

## FIVE TOWN CSD POLICY

### Misuse of Chemical Substances by Students

The use and misuse of chemical substances, alcohol, prescription, non-prescription and illegal drugs, inhalants and tobacco are widespread in our society and present emotional, social and physical problems for those who use them, as well as for their families and their community. Chemical dependency can create severe interpersonal problems, cause physical and emotional suffering to the user and his or her family and friends, and greatly interfere with the learning process. While there is ongoing debate concerning the use and implications of these chemical substances by the adult population, federal and state laws clearly prohibit the use of these substances by individuals under the age of either eighteen or twenty-one.

The purpose of this policy is to clearly state the view of Five Town CSD Board of Directors concerning the use of chemical substances by students and to provide a clear understanding of the consequences that may be imposed for violation of this policy.

By adoption of this policy, Five Town CSD creates a rule prohibiting its students from using, possessing, being under the influence of, distributing, selling or furnishing any chemical substance declared illegal, be it alcohol, drugs, inhalants, tobacco, or look-alikes and establishes consequences for students who violate this rule.

**RULE: No student shall use, possess, be under the influence of, sell, furnish or distribute in any manner any substance declared illegal by state or federal law, including alcoholic beverages, drugs, tobacco products, inhalants, controlled substances not prescribed to the individual, or look-alikes.**

However, consistent with the Five Town CSD Mission of building character and intellect in every student and our concern for the individual and his or her personal growth, and recognizing that chemical dependency is a treatable disorder, this policy is focused on educating and informing students, and families, not merely on doling out punitive measures to those who violate the policy. This policy is designed to:

- encourage students to refrain from the use of illegal chemical substances
- provide intervention by trained and compassionate professionals
- apply constructive disciplinary measures
- provide support and resources to those subject to this policy.

As such, we have incorporated the option of Restorative Practices as an alternative approach in the hopes that it will help students understand the impact of their actions and take responsibility for their decisions. Restorative practices seek to turn negative behaviors into learning experiences and provide an opportunity for the perpetrator to repair the damage s/he caused. Restorative practices typically include a restorative circle which is literally a discussion circle facilitated by an experienced staff member and includes the offending student or students, the facilitator, a victim advocate, a victim when appropriate, and peer supporters or

parents when appropriate. The circle focuses on four key questions: What happened? Who was affected? How were they affected? What can be done to make it right? The outcome is typically an action plan aimed at restoring the damage done.

## **I. IMPLEMENTATION**

### **1. NOTICE**

Information concerning the existence and implications of this policy will be distributed to all students upon their arrival at High School as part of their annual orientation/"welcome back to school" informational material. A summary of the policy will be published in the student handbook given to all students and in the parent handbook that is available to all families of enrolled students. After adoption and prior to its effective date, special efforts will be taken to provide each student and the family of each student with a copy of this policy.

Coaches and advisors of all extra/co-curricular activities are required, as part of their contract with the school district, to read this policy to all participants in their respective activities and to take all reasonable efforts to enforce this policy including reporting events that come to their attention to the appropriate administrative personnel.

### **2. PREVENTION**

Beginning at grade nine, Five Town CSD will provide all students and families with information and activities intended to prevent the use of illegal substances by minors and the abuse of such substances by all. School-based programs, mainly through Advisory (beginning 2018-2019) and the required Health class, will inform and engage students in a critical examination concerning the harmful effects of tobacco, alcohol and drug use on personal health, family relations and societal problems as well as the legal consequences of such use or abuse. Recognizing that peer pressure is one of the most powerful factors affecting student decision-making, special emphasis will be placed on methods and techniques individual students can use to support their own decisions.

## **II. APPLICABILITY:**

This policy applies to all Camden Hills Regional High School students.

Five Town CSD recognizes that its authority over its students is generally limited to actions occurring:

- within its school buildings or on its premises,
- on or within any school-owned vehicle or on or within any school-approved vehicle used to transport students to and/or from school activities, and

- off school property at any school sponsored or school approved event, activity or function (such as a field trip or an athletic event where students are under the jurisdiction of the school system).

Additionally, Five Town CSD may exercise authority over its students off school premises and outside of school vehicles and functions if the students' actions pose a direct threat to the safety, welfare, and discipline of other students or teachers.

Participation in extra/co-curricular activities, whether athletics or non-athletics, is considered a privilege and students who choose to participate in such activities will be held to a higher level of responsibility concerning the use of illegal chemical substances. Students who are active or involved with athletic teams and/or non-athletic activities are considered subject to this policy at all times and at all locations and will be held responsible under this policy for confirmed violations of this policy no matter where or when the violation occurs.

### **III. CONSEQUENCES FOR VIOLATIONS OF RULE:**

The building administrator shall have the responsibility to investigate each alleged violation of this policy and the authority to determine whether a violation has occurred. In this regard, the building administrators may rely upon firsthand reports from school employees, parents/guardians, students, community members, and/or law enforcement.

