

## STUDENT ALCOHOL, DRUG AND TOBACCO USE

**I. Goals.** ~~The Cape Elizabeth Substance Abuse Policy has the following purposes:~~

- ~~1. To discourage students from using illegal substances during their school years. Early use of drugs, tobacco, and alcohol are associated with higher rates of substance addiction and abuse later in life; higher rates of suicide and adolescent injuries and death; and poor academic performance.~~
- ~~2. To encourage students who have made poor choices to use illegal substances to come forward, accept responsibility, and get help where needed.~~
- ~~3. To build a sense of pride and positive spirit among those who participate in the Cape Elizabeth schools' extracurricular program, as well as a positive public perception of Cape Elizabeth High School's teams and performance groups.~~
- ~~4. To reinforce and support the learning in our schools' Health curriculum and the values of our community and the majority of our parents who recognize the health and safety dangers of substance use by young people.~~

**II. Connection to Code of Ethical and Responsible Behavior.** ~~This Substance Abuse policy reflects and seeks to reinforce each of the core ethical concepts in our Code of Ethical and Responsible Behavior:~~

- ~~• *Respect.* Having the respect for self that will lead to right decisions~~
- ~~• *Honesty.* Giving one's word to the school, its advisors, and coaches to abide by this policy, and following through on that word.~~
- ~~• *Compassion.* Using this policy as an instrument to refer students who are in difficulty with illegal substances to get needed help and reducing the consequence for those who choose this route.~~
- ~~• *Fairness.* Achieving a balance between the offense and the consequence.~~
- ~~• *Responsibility.* Accepting the consequences of one's actions and accepting the responsibilities to others that are inherent in membership on a school team or activity.~~
- ~~• *Courage.* Giving young people a reason to say "no" in the face of peer pressure and reinforcing those courageous decisions.~~
- ~~• *Humility.* Being willing to admit one's mistakes and accept help from others when in trouble.~~

### **III.**

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 alcohol, drugs and tobacco; provide for early intervention when use is detected or a student seeks help; and provide consequences for policy violations.

This policy is also intended to support and encourage students to meet the standards for ethical and responsible behavior identified in the Student Code of Conduct: Respect, Honesty, Compassion, Fairness, Responsibility and Courage.

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Student 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 as soon as possible.

This policy shall be disseminated through student-parent handbooks and reviewed with students in assemblies or other appropriate forums.

### **A. Prevention**

~~The School Department will provide students with information and activities focused on prevention of abstaining from the use of alcohol and drugs. Programs are to be provided that teach students that using illicit drugs and alcohol is wrong tobacco. Such information and harmful activities will address the legal, social, and health consequences of alcohol, drug and alcohol abuse are to be addressed. Students are to be taught how to resist peer pressure.~~

**IV. Intervention.** ~~The school department tobacco use and will establish and provide assistance, through a team approach, to intervene with students who are involved with drugs and/or alcohol. Students are to be assisted in addressing their harmful involvement with drugs and alcohol and in continuing in their educational programs. Moreover, information and referral will be provided, as appropriate, to aid involved students and the parents of involved students in connecting with community agencies for drug and alcohol use treatment. In addition to other consequences provided for, all students who violate this policy shall be referred to a social worker or guidance counselor for appropriate provide information gathering, counseling, and suggestions for further treatment. The student shall be required to attend such meetings as the about effective techniques for resisting peer pressure to use alcohol, drugs and tobacco. The School Department will work in partnership with students, parents, social worker or guidance counselor deems to be in the student's best interest. service organizations and local law enforcement to reduce risks for students where possible.~~

**B. V. Covered Activities.** ~~This policy shall apply to all students on school grounds or Intervention~~

The School Department provides assistance through appropriate school staff, such as social workers and guidance counselors, to intervene and counsel students who are involved with alcohol, drugs and tobacco and to assist students in continuing their education. Information will be provided, as appropriate, about outside programs and resources that are available to assist students.

### **C. Prohibited Conduct**

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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 or 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 events on or off school grounds.

Additionally, this policy is built on a recognition that participation in school extracurricular activities, holding leadership positions in school activities and student government, and receiving school recognitions are privileges, not rights. In each case, students are held out by the school or perceived by the public as representing the Cape Elizabeth schools. Accordingly, this policy shall apply to:

- All students involved in student government,
- All students involved in interscholastic competitions of any sort, including but not limited to athletics, Speech/Debate, Mock Trial, etc.; and
- All students involved in extracurricular activities involving major public performances, including but not limited to Theater and Jazz Band.

