

EAST MILLINOCKET SCHOOL BOARD POLICY

STUDENT DRUG, ALCOHOL AND TOBACCO USE

In order to promote the highest possible standards of learning, as well as the physical, social and emotional well-being of students, this policy is designed to: aid students in abstaining from the unlawful use of tobacco, alcohol and drugs; provide for early intervention when use is detected; and, provide disciplinary action when necessary. Compliance with this policy is mandatory.

Any school staff member who has reason to suspect that a student has violated this policy is expected to report the incident to an appropriate administrator immediately.

A. Prevention

School personnel (guidance counselors, teachers, administrators) will provide students with information and activities focused on abstaining from the use of alcohol, drugs and tobacco. Such information and activities will address the legal, social and health consequences of drug, alcohol and tobacco use and will provide information about effective techniques for resisting peer pressure to use illicit drugs, alcohol and tobacco. The staff at Opal Myrick Elementary School and Schenck High School will work in partnership with students, parents and local law enforcement to eliminate these risks for all students.

B. Intervention

The East Millinocket School Department has School Counselors to provide non-clinical chemical health assessments, assist students in addressing their harmful involvement with chemicals and in continuing their educational program. Information will be provided, as appropriate, about drug, alcohol or tobacco counseling and treatment, and programs that are available to students.

C. Rules and Sanctions

Students are prohibited from consuming, possessing, furnishing, selling, receiving, buying, manufacturing or being under the influence of prohibited substances before, during and after school hours, at school, in any school building, on any school premises, in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities, off school property at any school-sponsored or school-approved activity, event or function (such as a field trip or athletic event) where students are under the jurisdiction of the school unit, or at any time or place if the conduct directly interferes with the operation, discipline or welfare of the schools. Students are also prohibited, while at school or during school activities, from offering or accepting to furnish, sell, receive or buy prohibited substances at a location off school premises.

The term “prohibited substance” shall include, but not be limited to:

1. Alcohol;
2. Scheduled drugs (as defined in 17-A MRS § 1101);
3. Controlled substances (as defined in the federal Controlled Substance Act, 21 USC § 812);
4. Tobacco products of any kind;
5. Prescription drugs not prescribed for the student and/or not in compliance with the Board’s policy on administering medications to students (see Board Policy JLCD);
6. Any substance possessed or used for ingestion to produce an intoxicating effect (including but not limited to aerosols, paints, solvents and glue);
7. Steroids or any substance on the Maine Department of Health and Human Services’ list of banned performance enhancing substances;
8. Paraphernalia – implements used for distribution or consumption of a prohibited substance, which for the purpose of Board policy includes electronic smoking devices (devices used to deliver nicotine or any other substance to simulate smoking through inhalation of vapor or aerosol from the device, including but not limited to devices manufactured, distributed, marketed or sold as an electronic cigarette, electronic cigar, electronic pipe, electronic hookah or so-called vape pens);
9. Marijuana – meaning the leaves, stems, flowers and seeds of all species of the plant genus cannabis, whether growing or not. Concentrated marijuana, and products comprised of marijuana and other ingredients that are intended for consumption or other use such as, but not limited to, edibles; and
10. Any look-alike drug or substance that is described as or is purported to be a prohibited substance defined in this section.

Any violation of the terms of this policy shall constitute sufficient grounds for student discipline, including suspension or expulsion from school, at the appropriate discretion of the administration and the Board. Law enforcement authorities may also be notified of violations of this policy. Students who participate in co or extra-curricular activities are also subject to additional rules and sanctions (see Board Policy JJ).

This policy shall be disseminated to students and parents/guardians through means selected by the administration.

STUDENT DRUG, ALCOHOL AND TOBACCO ADMINISTRATIVE PROCEDURE

A. Voluntary Referrals and the Substance Abuse Coordinator

1. Any school staff member who has a concern or is approached by a student(s) about a substance abuse or tobacco problem shall refer the student(s) to the School Counselor.
2. Parents/guardians or students who have a concern about a student's possible substance abuse or tobacco problem are encouraged to notify the school counselor of their concern. However, such referrals can not be used to avoid disciplinary action after a known violation of the policy.
3. A student concerned about his or her own substance abuse or tobacco problems may seek the assistance of the School Counselor. Self-referral will not result in any disciplinary action. **However, a student may not use self-referral to avoid disciplinary action after a known violation of the policy.**
4. The School Counselor will meet with the student and his/her parents/guardians (if appropriate), perform a non-clinical chemical health assessment and develop an action plan to meet the student's particular needs. A referral to a specialist in substance abuse prevention and counseling may be initiated, if deemed appropriate by the School Counselor.
5. Confidentiality of student information concerning substance abuse issues will be maintained in accordance with state and federal laws.

