DRUG AND ALCOHOL USE BY STUDENTS

The School Board and staff of the school unit support a safe and healthy learning environment for students that is free of the detrimental effects of drugs and alcohol. Accomplishing this goal requires a cooperative effort among school staff, students, parents, law enforcement and organizations concerned with the use of drugs and alcohol by school-aged youth.

In order to promote the safety, health and well being of students, the School Board endorses a three-pronged approach to address the issue of drug and alcohol use; prevention/education; intervention and discipline. The Superintendent is responsible for developing appropriate administrative procedures, curricula and programs to implement this policy.

A. Prohibited Conduct

No student shall distribute, dispense, possess, use or be under the influence of any alcoholic beverage, malt beverage, fortified wine or other intoxicating liquor. Nor shall a student manufacture, distribute, dispense, possess, use or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid, any other controlled substance defined in federal and state laws/regulations, any look-alike substance, or any substance that is represented to be a controlled substance.

These prohibitions apply to any student who is on school property, who is in attendance at school or at any school-sponsored activity, or whose conduct at any time or place directly interferes with the operations, discipline or general welfare of the school.

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 RSU 19 Drug and Alcohol Use by Students Policy for each year in which the student is involved in co/extra curricular activities. Co/extra curricular activities are subject to this policy every day of the year. (It applies 24 hours a day, seven days a week for the whole year.)

B. Random Drug Testing

The Board authorized random drug testing of students participating in co/extra curricular and school sponsored activities.

C. Disciplinary Action

Students are subject to the following discipline for possessing or using any "prohibited substance" or possessing related paraphernalia or being under the influence of any prohibited substance:

First Offense (Non-furnishing) - Students violating this policy shall be suspended by their building principal or designee for five (5) school days. Parents shall be informed of the suspension and grounds for suspension.

Second Offense - Students violating this policy on a second occasion, within 365 days of a first offense, shall be suspended for ten (10) school days and shall be brought before the School Board for an expulsion hearing.

Furnishing Offenses – Any student who sells or otherwise furnishes a "prohibited substance" to another shall be treated as provided above for second offenses. Building shall involve the proper authorities immediately.

D. Prevention/Education

The school unit will provide students with appropriate information and activities focused on educating students about drugs and alcohol and preventing their use. Programs shall teach students that the use of drugs and alcohol is wrong and harmful; how to resist peer pressure; and address the legal, social and health consequences of drug and alcohol abuse.

E. Intervention

The school unit will establish a team approach to intervene with students with drug/alcohol problems. Students will be assisted in addressing their drug/alcohol problems and in continuing their educational program. Students will be provided with information and referral, if necessary, to aid them in obtaining assistance from appropriate community organizations. Student records concerning such interventions shall be kept confidential as required by state and federal laws.

F. Due Process

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. The 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

- any reported violations;
- the progress on any investigations; and
- the results - including any punishment- of any investigations.

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.)

Any student or parents of a student punished pursuant to this policy may appeal the Principal's decision to the Superintendent and are still not satisfied, may then appeal to the School Board. The Board will hear in executive session from the Superintendent, 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. The Board may either decide to confirm the Principal's decision or upon a finding that no violation occurred; dismiss it or issue a decision confirming a violation but imposing an alternative punishment as authorized by District policy.

Students are reminded that they do not own their lockers. School lockers remain the property of the School and may be subject to search, with or without notice to the students, at the discretion and with the permission of the school administration. Students' personal property (knapsacks, book bags, vehicles, gym bags, etc.) may be subject to search if there is reasonable suspicion that the search may yield evidence related to illegal activity or endanger the safety of others. However, absent the application of any other policy, student's personal property remains subject to all rights and privileges enjoyed in that property outside the school circumstances-but enjoys no greater protections because it is on school property.

G. Policy Communication

The school unit shall distribute this policy and appropriate related information to staff, students and parents on an annual basis through handbooks and/or other means selected by the Superintendent and building administrators.

Legal Reference:
21 USC § 812 (Controlled Substances Act)
21 CFR Part 1300.11-15
P.L. 101-226 (Drug-Free Schools and Communities Act Amendments of 1989)
17-A MRSA § 1101
42 USC § 290dd-2
42 CFR § 2.1 et seq.
20-A MRSA §§ 1001(9); 4008

Cross Reference:
GBEC – Drug-Free Workplace
JICIA – Weapons, Violence and School Safety
JKD – Suspension of Students
JKE – Expulsion of Students
JLCD – Administering Medication to Students
JRA – Student Records