

# **DELETED BY BOARD 5/13/15**

## **STUDENT AND STAFF ALCOHOL & CHEMICAL ABUSE POLICY**

### **A Statement of Philosophy**

Alcohol and other drug use, abuse, and dependency is one of today's major community problems. The school system, as a community institution, deals with students and staff and recognizes that chemical dependency is considered by the American Medical Association as a treatable disease whose progress can be arrested. The school system recognizes its role in establishing policies and procedures for chemical dependency education, prevention and early intervention for its employees and students. In that effort, the school system will work closely with other community organizations and individuals who share the task of addressing chemical dependency issues. Administratively, the school system recognizes its responsibility to establish procedures and assist employees and students to address their own use and abuse problems as well as the problems of significant others. Those procedures will ensure the confidential nature of all school records and any referrals to non-school agencies or individuals.

This policy is designed to achieve restoration of health and provide support for full recovery.

Organizationally, the school system recognizes its responsibility to work cooperatively with other agencies and individuals to develop a community chemical dependency education, prevention, and early intervention program. That program will include, but not be limited to:

- a) increasing staff members' awareness of the distinction between students seeking help and those who are violating the law;
- b) providing the community with an awareness of chemical dependency and its impact on individuals, families, and the community;
- c) development and implementation of community organization policies and procedures that encourage individuals and families to seek or accept assistance in addressing substance use and abuse issues;
- d) the development of support systems within the school and community for individuals wanting to examine their own use, those concerned about others' use, and those wanting not to use at all;
- e) formal educational programs in the schools and the community which provide conceptual and explicit information concerning alcohol and other drugs, including nicotine
- f) Opportunities for individuals to develop the skills and knowledge necessary to plan, implement and evaluate effective education, prevention and early intervention programs which shall also include life-coping skills, and;
- g) Opportunities to experience community, school, and family activities in an acknowledged smoke-free and chemical-free environment.

### **VIOLATION OF LIQUOR ENFORCEMENT LAWS ON SERVING MINORS**

The Augusta Board of Education is committed to keeping students chemically free and to supporting Maine State Liquor Laws (specifically Sections 2051, 2052, and 2081 which strictly forbid the sale and distribution of alcohol and other drugs to minors). When the administration has evidence of information that is not consistent with the discouraging of substance abuse among students, it is the position of the Board that this information should be shared with the appropriate authorities and agencies (i.e., the Augusta Policy Department, Kennebec County Sheriff's Office, and the Bureau of Liquor Enforcement).

## **ROLE OF THE SCHOOL STAFF**

1. Disciplinary Action - Any staff member who has reasonable basis to suspect any student of possession, use or selling a prohibited substance has the responsibility to:
  - a. take immediate action to secure the health and safety of the involved student(s);
  - b. report the case immediately to the building administrator.
2. Voluntary Referral - Any staff member who is approached by a student seeking help shall maintain confidentiality of the student and refer her/him to the chemical dependency specialist. A staff member may respond to a student seeking help with a chemical issue without being compelled to use the information in a disciplinary manner.
3. Any staff member who knows of or hears of any party where alcohol, drugs, or substance purported to be a drug will be consumed by minors, will report it to the principal.

## **SCHOOL PERSONNEL**

### Alcohol and Chemical Abuse Policy

The Augusta School Department is concerned about the effects that alcohol or chemical use, including nicotine, may have on employee job performance and personal health. It is Department policy that use of alcohol or chemicals shall not interfere with an employee's job performance or the delivery of educational services to our students. The Department encourages all employees to be positive role models in the school and community.

Any employee or volunteer of the school system shown to have been under the influence of, used or possessed alcohol or any intoxicating chemical on department property, while school is in session or during any school function, or in any other place in connection with any school function or their employment, will be subject to disciplinary action up to and including termination based on the facts and circumstances of each case and upon the appropriate sanction for such misconduct.

Any employee who furnishes any intoxicating chemical to a student on or off school property at any time when school is in session or at a school function, will be subject to disciplinary action, up to and including termination.

Based on factors and circumstances of each incident, the employee may be referred to legal authorities.

One-time abuse of and/or possession of alcohol or other intoxicating chemicals by Department employees will result in disciplinary action appropriate to meet the situation, not necessarily implying that treatment for chemical dependency is necessary.

Any employee who needs help for chemical dependency is encouraged to voluntarily seek diagnosis and to follow through with the treatment that may be recommended by qualified professionals in order to arrest the condition as early as possible.

The School Department recognizes that chemical dependency has been defined as a disease by the American Medical Association. Any person having been professionally diagnosed as having chemical dependency will receive the same careful consideration and offer of treatment that is presently extended, under existing benefit plans.

The Augusta School Department assumes no financial responsibility beyond that which is provided by employee health benefits.

Employees may be eligible for sick leave or other health insurance benefits per the individual's contract agreement.

