

ALCOHOL, TOBACCO AND OTHER DRUG ABUSE POLICY IMPLEMENTATION PROCEDURES

I. PROCEDURES FOR REPORTING AND RESPONDING TO AN ALCOHOL, TOBACCO, OR OTHER DRUG INCIDENT

A. Confrontation and Reporting

- 1. School Staff** – All school staff members are expected to report any suspected or actual alcohol or other drug violation and to report the incident to the administrator or his/her designee as soon as possible.
- 2. Students** – Students who suspect or know of drug or alcohol violations are encouraged and expected to give this information to any school staff member. Staff members receiving such information shall make an immediate report to the administrator.

B. Investigation

- 1.** The administrator or designee shall investigate the incident and determine the appropriate action. When there is sufficient information to suspect that a violation has occurred, the student(s) shall be expected to cooperate fully. This may include, but is not limited to, emptying pockets, pocketbooks, and/or backpacks.
- 2.** In addition, student desks, lockers, and/or vehicles parked on school premises may be inspected. Refusal to comply with an investigation will result in violation of this policy.

C. Notification of Parents

- 1.** If the investigation confirms that a probable violation of this Policy has occurred, the administrator shall immediately attempt to notify the parent(s)/guardian by phone or request that they come to school to participate in an informal suspension hearing.
- 2.** If the student is deemed and/or assessed to be under the influence of drugs, then the student shall remain at school until such time as the parent can arrange for transportation home or until the student is discharged to a social service, medical or law enforcement agency. In the case of an Alcohol or other Drug violation, the student shall be sent home with an escort.

D. Informal Hearing

1. In the event the evidence produced by the investigation supports a charge of a violation, the student and parent shall be given the opportunity for an informal hearing. The administrator, at his/her discretion, may include other appropriate school personnel. Due process procedures described in Rule 4311 shall be followed.

E. Intervention Plan Developed for Alcohol or Other Drug Violation

1. Following the informal hearing, if it is determined that a violation did occur, the administrator shall initiate the development of an intervention plan in consultation with the parent, the student, and when available, the student's counselor.
2. The plan shall include a recommendation for an assessment by a certified community drug/alcohol counselor and a commitment from the student/parents to share the assessment's education and treatment recommendations with the appropriate school personnel.
3. The student must present verification of a scheduled agency appointment with a certified drug/alcohol counselor. The school counselor or student assistance counselor shall be responsible for providing continuing support upon the student's return to school.

F. Notification Under Emergency Conditions

1. If, in the opinion of the administrator, an emergency exists, the area Rescue Squad and/or the Colchester Police Department shall be called.
2. The parent shall be notified prior to such action when possible, and in all other instances as soon as possible thereafter.

G. Police Notification

1. The administrator shall notify the Colchester Police Department in any instance of alcohol, tobacco, or other drug use, possession, or distribution that would violate state or federal laws.

II. VIOLATIONS AND CONSEQUENCES

All violations are cumulative within each level: K-2, 3-5, 6-8, 9-12, and will not be carried over from one level to the next. For students participating in co-curricular activities, any policies, procedures, or contracts relative to alcohol, tobacco and other drug violations will also be applicable.

A. Tobacco and Tobacco Product: Sale; Distribution; Exchange

- 1. First Violation:** A student found to be selling, and or distributing tobacco products or attempting to sell and/or distribute tobacco products on school property or at a school sponsored event will receive the following consequences:
 - a) Parent(s)/Guardian notification.
 - b) Police notification.
 - c) Confiscation of tobacco products.
 - d) Suspensions at each level, as follows: K-2, one day; 3-5, two days; 6-8, 9-12, three days.*
 - e) Student will participate in a mandatory in-school tobacco education program, if available.

- 2. Second and Subsequent Violations:** A student found to be in violation on school property or at a school sponsored event will receive the following consequences:
 - a) Parent(s)/Guardian notification.
 - b) Police notification.
 - c) Confiscation of tobacco products.
 - d) Suspensions at each level, as follows: K-2, two days; 3-5, three days; 6-8, 9-12, five days.*
 - e) Student will participate in a mandatory in-school tobacco education program, if available.

