

MEDWAY SCHOOL BOARD POLICY

DRUG AND ALCOHOL USE BY STUDENTS

Philosophy Statement

The Medway School Board supports a quality learning environment for all students attending Medway Middle School. A quality learning environment is a safe and healthy school which is free from the detrimental effects of drugs. For the safety, health and educational goals of our students, the use and possession of drugs shall not be tolerated at school or any school sponsored activity or when the use or possession of drugs directly interferes with the operation of the school. The Medway School Board recognizes chemical dependency as a treatable disease whose progress can be arrested. It is the responsibility of the school to provide students with learning experiences and skills which will help them to function successfully in a rapidly changing society. Therefore, to promote a quality learning environment, the Board endorses a three-prong approach to prevent, discourage and eliminate drug use by students. The three-prong approach addresses (1) prevention by education (2) intervention and (3) discipline.

The Medway School Board believes that its primary responsibility regarding substance abuse is to present a curricular program concerning chemical use, abuse, and dependency to all pupils K-12. Efforts will be made to familiarize the pupils with the disease concept of chemical dependency, the effects of chemical use and abuse on the whole person, the effects of chemical abuse on the family, and the nature of the law regarding particular chemical use and/or abuse. The Medway School Board believes that an active curricular program is the best possible measure the schools can take toward preventing individuals from becoming chemical abusers or chemically dependent. The Medway School Board will commit the resources of the AOS 66 toward developing, implementing, and maintaining such a curriculum and will devote resources toward providing continuous in- service in this area for staff.

Definitions

Drugs: As used in this policy, “drugs” means any substance considered illegal by Maine law; any substance for which the possession thereof is a civil violation under Maine law; any substance which minors are prohibited from possessing under Maine law; and the inappropriate use of any product in an attempt to alter the student’s mental state. This includes, but is not limited to tobacco, alcohol, marijuana and any prescription medication for which a student does not have a valid prescription.

Attendance at School: Attendance at school includes but is not limited to the following circumstances; any time a student is traveling to and from school or a school sponsored activity (whether by bus or private vehicle); any time a student is on school property whether during normal school hours or after school for a school sponsored activity; and any time a student is representing the school off school property but on a school sponsored activity.

School Day: For the purpose of this policy, a school day refers to a calendar day when attendance at school is required for students. A holiday, weekend day, full teacher workshop day, and vacation day cannot be counted as a school day.

School Sponsored Activity: A school sponsored activity includes, whether graded or non-graded, but is not limited to, any co-curricular event (sports, band etc...), field trips, class trips, dances and similar educational and recreational activities.

Student: Includes, but is not limited to, any person enrolled in the Medway School system taking educational classes at Medway Middle School; any person attending a school sponsored activity normally intended for school students, regardless of where this person takes educational classes; and any person “home schooled” or “alternatively schooled” or otherwise not attending classes at Medway Middle School; but who is of student age and on campus or attending a school sponsored activity relating to their course of education.

Violation: The following are examples, but not an exclusive list, of violations of this policy. This list is an example of the type of report which the administration may use to find a violation – it is not a requirement that the administration find a violation (for example, if a teacher reports seeing a student smoking in the woods but the administrator has some doubt about the teacher’s recognition of which student in a group was in violation, no violation need be found – but, if the administrator accepts the teacher’s observations, a violation may be found).

1. Any school employee (staff, administration or otherwise) personally observes a violation
2. Any school volunteer, chaperone, coach etc... who personally observes a violation
3. A police report to the school administration of a violation
4. A personal confession by the student of a violation (not a self-referral)
5. A report personally observed by that student’s parents or guardian
6. Evidence posted as electronic media and observed by a school employee

The following are examples of specific situations, which are NOT considered violations of this policy.

1. Anonymous reports are not considered valid and will not be followed up.
2. Reported conduct, which would otherwise be a violation if not observed by at least one other person or to which the student does not admit.
3. The unsubstantiated report from another student.
4. The unsubstantiated report from a community member.

Expulsion: The removal of a student from school following a proper investigation of student’s behavior and due process proceedings.

In-school suspension: A one-on-one or small group setting where the student will have necessary academic support but will not be allowed to socialize with peers for the entire school day.