Each year, the administration shall list in the student handbook those activities, in addition to athletics, to which this policy applies based on the mix of activities in the school at that time.

**VI. Prohibited Conduct.** The following conduct is prohibited under this policy.

- Students shall not use, sell, furnish, or be in possession or under the influence of any product containing tobacco or alcohol.
- Nor will a student manufacture, sell, furnish, possess, use, or be under the influence of any narcotic drug, amphetamine, barbiturate, marijuana, anabolic steroid, or prescription drug (unless the student has a lawful prescription for that drug and is using it in the manner prescribed); or 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.
- Nor will any student be in possession of any paraphernalia associated with the use of such substances, the possession of which is a violation of law.
- Nor will any student host, voluntarily or involuntarily, a gathering at his/her home where prohibited activities in violation of this policy take place unless the student and/or his parents/guardians immediately contact the police to bring such a gathering to an end.

**VII. Investigation and Evidence to Support Conclusion of Violation.** It shall be the responsibility of the administration to investigate thoroughly any allegations or information concerning possible violations of this policy on school grounds or at school sponsored events. It

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shall be the responsibility of the administration to conduct a limited, reasonable investigation of any other possible violations where information concerning those violations is received from the police or is received from an adult source who consents to have his/her name used in connection with the investigation, but not in other cases. It is understood that information is sufficient to support a finding of a violation if the information gathered indicates that it is more probable than not that a violation occurred. In all cases where a violation is found to have occurred, a parent/guardian shall be contacted by a school administrator.

- **VIII. Disseminating Information About This Policy/Collecting Signed Acknowledgments of Understanding.** ~~The approved activity, event or function (such as a field trip or~~ athletic department shall schedule a mandatory pre-season meeting for parents and students before the beginning of each season. At least a portion of that meeting will involve coaches meeting with students and, parents and, among other things, reinforcing the terms of this policy. At each of these meetings, the coach shall collect a rules acknowledgment form at the end of this meeting signed by both student and parent. The coach shall turn these forms into the Athletic office. Attendance at this meeting and submission of the signed acknowledgment form is a condition of participation in athletics for that season. event) where students are under the jurisdiction of the school unit; and

~~Submission of a Non-Athletic Extracurricular Activity Acknowledgment form, signed by both student and parent, is also a condition of participation in any non-athletic group covered by this policy. This form shall be mailed home with the summer mailing, and shall be made available in other ways that make it accessible to parents. At the beginning of each activity, advisors shall meet with the students who are members of their activity and shall reinforce the terms of this policy with the group.~~

- IX. At any time or place if the student's conduct directly interferes with the operation, discipline or welfare of the schools.

Students who participate in co-curricular and extra-curricular activities are subject to additional rules and sanctions (see Board Policy JJJ).

#### D. Prohibited Substances

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 Substance Act, 21 USC § 812);
4. Tobacco products of any kind;

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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 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);
7. Steroids or any substance on the Maine Department of Health and Human Services' list of banned performance-enhancing substances;
8. Paraphernalia – implements used for distribution or consumption of a prohibited substance; or
9. Any look-alike drug or substance that is described as or is purported to be a prohibited substance defined in this section.

**E. Consequences for Policy Violations**

The consequences for violations of this policy and other information concerning implementation of this policy are contained in the accompanying administrative procedure, JICH-R.  
Students shall be assigned the following consequences for violations of this policy:

~~**A. SUSPENSION FROM SCHOOL AND REFERRAL TO POLICE.**~~ For any offense on school grounds or at a school sponsored activity on or off school grounds, students shall be suspended from school and referred to the police. The length of suspension shall be as follows:

Possession and Use Violations on School Grounds or at School Events

~~1<sup>st</sup> offense in a School Year.~~ Four days, except the suspension will be reduced to two days if (a) the student agrees to see the school's social worker for as many visits as the social worker deems necessary and to follow any recommendations of the social worker regarding the student's substance use and (b) the student agrees to perform community service during the days of suspension as assigned by a school administrator

~~2<sup>nd</sup> offense in a School Year.~~ Eight days.

~~3<sup>rd</sup> offense in a School Year.~~ Ten days. The student shall also be referred to the Superintendent for consideration of possible expulsion.

Furnishing and Trafficking Violations (Excluding Tobacco Offenses) on School Grounds or at School Events

Ten days. The student shall also be referred to the Superintendent for consideration of possible expulsion.

~~**B. SUSPENSION FROM COVERED ACTIVITY.**~~ Students shall forfeit their privilege to participate in competitions or performances in covered activities in accordance with the following schedule.