Once the building administrator determines that a violation of this policy has occurred, in addition to the consequences set forth below, the parents of the student will be notified. The tiered consequences for this policy apply to a student's entire tenure at High School.

The Board of Directors believes that students who sell, furnish or otherwise distribute, with or without receiving payment, illegal chemical substances create a greater risk to individual students and to the entire student/staff community. As such, this policy considers such offenses to be of greater severity and subjects those students found responsible for such offenses to greater and more serious penalties.

For Violations that involve possession, furnishing, or distributing chemical substances the police will be notified and any contraband that is confiscated will be turned over to the local police department.

A student who violates the rule of this policy shall be subject to the following consequences by the building administrator.

1. ALL STUDENTS: POSSESSION AND/OR USE ON SCHOOL PROPERTY OR AT A SCHOOL-

## SPONSORED EVENT

- a. FIRST OFFENSE: Up to a three-day in-school suspension with community service and referral to the student's school counselor with consideration for referral to the substance abuse counselor. Students wishing to reduce or eliminate the period of suspension may propose a step or steps to be taken by the student to restore, atone, or repair the harm done by their actions. This restorative plan must be approved by the administration and where appropriate supported by the administration, but the onus for developing the plan will rest with the student. A student's intention to undertake this step will be communicated by the end of the following school day after receiving a suspension. Remaining days of the suspension will be put on hold. The plan must be proposed and approved within ~~24 hours~~ 3 school days of the suspension, otherwise the suspension will be served in full. At the administrator's discretion extra time may be granted.
  - b. SECOND OFFENSE: A three day in-school suspension with community service, referral to the school counselor, and referral to licensed substance abuse counselor. Students wishing to reduce or eliminate the period of suspension may propose a step or steps to be taken by the student to restore, atone, or repair the harm done by their actions. This restorative plan must be approved by the administration and where appropriate supported by the administration, but the onus for developing the plan will rest with the student. A student's intention to undertake this step will be communicated by the end of the following school day after receiving a suspension. Remaining days of the suspension will be put on hold. The plan must be proposed and approved within 3 school days of the suspension, otherwise the suspension will be served in full. At the administrator's discretion extra time may be granted.
  - c. THIRD OFFENSE: Up to a ten-day suspension, referral to school counselor and substance abuse counselor, and possible referral for an expulsion hearing before the Five Town CSD Board of Directors, with said expulsion hearing to occur within ten days of the start of a suspension.
2. ALL STUDENTS: SELLING AND/OR FURNISHING
    - a. ANY OFFENSE: Ten day out-of-school suspension, referral to school counselor and substance abuse counselor, and possible referral for an expulsion hearing before the Five Town CSD Board of Directors, with said expulsion hearing to occur within ten days of the start of suspension.

3. STUDENTS PARTICIPATING IN EXTRA/CO-CURRICULAR PROGRAMS AND ACTIVITIES  
In addition to the paragraphs above, students' participation in athletic and co-curricular will be impacted in accordance with the consequences below, regardless of where the offense occurs.

#### **IV. SELF-REFERRAL FOR SUBSTANCE ABUSE ASSISTANCE**

A student with zero or one prior violation of this policy who voluntarily takes responsibility for or seeks assistance for substance use and/or abuse when a violation has not yet come to the attention of the school administration will not be suspended from co- and/or extracurricular activities as long as the student agrees and complies with the following conditions:

- It is the student's first self-referral. Student's may not avoid other consequences of this policy by self-referring a second or subsequent time.
- The student must complete a substance abuse assessment conducted by a school approved, licensed substance abuse counselor (at the parents' expense).
- The student must comply with and complete all recommendations made by the licensed counselor.
- The student and parent/guardian must sign a release form allowing a school administrator and school counselor to communicate with the substance abuse counselor to coordinate adequate and appropriate school-based support.
- Provided that the student complies with terms of the self-referral expectations, full participation in co- and extra-curricular activities is permitted.
- Should a student fail to complete the assessment and/or subsequent recommendations, she or he will be immediately suspended from participation in co- and extra-curricular activities consistent with terms of self-reporting.
- Should a student violate the misuse of chemical substances policy at any time after the self-referral, the student will be subject to the consequences consistent with the Misuse of Chemical Substance policy.