Co/Extra Curricular Activities: A co/extra-curricular activity is one provided by and supervised by the school in which many students participate but which are not necessary for graduation. Under some circumstances, participation in the particular activity may result in academic credit, but receipt of academic credit is not a criteria. The following is not an exhaustive list of extra-curricular activities covered by this policy:

- A. Extra-curricular activities such as:
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|--|------------------------------|
| Soccer boys and girls | Cross-country boys and girls |
| Baseball | Softball |
| Any inter-district Extra-Curricular student activity | |

- B. Co-curricular activities such as:
- | | |
|----------------------------------|-------------------------|
| <u>Show Choir</u> | <u>Pep Band</u> |
| <u>School Plays and Musicals</u> | <u>Renaissance Club</u> |

Accumulation of Violations and Punishments

- A. For Academic Purposes
1. Violations
 - Violations accumulate during the years a student attends grades 5-8.
 2. Punishments
 - Punishment carries over for the duration of student’s time in building. There is no carry-over of punishment through the summer vacation period.
- B. For Co/extra-Curricular Purposes
1. Violations
 - Violations accumulate during the years a student attends grades 5-8.
 - Punishments
 - Punishments carry through to the next co/extra-curricular activity.
 - Punishment may carry over through summer vacation.

Student Drug Prohibition

No student shall use or possess or be under the influence of any illegal drug while on school property, while on a school sponsored activity or while that person’s conduct directly interferes with the operation, welfare or educational environment of any Medway school. No student shall voluntarily be in the presence of nor voluntarily attend a function where drugs are being illegally used. (An objective of this policy is to prevent all illegal substance use in regard to the students of the Medway School District, but not to extend the policy beyond common sense to innocent attendance and law-abiding participation at an event such as a wedding/wedding reception.)

Role of School Staff

- A. The School Board expects all staff members to assist in the education of students, including this policy. Subject to their rights and obligations pursuant to employment contracts, all school staff is expected to comply with this policy.
- B. All staff should be familiar with this policy and its impact on students.
- C. Whenever a staff member believes a student is violating this policy, the staff member shall take any action necessary to secure the health and safety of all students.
- D. All staff should be familiar with the resources available to those students seeking assistance with a substance abuse problem, treat any such request for assistance as a confidential request for assistance to the degree possible and direct any student seeking assistance to the school nurse/substance abuse counselor.
- E. All staff and administrators are mandated reporters – to the Department of Human Services – of student abuse and neglect. Violations of this policy may be reported as such. The police may also be notified.
- F. All staff shall report any violations of this policy to the principal and superintendent immediately.

Prevention/Education Procedures

- A. At the start of the school year, and as reasonably necessary thereafter, the administration shall review with the staff appropriate drug use and intervention techniques.
- B. At the start of the school year the administration and staff shall review with the student body the negative impact of drug use and periodically reinforce this message.
- C. At the start of the school year and then as periodically deemed necessary, the administration and staff shall review this policy with the students. As periodically deemed necessary, the administration and staff shall review this policy with parents and guardians.
- D. At the start of the school year and then continually thereafter, the administration shall inform the student body about the services available for any student with a substance abuse question or need for assistance and shall keep that information posted in an area accessible to all students.
- E. The principal of Medway Middle School shall adopt or designate a substance abuse coordinator for that building.
- F. The school board shall adopt and periodically update a substance abuse education program as part of the school curriculum.

Intervention

- A. Self-Referral
 - 1. Student Assistance is the goal
 - a. A student who believes that he or she has a substance abuse problem may contact the substance abuse counselor/school nurse or other designated person to get help. Such reports are not violations of this policy and will not lead to disciplinary action.
 - b. There are no limits to the number of self-referrals a student may make during their time in the Medway School System.
 - 2. Student Responsibility is the goal
 - a. A self-referral will not prevent disciplinary action based on a report from a source other than the student, which leads to the discovery of a violation.
 - b. Self-referrals provide for student assistance for a substance abuse problem, they do not provide insulation from specific acts of drug use.

