

## **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**

The **Vinalhaven School** 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 **Vinalhaven School** will work in partnership with students, parents/guardians and local law enforcement officials to eliminate these risks for all students.

### **B. Intervention**

The **Vinalhaven School** has a Guidance Counselor / School Leader 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.

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

1. Alcohol;
2. Scheduled drugs (as defined in 17-A MRSA § 1101);

3. Controlled substances (as defined in the federal Controlled Substances 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 or behavior which can affect or change a student's mental, physical or behavior pattern, including but not limited to volatile materials such as glue, paint or aerosols (when possessed for the purpose of inhalation) or steroids;
7. Paraphernalia – implements used for distribution or consumption of a prohibited substance; or
8. 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 authority may also be notified of violations of this policy. Students who participate in extra-curricular activities are subject to additional rules and sanctions (see Board Policy JIC).

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

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  
 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: JICH-R – Student Drug, Alcohol and Tobacco Use Administrative Procedure  
 JIC – Extra & Co Curricular Student Code of Conduct  
 JICIA – Weapons, Violence and School Safety  
 JKD – Suspension of Students  
 JKE – Expulsion of Students  
 JLCD – Administering Medications to Students  
 JRA – Student Education Records  
 JIC – Extracurricular and Co-Curricular Activities Code of Conduct

## **STUDENT DRUG, ALCOHOL AND TOBACCO ADMINISTRATIVE PROCEDURE**

### **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 Guidance Counselor / School Leader.
2. Parents/guardians or students who have a concern about a student's possible substance abuse or tobacco problem are encouraged to notify the Guidance Counselor / School Leader 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 Guidance Counselor / School Leader. 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 Guidance Counselor / School Leader 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.
5. Confidentiality of student information concerning substance abuse issues will be maintained in accordance with state and federal laws.

### **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 Substance Abuse Prevent Coordinator, and the student's prior disciplinary record.**

## **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 and Law Enforcement; and
5. Suspend the student from school for five days.

As soon as possible, the Intervention Team will meet with the Student, Parents/Guardians, Guidance Counselor, School Principal, and Licensed Social Worker to develop a follow-up plan to move forward.

It is required that the Intervention Team will meet during the suspension period and prior to the student returning to school.

In addition to consequences, the student will be required to attend a secondary prevention program (ie. SIRP). The program will be followed by 30, 90, 120 day follow ups which can result in a referral for a chemical health evaluation. (ie. GAIN)

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#### **SECOND 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 and Law Enforcement;
- 5.. Suspend the student from school for seven days.

As soon as possible, the Intervention Team will meet with the Student, Parents/Guardians, Guidance Counselor, School Principal, and Licensed Social Worker to revise the follow-up plan in a continued effort to move forward.

It is required that the Intervention Team will meet during the suspension period and prior to the student returning to school.

The revised plan will include consistent weekly check-ins for the first month with the Guidance Counselor or Licensed Social Worker. The revisions will also include a check-in with the parents/guardians at least once in the month following the offense.

### **THIRD OFFENSE**

The administrator will:

1. Confiscate the prohibited substance and verify offense;
2. Meet with the student and parents/guardians;
3. Strongly recommend to parents/guardians that student be referred for a chemical health evaluation (ie. GAIN);
4. Notify the Superintendent and Law Enforcement;
5. Suspend the student from school for ten days.

## **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 and Law Enforcement;
4. Suspend the student for ten days and may recommend expulsion.

## **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;
5. One day suspension.

The student must meet with the Guidance Counselor / School Leader.

### **SECOND OFFENSE**

The administrator will:

1. Confiscate the tobacco product and verify offense;
2. Meet with the student and parents/guardians;
3. Notify the Superintendent,
4. Three day suspension.

The student must meet with the Guidance Counselor / School Leader 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;
4. Five day suspension.

### **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 Law Enforcement.
6. The administrator will follow the disciplinary procedure outlined in this policy.

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

**Adopted 6-26-06**

**Reviewed and adopted 12-17-2014**