mental state or is known to adversely affect the health of students, and any legal substance (e.g., No-Doze, caffeine pills, paint, gasoline, etc.) that is abused for the purpose of affecting consciousness or performance. Examples of drugs, for purposes of the policy, include but are not limited to marijuana, any narcotic drug, amphetamine, barbiturate, anabolic steroid, synthetic designer drugs, and/or prescription drugs (except those possessed or used exclusively by the student for whom they are prescribed), in addition, any substance that is intended to resemble a drug, and any substance that is represented to be a drug shall be regarded as a drug for purposes of this policy.
 - d) Paraphernalia; shall mean any article or device (real or look-alike) specifically associated with the use of any drug as defined above or
 - e) Any substance that is described as or is purported to be a prohibited substance defined in this section.
3. The term "school system location" shall mean;
 - a) In any school building or on any school premises; in any school owned vehicle or in any other school-approved vehicle, including private cars, used to transport students to and from any school-sponsored or school-approved activity, at any school-sponsored event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school system or any other location where a student's conduct at any time directly interferes with the operations, discipline, or general welfare of the school.

C. Students Displaying Signs of Drug or Alcohol Use

1. Following an investigation, if a student displays signs in the school or at a school sponsored function, or while the student is acting under the direction of the school, on or off site, of having consumed alcohol or other drugs, the Principal or his/her designee shall suspend the student out of school for up to ten days and release the

student to the supervision of the parent or guardian. In the case of drugs or alcohol, excluding tobacco, the student will be designated to meet with the school counselor following his/her return to school as soon as can be arranged.

D. Disciplinary Action

1. 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) Provide for a 10-day out of school suspension, and/or expulsion if warranted by quantity/type of prohibited substance.
- (5) Meet with guidance counselor, building administrator and/or initiate Student Crisis Team process prior to student reentry;

b) Second and Subsequent Offenses:

The administrator shall:

- (1) Same as for first offense, steps 1-3;
- (2) Provide for 10 days out of school suspension and 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.

2. Level 2: Buying or receiving 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 law enforcement;
- (4) Provide for a minimum of 10 days out of school suspension with a request to the superintendent for further disciplinary action of up to 30 days or expulsion.
- (5) Refer to Department of Human Services Child Protective Services if parent(s)/guardian(s) refuse to cooperate with above procedure;
- (6) Meet with guidance counselor and/or initiate the Student Crisis Team process;

b) Second and Subsequent Offenses:

The administrator shall:

- (1) Same as first offense, steps 1 through 5
- (2) Provide for 10 days out of school suspension and 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.

E. Procedure for School Functions

While adhering to the restraint/seclusion policy JKAA, school personnel responsible for a student who has violated the tobacco/alcohol/drug policy set out above shall:

1. Guide the student from the function and/or return the student to school grounds supervising him/her while following the steps outlined below:
 - a. Notify the principal of the building or another administrator of the incident. In the event no administrator is available, school personnel shall call appropriate law enforcement;
 - b. Call the student's parent(s)/guardian(s) to assume physical responsibility to retain child if law enforcement has not yet arrived;
 - c. If the parent(s)/guardian(s) is not available, call the person listed on the student's school emergency form to assume physical responsibility to retain child if law enforcement has not yet arrived.

F. Role of School Staff

1. 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.

2. 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 Crisis Team and will otherwise maintain the confidentiality of the student volunteered information.
 - a) The fact that a student sought help from a staff member is an ameliorating factor to be considered in any disciplinary action.

G. Student Crisis Team

Upon receipt of a referral related to tobacco, alcohol or drug abuse, the student crisis team (S.C.T.) will meet, collect education related data, and decide whether the student should be referred for professional evaluation.

1. S.C.T. members
 - a) The S.C.T. shall consist of an administrator, guidance counselor, school nurse if available, and at least one of the student's teachers;
 - b) The S.C.T. may consist of other individuals as deemed appropriate including a parent(s)/guardian(s).

2. Referrals
 - a) A student may be referred to the S.C.T. by school employees or fellow students by the filling out a student referral form.
 - b) A Student may refer themselves to the S.C.T. by filling out a student referral form.

3. Action Taken Upon Referral
 - a) The S.C.T. shall meet as soon as possible after receipt of a referral.
 - b) The S.C.T. shall collect data concerning the student's academic and behavioral performance.

- (1) If considered necessary to fulfill their responsibility under this policy, the S.C.T. may contact the student's home to gather further data.
 - (2) If considered necessary to fulfill their responsibility under this policy, the S.C.T. may contact other students to gather further data.
- c) The S.C.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.
 - d) The S.C.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.
 - e) The S.C.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 abused or neglected by his or her parents or legal guardian as a result of parent(s)/guardian(s) contact.
 - f) "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.
 - g) Where the S.C.T. decides not to notify parents of the referral because of suspected abuse or neglect, the S.C.T. shall notify the Department of Health and Human Services in accordance with 22M.R.S.A. SS4011.
 - h) The S.C.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.C.T. and the student's parent(s)/guardian(s) access to the student's tobacco/alcohol or drug abuse records.
 - i) Upon receipt of appropriate consent, the S.C.T. shall meet to consider necessary modifications in the student's educational program.

H. In School Detention/Suspension/Expulsion of Exceptional Students

When considering suspension or expulsion of a student who has been identified as exceptional or is in the referral process, refer to the current version of Maine Special Education regulations.

I. Violation of Liquor Enforcement Laws on Serving Minors

The 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 of 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 the

Milford School Department that this information must be shared with the appropriate authorities and agencies.

Cross Reference: JKAA - Use of Physical Restraint and Seclusion
Maine Special Education regulations located in the Special Education office.

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