Students may report or self-refer to any staff member or employee of the school that they trust. That person must then refer them to and make contact with the school nurse or guidance counselor. The school nurse/guidance counselor will then make a referral to a substance abuse counselor and report to the principal so he/she can ensure follow-up.

- B. Community referral
 - 1. Any reported violation of this policy from the community will be reported to the Principal for investigation. See the definitions for what would be considered a violation.
 - 2. Any reported violation of this policy from the community will be reported to the substance abuse counselor/school nurse or other designated person for appropriate education or intervention; such referral will be made independent from any disciplinary investigation pursuant to paragraph 1.

Disciplinary Action

First Offense

- 1) Principal will verify and/or confiscate
- 2) Principal meets with parents/guardians and student
- 3) Principal will notify the superintendent
- 4) Principal will notify the police
- 5) The student and parents will meet with a substance abuse counselor
- 6) The student will undergo a substance abuse evaluation with the expectation that the student/parents follow its recommendations
- 7) Parents and student report the follow up plan to the principal for monitoring to help prevent reoccurrence
- 8) Parents and/or student will provide documentation proving that they have seen a substance abuse counselor and are following the recommendations of the counselor
- 9) The parents/student will sign a consent form allowing the school to speak to the substance abuse counselor about the situation that led to the referral

Consequences:

- a. In school/Out of school suspension for 1-5 days
- b. No school related activities for 14 school days
- c. Principal will consider a hearing with the school board.

Note: If student refuses to meet with a substance abuse counselor for evaluation, the principal may increase suspension time and/or send student for a hearing with the school board. Students who take part in extra and co-curricular activities will not be allowed to resume until they have met this requirement.

Second Offense

- 1) Principal will verify and/or confiscate
- 2) Principal meets with parents/guardians and student
- 3) Principal will notify the superintendent
- 4) Principal will notify the police
- 5) The student and parents will meet with a substance abuse counselor
- 6) The student will undergo a substance abuse evaluation with the expectation that the student/parents follow its recommendations
- 7) Parents and student report the follow up plan to the Principal for monitoring to help prevent reoccurrence
- 8) Parents and/or student will provide documentation proving that they have seen a substance abuse counselor and are following the recommendations of the counselor
- 9) The parents/student will sign a consent form allowing the school to speak to the substance abuse counselor about the situation that led to the referral

i. Consequences:

- a. In school/out of school suspension for 5 or more days,
- b. No school related activities for 30-45 days
- c. Principal will consider a hearing with the school board.

NOTE: If parents do not seek assistance for the student, notify Department of Human Services.

Third Offense

Out of School suspension until school board hearing for possible expulsion

PROCEDURES FOR SCHOOL FUNCTIONS

- 1) Remove from the function and/or return to school grounds
- 2) Call parent or guardian to assure responsibility
- 3) Call police department to transport home if parent cannot transport the child home
- 4) If the student must be driven home by school personnel, another adult is to accompany him/her
- 5) Notification of school administrator of incident

REGULATIONS FOR ATHLETICS AND OTHER INTER-SCHOOL ACTIVITIES

Students are prohibited from consuming, possessing, furnishing, selling, receiving, buying, being under the influence of, prohibited substances before, during and after school hours. In addition, other than family gatherings, students are prohibited from knowingly being in the presence of prohibited substances before, during and after school hours. The foregoing does not allow the student participant to use the above mentioned prohibited substance at the family gatherings. If a student find himself/herself in the presence of a prohibited substance, they shall immediately leave that area and leave the substance behind. It is not a violation for a student to use in school a prescription drug, including a legally defined drug or controlled substance if it is specifically prescribed for the student's own therapeutic use by his/her doctor.

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

1. Alcohol and/or Tobacco products
2. Scheduled drugs (as defined in 17-A M.R.S.A. §1101);
3. Controlled substances (as defined in the federal Controlled Substances Act, 21 U.S.C. § 812);
4. Any substance which can affect or change a student's mental, physical or behavior pattern, including but not limited to, steroids, volatile materials such as glue, paint or aerosols, when possessed for the purpose of inhalation;
5. Paraphernalia - implements used for distribution or consumption of a prohibited substance; or
6. Any look-alike drug or substance that is described as or is purported to be a prohibited substance defined in this section.