### **Employees Counseling & Treatment Procedures**

- A. Self-reported Alcohol and/or Drug Problems

1. If a faculty member, or other Department employee voluntarily seeks help, the primary role of the administrator who receives the request is to direct the person to the appropriate resource help. Steps in this helping process shall include the following:
  - a. The individual employee shall be referred directly to a mutually-agreed upon substance abuse counselor to determine the nature and severity of the substance abuse and related problems. This assessment meeting should result in an initial treatment plan agreed to by all parties who are involved. The assessment and initial treatment planning process may include other school personnel who will be a part of the individual's treatment program.
  - b. Treatment may involve one or more of the following services:
    - 1) Support groups (AA, Alanon, ACOA, NA CA)
    - 2) Individual and/or family counseling
    - 3) Outpatient treatment
    - 4) Residential treatment
  - c. Where necessary, the Department will develop a relationship with outside agencies that can provide such referrals and will facilitate the contact and arrangement of services between the individual and the service agency.
2. The Augusta School Department will work cooperatively with any employee who readily admits they have a substance abuse problem and willingly commits themselves to treatment. After the individual enters treatment and as she/he continues to make progress with the treatment plan, every effort will be made to support the individual.

**B. Suspected or Confirmed Substance Use and/or Abuse**

1. In a situation whereby substance use and/or abuse by an individual is reported to the school, but there has been no breach of school policy, school officials will refer the individual to an outside agency/school chemical dependency specialist.
2. If the situation involves a violation of school policy, school officials shall attempt to find out as many facts as possible to verify the nature and severity of the problems and/or violation. Verification of substance use and/or abuse shall lead to the following steps:
  - a. An employee who is drug/alcohol affected on the job shall be transported to a safe environment immediately by his/her appropriate supervisor or designee. Such an incident will result in disciplinary action up to and including termination. This will be consistent with the first section as well as give the school the authority to decide the appropriate action to take.
  - b. If, on returning to the job, the individual with a substance use or abuse problem willingly discusses the nature and extent of the problem and agrees to seek appropriate treatment, then the appropriate school officials shall proceed according to the policy outlined under self-reported alcohol and/or drug problems.
  - c. If, on returning to work, the employee denies any problem or any responsibility for substance use and/or abuse, then the appropriate officials for the Augusta School Department shall initiate proceedings according to the following policy:

1. The employee shall receive written notice to appear before the superintendent with the reasons for the meeting outlined in the letter. The employee has a right to be represented by the Association or the Union and by legal counsel.
2. If it is determined that the employee's substance use and/or abuse place children's safety and/or educational welfare in jeopardy, the employee will be suspended pending a hearing with the Board. After hearing the case, the Board may dismiss or reinstate the employee.

C. Requirements for Continued Drug-Free Schools Funding for Augusta City Schools

1. Adherence to the provisions of the Chemical Health Policy and Procedure will be mandatory for all parties involved.
2. These policies and procedures will be reviewed and/or revised every two years.

## **STUDENT POLICY**

### Students K-5

Students are prohibited from attending school while under the influence of alcohol or drugs and are prohibited from drinking alcohol, using drugs, or possessing, giving, buying or selling alcohol or drugs while in school, on the school grounds, and at school functions. The handling of prescription drugs during school time is covered under administrative policy and procedures.

#### I. K-5 Procedures

##### A. Disciplinary Action

###### 1. Type one: Possession/Use

###### a. first offense

- (1) confiscate and verify
- (2) administrator meets with student
- (3) administrator notifies superintendent
- (4) administrator notifies and meets with parent/guardian
- (5) disciplinary action as appropriate
- (6) student meets with school counselor
- (7) refer student to P.E.T., educational or other appropriate services
- (8) refer parent to appropriate services

###### b. second offense

- (1) same as first offense (7 steps)
- (2) in-school suspension (0-3 days)
- (3) refer to Department of Human Services if parent/guardian refuses to cooperate with above procedures

###### 2. Type two: Furnishing and/or Selling

###### a. first offense

- (1) confiscate and verify
- (2) administrator meets with student
- (3) notify parents/guardian and superintendent
- (4) notify police
- (5) meet with school counselor
- (6) refer to appropriate services

##### B. Voluntary Referral

###### 1. Type one: Concerned Person (parent, teacher, student, etc.)

- a. notify administrator of incident or concern
- b. administrator meets with student (if appropriate)
- c. notify parent (if appropriate)
- d. encourage student to meet with school counselor
- e. follow recommendations of the school counselor
- f. refer to other services if appropriate

## 2. Type Two - Self-referral

- a. listen to concern
- b. refer to school counselor
- c. administrator meets with student (if appropriate)
- d. notify parent (if appropriate)
- e. follow recommendations of the school counselor
- f. maintain confidentiality

## II. Procedures for School Functions K-5

### A. First Offense

1. remove from function and/or return to school grounds and retain while following steps 2 through 5;
2. call parent/guardian to assume physical responsibility;
3. call law enforcement agency to transport home if parent cannot be reached or cannot transport home;
4. if a student must be transported home, have another adult accompany you. Under no circumstances is a student to be left unsupervised. If a parent/guardian is not available, student may be left with another responsible adult providing that adult agrees to assume that responsibility.
5. notify school administrator of incident and follow disciplinary action as outlined in Part I;
6. school or law enforcement agency may refer student to the sheriff's "Thumbs-up" Program through Kennebec County Sheriff's office.