B. Discipline

The following progressive intervention and disciplinary procedures are intended as guidelines only. The administration reserves the discretion to impose consequences up to and including a recommendation for expulsion for any violation of the Board's drug, alcohol and tobacco policy. In determining the level of discipline, the administration may consider any relevant facts and circumstances, including but not limited to the nature of the violation, the student's grade level, the student's behavior accompanying the violation, the student's willingness to cooperate with the investigation and any action plan developed with the School Counselor, and the student's prior disciplinary record.

1. Disciplinary Action – Alcohol and Drug Violations

a. Consuming, possessing, receiving or being under the influence of a prohibited substance.

FIRST OFFENSE

The administrator will:

1. Confiscate the prohibited substance and verify offense;
2. Meet with the student;
3. Notify and meet with parents/guardians;
4. Notify the Superintendent, local police department and School Counselor.
5. In school or out of school suspension for five days depending on the circumstances and specific needs of the student the student.

The student must participate in a non-clinical chemical health assessment with the School Counselor.

SECOND OFFENSE

The administrator will:

1. Confiscate the prohibited substance and verify offense;
2. Meet with the student, parents/guardians and School Counselor to develop a follow-up plan;
3. Notify the Superintendent and local police;
4. In school or out of school suspension for seven days depending on the circumstances and specific needs of the student.

Subsequent to a third offense:

If the student fails to comply with the follow-up plan developed with the School Counselor, further disciplinary action may occur.

THIRD OFFENSE

The administrator will:

1. Confiscate the prohibited substance and verify offense;
2. Meet with the student and parents/guardians;
3. Recommend to parents/guardians that student be referred for a clinical chemical health evaluation;
4. Notify the Superintendent and local police department;
5. Suspend the student from school for ten days and consider expulsion.

b. Furnishing, selling, buying or manufacturing a prohibited substance.

FIRST OFFENSE

The administrator will:

1. Confiscate the prohibited substance and verify offense;
2. Meet with the student and parents/guardians;
3. Notify the Superintendent
4. Contact local police department
5. Suspend the student for ten days and consider expulsion.

2. Disciplinary Action – All Tobacco Violations

FIRST OFFENSE

The administrator will:

1. Confiscate the tobacco product and verify offense;
2. Meet with the student;
3. Notify parents/guardians;
4. Notify the Superintendent and the local police department depending on the circumstances and age level of the student.
5. In school or out of school suspension for three days depending on the circumstances and specific needs of the student.

The student must meet with the School Counselor.

SECOND OFFENSE

The administrator will:

1. Confiscate the tobacco product and verify offense;
2. Meet with the student and notify parents/guardians;
3. Notify the Superintendent and local police department
4. Five- day suspension from school

The student must meet with the School Counselor to develop a follow-up plan. If the student fails to comply with the plan, this may result in further disciplinary action.

THIRD AND SUBSEQUENT OFFENSES

The administrator will:

1. Confiscate the tobacco product and verify offense;
2. Meet with the student and parents/guardians;
3. Notify the Superintendent and local police department.
4. Five-day suspension from school and consider expulsion.

C. Procedures at School Functions

If a violation of this policy occurs at a school function, staff will take the following steps:

1. If there is a medical emergency, standard school procedures shall be followed.
2. The student shall be removed from the function and/or returned to school. The student should not be left unsupervised.
3. Call the parents/guardians (or emergency card contact) to pick up the student.
4. Notify the building administrator (and Superintendent if appropriate).
5. Notify the local police department.
6. The administrator will follow the disciplinary procedure outlined in this policy.

Cross Reference: JICH – Student Drug, Alcohol and Tobacco Use
JJ – Extracurricular Code of Conduct

Legal References: 21 USC § 812 (Controlled Substance Act); 21 CFR Part 1300.11-15
20 USC § 7101 et seq. (Safe Drug-Free Schools and Communities Act)
17-A MRSA § 1101
42 USC § 290dd-2; 42 CFR 2.1 et seq.
20-A MRSA §§ 1001(9); 4008; 6621
22 MRSA § 1578-B
Me PL 470 (An Act to Reduce Tobacco Use by Minors)
20 USC § 6081 (Pro-Children Act of 2001)

Cross Reference: JIC – Student Code of Conduct
JICA – Weapons, Violence and School Safety
JKD – Suspension of Students
JKE – Expulsion of Students
JLCD – Administering Medications to Students
JJ – Extracurricular and Co-Curricular Activities
JJIC – Extracurricular Code of Conduct.

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