Any incidents involving student possession, furnishing or trafficking of scheduled drugs where expulsion is not recommended shall be reported to the School Board for informational purposes.

The Medway School Board favors adopting a substance use prohibition policy for those students involved in co/extra-curricular activities. Its purpose is three fold (1) to provide for the health and safety of all co/extra-curricular students; (2) to undermine peer pressure to use drugs by providing a legitimate reason for students to refuse to use drugs; and (3) to encourage co/extra-curricular students that do use drugs to participate in treatment.

Each student wishing to participate in any co/extra-curricular activity and the student's custodial parent or guardian shall agree in writing to the provisions of this policy – including the possibility of random drug testing. No student shall be allowed to participate in any co/extra-curricular activity without such consent.

Each student wishing to participate in any co/extra-curricular activity is subject to the policy for each year in which the student is involved in co/extra-curricular activities beginning each year from the first day that the student signs up for a Co/extra-curricular activity. Co/extra-curricular students are subject to that policy 24 hours a day, seven days a week for the activity year.

Because participation in athletics and other co- curricular activities is a privilege and not a right, students are expected to abide by these regulations. Student participants are not permitted to have in their possession, nor to use, illegal substances (including tobacco).

- Student participants will not attend any gathering or party where illegal substances are being used. This includes being in vehicles.
- It is not a violation for a student to be in possession of a legally defined drug specifically prescribed and properly administered for the person by his/her physician.
- If a student is in trouble with his/her use and goes through the voluntary referral process, his/her place on the team or in the activity will not be in jeopardy.

Disciplinary Action

1. First Violation

A. Seasonal Activities

Participants will lose participation for 14 school days. Students will be eligible for tryouts for following season and must follow teams' attendance requirements. Students will participate in practices but is not allowed to attend games as a team member. They will sit on the bench for home games, but are not allowed to accompany the team to an away game.

- 1) The police will be notified
- 2) Principal shall notify the student's parents for removal from activity
- 3) Principal shall meet with the parents and student
- 4) the student and parents shall meet with substance abuse counselor
- 5) The student will undergo a substance abuse evaluation with the expectation that the student/parents follow its recommendations
- 6) Parents and student report the follow up plan to the principal for monitoring to help prevent reoccurrence
- 7) Parents and/or student will provide documentation proving that they have seen a substance abuse counselor and are following the recommendations of the counselor
- 8) The parents/student will sign a consent form allowing the school to speak to the substance abuse counselor about the situation that led to the referral
- 9) Principal will consider a hearing with the school board

B. Yearly Activities

Participants will lose participation for 14 school days. Band and Chorus participants will lose participation in activities that take place outside of scheduled Band or Chorus classes.

- a. The police will be notified
- b. Principal shall notify the student's parents for removal from activity
- c. Principal shall meet with the parents and student

- d. The student and parents shall meet with substance abuse counselor
- e. The student will undergo a substance abuse evaluation with the expectation that the student/parents follow its recommendations
- f. Parents and student report the follow up plan to the principal for monitoring to help prevent reoccurrence
- g. Parents and/or student will provide documentation proving that they have seen a substance abuse counselor and are following the recommendations of the counselor
- h. The parents/student will sign a consent form allowing the school to speak to the substance abuse counselor about the situation that led to the referral
- i. Principal will consider a hearing with the school board.

Note: Students will not be permitted to regain full involvement in school activities until they have met with and been evaluated by a substance abuse counselor.

2. Second Violation

All participants would be ineligible to participate in any co/extra-curricular activity for 30-45 school days.

- a. The police will be notified
- b. Principal will notify the student's parents for removal from activity
- c. Principal will meet with the parents and student
- d. The student and parents will meet with substance abuse counselor
- e. The student will undergo a substance abuse evaluation with the expectation that the student/parents follow its recommendations
- f. Parents and student report the follow up plan to the principal for monitoring to help prevent reoccurrence.
- g. Parents and/or student will provide documentation proving that they have seen a substance abuse counselor and are following the recommendations of the counselor
- h. The parents/student will sign a consent form allowing the school to speak to the substance abuse counselor about the situation that led to the referral
- i. Principal will consider a hearing with the school board.