### Students 6-12

Students are prohibited from attending school while under the influence of alcohol or drugs and are prohibited from drinking alcohol, using drugs, or possessing, giving, buying or selling alcohol or drugs while in school, on the school grounds, and at school functions. The handling of prescription drugs during school time is covered under administrative policy and procedures.

### I. High School/Middle School Procedures

#### A. Disciplinary Action

1. Type one: Possession/Use
  - a. first offense
    - (1) verification
    - (2) administrator meets with student
    - (3) notification of parents
    - (4) notification of superintendent and police
    - (5) restricted school day and/or suspension (0-10 days)
    - (6) appointment with school counselor/dependency specialist
  - (7) following recommendation of chemical dependency specialist, refer to P.E.T. educational or other appropriate services
  - (8) refer student to Kennebec County Sheriff's Office "Thumbs-up" Program.

- b. second offense
  - (1) verification
  - (2) meet with student
  - (3) notify parent
  - (4) notify superintendent and policy
  - (5) suspend student for 5-10 days (with possible recommendations for expulsion)
  - (6) meet with school counselor or dependency specialist
  - (7) parents meet with administrator and school counselor or chemical dependency specialist
  - (8) follow recommendation of school counselor or chemical dependency specialist
  - (9) refer student to Kennebec County Sheriff's office "Thumbs-up" program.

Note: If parents do not seek assistance for the student, notify Department of Human Services and appropriate law enforcement agency.

- c. third and subsequent offense
  - (1) same as above
  - (2) recommend formal evaluation for treatment

2. Type two: Furnishing/Selling

- a. first offense
  - (1) confiscate substance
  - (2) meet with student
  - (3) notify parent
  - (4) notify superintendent and police
  - (5) meet with school counselor or chemical dependency specialist
  - (6) suspend for 5-10 days
  - (7) recommend referral to formal evaluation or long-term suspension and school board action (possible recommendation for expulsion)
- b. second offense
  - (1) follow all the above steps for first offense
  - (2) long-term suspension and recommendation for expulsion

B. Voluntary Referral

- 1. Type one: Concerned Person (parent, teacher, student, etc.)
  - a. notify administration of incident or concern
  - b. administrator may meet with student
  - c. notify parent (if appropriate)
  - d. encourage student to meet with school counselor or chemical dependency specialist
  - e. follow recommendation of school counselor or chemical dependency specialist
    - (1) internal referral - counselor, support group, affected group, etc.
    - (2) external - A.A., Alateen, youth and Family Services, individual/family private counselors
  - f. let concerned person know of plan of action

2. Type two: Self-referral
  - a. listen to concerns
  - b. encourage student to meet with school counselor or chemical dependency specialist
  - c. administrator may meet with student
  - d. notify parents (if appropriate)
  - e. follow recommendation of school counselor or chemical dependency specialist
  - f. maintain confidentiality

## II. Procedures for School Functions

### A. First Offense

- (1) remove from the function and/or return to school grounds retaining student while following steps 2-8)
- (2) call parents or guardian to assume physical responsibility
- (3) call a law enforcement agency to transport home, if parent cannot transport the child home
- (4) if a student must be transported home, have another adult accompany you. Under no circumstances is a student to be left unsupervised. If a parent/guardian is not available, student may be left with another responsible adult, providing that adult agrees to assume that responsibility
- (5) notify school administrator of incident and follow disciplinary procedure as outlined in part 1
- (6) administrator meets with student
- (7) student meets with school counselor or chemical dependency specialist
- (8) student follows recommendation of school counselor or dependency specialist

### B. Second and Subsequent Offense

- (1) same as first offense procedures
- (2) suspend student from 5-10 days
- (3) parents meet with administrator and school counselor or chemical dependency specialist to develop a contract determining follow-up.

### C. Listing of school activities covered by Augusta City Schools' Chemical Health Policy

1. All athletic activities including intramurals, freshmen, junior varsity, varsity teams, cheerleading squads, and manager.
2. All non-athletic activities and clubs:
  - American Field Service
  - Art Club
  - Chess Club
  - Chizzle Wizzle
  - Computer Team
  - Coniad
  - Debate/Speech Team
  - Drama
  - French Club
  - German Club
  - Junior Classical League
  - Key Club
  - Kids on the Block
  - Madrigals
  - March Band
  - Math Team
  - Outing Club
  - Peer Helpers
  - Pep Club
  - Rameses
  - Science Club

- Ski Club
- Spanish Club
- Stage band
- Student Council
- Writing Club
- ....and others as recognized by the school administration

D. Requirements for continued Drug-Free Schools Funding for Augusta City Schools

1. Adherence to the provisions of the Chemical Health Policy and Procedure will be mandatory for all parties involved.
2. These policies and procedures will be reviewed and/or revised every two years.

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*Department of Public Schools, Augusta, Maine*