#### **V. ADMISSION OF A SUBSTANCE USE VIOLATION**

A student with zero or one prior violation of this policy who voluntarily admits, during an investigation, to violating the misuse of chemical substances policy will be subject to restricted co and extra-curricular participation for 15 days. The restriction will begin on the day of the admission. If a student elects to continue with participation of co and extra-curricular activities, the following applies:

- During the first 7 school days of the restriction, the student must attend all practices, rehearsals, games or performances, but cannot practice, rehearse,

- perform or play.
- During the next 8 school days of the restriction, the student must participate in all practices or rehearsals, but cannot play or perform.
  - For extra-curricular activities that meet sporadically (for instance Art Club), the student will be restricted from participation for 15 school days.
  - For extra-curricular activities that have a practice, game, rehearsal, or performance on a weekend, that will count as a school day.
  - If a student violates the misuse of chemical substance policy after being selected team captain (athletics) or for a leadership position (club/organization), s/he will be removed from said position for the remainder of the season or semester for clubs and organizations.
  - The student may be referred to a substance abuse counselor.
  - Students wishing to reduce or eliminate the period of restriction may propose a step or steps to be taken by the student to restore, atone, or repair the harm done by their actions. This restorative plan must be approved by the administration and will be supported where appropriate, but the onus for developing the plan will rest with the student. A student's intention to undertake this step will be communicated by the end of the following school day after admitting the violation of this policy. The plan must be proposed and approved within three days of the admission. The restriction will be in place until a plan is approved. At the administrator's discretion extra time may be granted.

## **VI. VIOLATIONS THAT AN ADMINISTRATOR HAS DETERMINED TO HAVE OCCURRED**

When the building administrator determines that a violation occurred during the defined eligibility periods (see below) and there was no self-reporting or admission, the student will be subject to restricted co and extra-curricular participation for 30 days.

- The restriction will begin the day the administrator determines that the violation occurred.
- During the first 15 days of the restriction, the student must attend all practices, rehearsals, games or performances, but cannot practice, rehearse, perform or play.
- During the second 15 days of the restriction, the student must participate in practices or rehearsals, but cannot play or perform.
- For extra-curricular activities that meet sporadically (for instance Art Club), the student will be restricted from participation for 30 school days.
- For extra-curricular activities that have a practice, game, rehearsal, or performance on a weekend, that will count as a school day.
- If a student violates the misuse of chemical substance policy after being selected team captain (athletics) or for a leadership position (club/organization), s/he will be removed as captain for the remainder of the season or semester for clubs and organizations.

- The student will be referred to her/his school counselor.
- The student may be referred to a substance abuse counselor.
- Students wishing to reduce or eliminate the period of restriction may propose a step or steps to be taken by the student to restore, atone, or repair the harm done by their actions. This restorative plan must be approved by the administration and where appropriate supported by the administration, but the onus for developing the plan will rest with the student. A student's intention to undertake this step will be communicated by the end of the following school day after meeting with an administrator about the violation. The plan must be proposed and approved within three days of this meeting. The restriction will be in place until a plan is approved. At the administrator's discretion extra time may be granted.

**VII. THIRD AND SUBSEQUENT OFFENSES AND ALL VIOLATIONS INVOLVING SELLING AND/OR FURNISHING ILLEGAL SUBSTANCES:**

Regardless of the circumstances involved in the violation, students found in violation of this policy for a third or subsequent offense or for violations of selling and/or furnishing illegal substances will be suspended from athletic and co-curricular participation for the remaining season or semester up to one calendar year. Third and subsequent violations will also result in loss of eligibility for captaincy (athletics) or leadership positions (clubs and organizations) for one calendar year.

Reinstatement in athletics and co-curricular activities may occur after documented completion of an approved substance abuse treatment program.

**The above consequences will be enforced if violations occur during the school year:**

- **For activities, the school year is defined as the first day of school through the last day of school.**
- **For athletics, the school year is defined as the first allowable start date for athletics in the fall through the last day of school or the last day of spring sports, whichever is later. Allowable start and end dates are set by the Maine Principals Association. Any student who participates in athletics is subject to these start and end dates regardless of the season(s) in which s/he participates.**

Violations during the eligibility periods defined above can be violations that occur any place. They are not limited to violations that occur on school grounds or at a school sponsored function.

If a violation takes place outside the eligibility periods defined above, consequences will only be enforced if the violation occurs on school grounds or at a school sponsored function.

Ineligible days must be served during the eligibility periods defined above. If an ineligibility period is not completed in the spring, the remaining days will be carried over to the fall of the

following school year.

If a student has an infraction while ineligible due to a previous infraction, the second period of ineligibility will be served at the end of the first. They may not be served concurrently.

Once the administration has thoroughly investigated an alleged violation and determined the incident to be closed, no new information will be considered after 15 calendar days from the end of the investigation.

Legal Reference:

- 21 USC §812
- 21 CFR Part 1300.11-15
- Pub. L. No. 101-226
- 17-A MRSA §1101
- 42 UC §290dd-2
- 42 CFR §2.1 et. seq.
- 20-A MRSA §§1001(9); 4008

Cross Reference:

- JICI - Weapons, Violence and School Safety
- JKD - Suspension of Students
- JKE - Expulsion of Students

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