3. Third Violation

All participants would be ineligible for the rest of the school year.

- a. The police will be notified
- b. Principal will notify the student's parents for removal from activity
- c. Principal will meet with the parents and student
- d. The student and parents will meet with substance abuse counselor for the school
- e. The student will undergo a substance abuse evaluation with the expectation that the student/parents follow its recommendations
- f. Parents and student report the follow up plan to the principal for monitoring to help prevent reoccurrence
- g. Parents and/or student will provide documentation proving that they have seen a substance abuse counselor and are following the recommendations of the counselor
- h. The parents/student will sign a consent form allowing the school to speak to the substance abuse counselor about the situation that led to the referral
- i. The student will attend a hearing with the school board.

Random Drug Testing

At the option of the school board, subject to annual review (including financial availability) the Board may authorize random drug testing of students participating in co/extra-curricular activities. When the policy is in force, the following apply:

1. Each student wishing to participate in any co/extra-curricular activity is subject to the following student drug testing policy.
2. Students involved in co/extra-curricular activities may be tested during the school year.
3. In addition, random testing may be done weekly during the season.
4. Students required to be tested have to provide a urine sample. The sample will be collected the day of selection. The student must abide by the rules of the collector or sample agency. Refusing to provide a sample shall be treated as a violation of this policy.

When testing is authorized, the following procedures control the process.

1. Selection for random testing will be by lottery drawing from a “pool” of all students participating in co/extra-curricular activities at the time of the drawing. The Activity Director shall take all reasonable steps to assure the integrity, confidentiality, and random nature of the selection process, assuring that the names of all participating students are in the pool, assuring that the person drawing names has no way of knowingly choosing or failing to choose particular students, assuring that the identity of students drawn for testing is not known to those involved in the selection process and assuring direct observation of the selection process by at least two adults.
2. The record keeping and results of all testing will be kept confidential. The records will be stored in a locked cabinet and only accessible to school administration, involved parents or guardians and the activity director.
3. Students taking prescription medication may provide a copy of the prescription or a doctor’s verification in a sealed envelope to the person collecting the sample at the time the sample is collected. If necessary, that envelope will be forwarded – unopened – to any testing lab with instructions to consider the use of such medications to assure the accuracy of the results. Students who fail to provide such verification will have positive results treated as a violation.
4. Any testing will test for one or more drugs. The activity director shall decide week to week – but prior to the selection of students’ each week – which drugs shall be tested. Samples will not be screened for any other substance or for the existence of any physical condition other than drug use.
5. The activities director shall see that at least 10% of the students involved in activities that week shall be drawn for testing.

When testing is authorized, the following controls the tests.

1. A positive test from the sample is considered a violation.
2. The refusal to provide a sample is a violation. Refusal may lead to a hearing with the school board.

Procedures for Coaches/Advisors

- All staff shall report any violations of this policy to the principal and superintendent immediately.
- Principal shall notify the student’s parents for removal from activity.

Due Process

1. It shall be the Principal's responsibility in the respective schools for the fair enforcement and administration of this policy. The Principal may take whatever steps deemed necessary to investigate reported violations. Principal shall notify parents and may seek assistance from the Superintendent. Whether or not the Principal seeks assistance from the Superintendent, the Principal shall keep the Superintendent informed of (1) any reported violations (2) the progress on any investigations and (3) the results – including any punishment – of any investigations.
2. The Superintendent shall be responsible for supervising the Principals in the completion of their responsibilities. The Superintendent is responsible for insuring continuity and compliance with all School Board policies and regulations relating to student drug use (involvement of DHS, law enforcement, media, etc).
3. Any student or parents of a student punished pursuant to this policy may appeal the Principal's decision to the School Board. The Board will hear in executive session from the Principal, the student and any other sources for information relating to the alleged violation and the punishment therefore --- consistent with protecting the student's privacy interest and the fair administration of the school system. The Board will then issue a decision either *(1)* confirming the Principal's decision that a violation occurred, or *(2)* find that no violation occurred and remove the consequence(s)

Students

Students should be aware that the administration may authorize a search of their personal property (knapsacks, book bags, gym bags, etc...) if there is reasonable suspicion that illegal substances are present.

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