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~~1<sup>st</sup> offense within a calendar year, Self Reporting.~~ If a student or parent/guardian reports a violation to a school administrator within 48 hours of its occurrence, the student shall not forfeit the privilege of participating in any competitions or performances. The student shall be referred to meet with a substance abuse counselor, social worker, or guidance counselor, as available, for as many meetings as the substance abuse counselor, social worker, or guidance counselor deems appropriate and necessary. In order to continue eligibility to participate in the covered activity, the student is required to implement any plans that the substance abuse counselor, social worker, or guidance counselor recommends to the student and parent.

~~In the event of a first violation that is reported via a self-referral, the consequence for the student's second offense will be the consequence provided below for a first violation, without self-referral; for the third offense, the consequence will be that provided below for a second offense; and for the fourth offense, the consequence will be as provided below for a third offense.~~

~~1<sup>st</sup> offense in a calendar year, without self report.~~ In the absence of a self report to a school administrator, the student shall forfeit the privilege to participate as follows:

- ~~• Athletics.~~ The next two countable contests if the team has fewer than ten total contests in a season excluding playoffs, or the next four countable contests if the team has ten or more countable contests in a season, excluding playoffs. If the student is not involved in a covered athletic activity at the time of the violation, this consequence will carry over to the next athletic team on which the student does participate.
- ~~• Other Covered Activities.~~ The next two competitions or major performances of all activities in which the student is actively involved at the time of the violation. If the student is not actively involved in any non-covered activities at the time of the violation, then this consequence will carry over and apply to the next two non-athletic covered activities in which the student is involved.

~~2<sup>nd</sup> Offense in a calendar year.~~ Students who violate this policy the second time in a school year shall forfeit the privilege to participate as follows:

- ~~• Athletics.~~ The remainder of the athletic season. If there are fewer than eight/four countable contests remaining in the season at the time of the violation, then this consequence shall carry over to the next athletic season in which the student is involved so that the total consequence involves a minimum of eight/four countable contests.
- ~~• Other Covered Activities.~~ All competitions and/or major public performances of covered activities for the next three months.

~~3<sup>rd</sup> Offense in a calendar year.~~ Students who violate this policy the third time in a school year shall forfeit the privilege to participate in all covered activities for the remainder of the school year.

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~~C. LOSS OF LEADERSHIP POSITIONS AND/OR SCHOOL RECOGNITIONS.~~ Students who violate this policy who are elected or appointed school leaders or eligible for major, end-of-year school recognitions or scholarships or membership in the National Honor Society will be subject to the following additional consequences:

~~1<sup>st</sup> offense. Loss of athletic team captaincy.~~

~~2<sup>nd</sup> offense in school year. Loss of any elected or appointed leadership positions and eligibility for all major, end of year school recognitions or scholarships or membership in the National Honor Society for the remainder of the school year.~~

~~3<sup>rd</sup> offense cumulatively. Loss of any elected or appointed leadership positions and eligibility for all major, end of year school recognitions or scholarships or membership in the National Honor Society for the remainder of the student's career in that school.~~

**D. EDUCATION CHECKLIST**

~~—All first time violators of this policy shall be required to complete an information checklist related to the legal, insurance, and other consequences of substance use and abuse. Completion of the checklist may require the student to interview law enforcement, insurance or other officials about these consequences. This checklist must be completed to the satisfaction of the school administration before the student is allowed again to participate in any performances or competitions.~~

~~REPLACES: JJJ R1 Athletic Substance Abuse and JJJ R2 Athletic Contract~~

**CROSS REFERENCE:**

- Legal Reference: 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; 6621
- 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 – Student Code of Conduct

~~ACAD – Hazing~~

~~JICIA~~ JICA – Weapons, Violence, Bullying and School Safety

~~JJI – Athletic Philosophy~~ JKD – Suspension of Students

JKE – Expulsion of Students

1<sup>st</sup> Reading:

compare doc DWM DRAFT FOR BOARD DISCUSSION 3-20-14

CODE: JICH

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~~JLCD – Administering Medications to Students~~

~~JRA – Student Education Records~~

~~JJJ – Co-Curricular and Beliefs~~

~~— JJI R Athletic Policies and Beliefs Procedures~~

~~— JJJ R Athletic Rules and Regulations~~

~~— JK Student Discipline~~

~~ADOPTED: June 13, 2006~~

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~~Extra-Curricular Activities Eligibility and Code of Conduct~~