

JICH - STUDENT USE OF ALCOHOL, DRUGS, TOBACCO AND OTHER PROHIBITED SUBSTANCES

STUDENT USE OF ALCOHOL, DRUGS, TOBACCO AND OTHER PROHIBITED SUBSTANCES

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, tobacco and other Prohibited Substances through prevention education ; provide for early intervention when use is detected or a student seeks help; and identify consequences for policy violations. The Superintendent is responsible for developing appropriate administrative procedures, curricula and programs to implement this policy, as well as administrative training necessary to carry out the procedures.

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 annually.

A. Prevention:

The School Department will provide students with information and activities focused on educating students about the use of Prohibited Substances and preventing their use. Such information and activities will address the legal, social and health consequences of use of Prohibited Substances and will provide information about effective techniques for resisting peer pressure to use Prohibited Substances. The School Department will work in partnership with students, parents, social service organizations and local law enforcement to reduce risks for students where possible.

B. Intervention

The School Department provides assistance through appropriate school staff, such as social workers, substance abuse counselors and guidance counselors, to intervene and counsel students who are involved with and/or using Prohibited Substances 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. Student records concerning such interventions shall be kept confidential as required by state and federal laws.

C. Prohibited Conduct

Students are prohibited from consuming, possessing, furnishing selling, offering, distributing, dispensing, receiving, buying, manufacturing, consuming 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 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; and
- At any time or place if the student's conduct directly and substantially interferes with the operation, discipline or welfare of the schools.

Students who participate in co-curricular and extracurricular 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:

- I. Alcohol (ethyl alcohol, “EtOH);
- II. Scheduled drugs (as defined in 17-A MRSA § 1101);
- III. Controlled substances (as defined in the federal Controlled Substance Act, 21 USC § 812);
- IV. Tobacco products of any kind;
- V. Electronic vaporizer devices, including but not limited to e-cigarettes, e-hookahs, vape pens, or similar devices;
- VI. 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);
- VII. Any substance possessed or used for ingestion to produce an intoxicating effect (including but not limited to aerosols, paints, solvents and glue);
- VIII. Steroids or any substance on the Maine Department of Health and Human Services’ list of banned performance-enhancing substances;
- IX. Paraphernalia – implements used for distribution or consumption of a prohibited substance; or
- X. 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

Administrators may suspend and/or recommend expulsion of students who violate this policy, based upon the facts of each case and in accordance with established disciplinary procedures. Students may also be referred to law enforcement authorities for investigation and/or prosecution.

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 § 290 dd-2; 42 CFR 2.1 et seq.
- 20-A MRSA §§ 1001(9); 4002; 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:

- ADC - Smoking and Possession of Tobacco Products/ Other Electronic Smoking Devices
- JICH-R-Administrative Procedure for Student Use of Alcohol, Drugs, Tobacco and Other Prohibited Substances
- IJNDB/IJNDB-R- Student Computer and Internet Use
- JIC- Student Code of Conduct
- JICA- Weapons, Violence and School Safety
- JICK- Bullying and Cyberbullying in Schools
- JKD- Suspension of Students
- JKE-Expulsion of Students
- JLCD- Administering Medications to Students
- JRA- Students Education Records
- JJJ- Co-Curricula and Extracurricular Activities Eligibility and Code of Conduct

Adopted:

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