B. Tobacco: Purchase; Use; Possession; Possession of a Reasonably Related Tobacco Device; Participation in a Related Incident or Refusal to Cooperate with an Investigation

- 1. First Violation:** A student found to be in violation on school property or at a school sponsored event shall receive the following consequences:
 - a) Parent(s)/Guardian notification.
 - b) Police notification.
 - c) Confiscation of tobacco products.
 - d) Student will participate in a mandatory in-school tobacco education program, if available.

(*Refer to Special Education/504 regulations/guidelines, as applicable.)

2. **Second Violation:** If a student is found to be in violation on school property or at a school sponsored event, the following shall occur:
 - a) Parent(s)/Guardian notification.
 - b) Police notification.
 - c) Confiscation of tobacco products.
 - d) Suspensions at each level, as follows: K-2, one day; 3-5, two days; 6-8, 9-12, three days.*

3. **Third and Subsequent Violations:** If a student is found to be in violation on school property or at a school sponsored event, the following shall occur:
 - a) Parent(s)/Guardian notification.
 - b) Police notification.
 - c) Confiscation of tobacco products.
 - d) Suspension at each level, as follows: K-2, two days; 3-5, 6-8, 9-12, five days.*

C. Alcohol or Other Drugs: Sale; Distribution or Exchange

1. **First and Subsequent Violations:** A student found to be selling and/or distributing alcohol and other drugs, or attempting to sell and/or distribute other drugs on school property or at a school sponsored event shall receive the following consequences:
 - a) Parent notification.
 - b) Police notification.
 - c) Confiscation of alcohol and/or other drug.
 - d) Suspension for 10 school days at the 3-5, 6-8, 9-12 levels.*
 - e) At the K-2 level, suspension will be for five days with an automatic referral to the Child Protection Team.*
 - f) Recommendation to the School Board for an expulsion hearing*; procedure is as follows:
 - (1) The school Board shall convene a hearing within the 10 school days of the suspension period.
 - (2) All parties shall be entitled to representation by counsel at their own expense.
 - (3) Upon conclusion of the hearing, the Board shall make its decision.
 - (4) The student and parents shall be notified of the Board's decision as soon as possible but within five working days, and a written decision shall follow regarding expulsion.

(*Refer to Special Education/504 regulations/guidelines, as applicable.)

- (5) A drug and alcohol assessment shall be required at parent/guardian expense, and be made by a certified drug and alcohol counselor prior to re-entry to school.
- (6) Student/parent(s)/guardian must release the assessment information to the designated school person and the treatment recommendations must be followed.
- (7) Student shall meet with the student assistance counselor upon return to school.

D. Alcohol and Other Drugs: Purchase; Use; Possession; Being Under the Influence; Possession of a Reasonably Related Alcohol or Drug Device; Participation in a Related Incident or Refusal to Cooperate with an Investigation

- 1. First Violation:** A student found to be in violation on school property or at a school sponsored event shall receive the following consequences:

- a) Parent notification.
- b) Police notification.
- c) Confiscation of alcohol or other drug when possible.
- d) Suspension at each level, as follows: K-2, two days; 3-5, 6-8, 9-12, five days.*
- e) The student shall meet with the student assistance counselor and shall procure a Proof of Contact/Release of Information form. If counselor is unavailable, please refer to an administrator for this form.
- f) Upon or before return to school:
 - (1) The student must provide Proof of Contact of a scheduled drug/alcohol assessment appointment at parent/guardian expense (see the above mentioned Contact form).
 - (2) This assessment shall be made by a certified drug/alcohol counselor and must be completed within one week of the date of return. Exceptions to this time frame may be made by the Superintendent or designee in the event of scheduling difficulties.
 - (3) The student/parent/guardian must release the assessment's education and treatment recommendations to the designated school person(s). (See the above mentioned Release of Information form.)
 - (4) The assessment recommendations will be followed by the designated agency/drug counselor.
 - (5) Student shall meet with the student assistance counselor upon return to school.

(*Refer to Special Education/504 regulations/guidelines, as applicable.)

- (6) CHS Only: The student and parent(s) shall complete up to four (4) mandatory meetings with a designated member of the administrative team. The meeting dates will be determined by an administrator and shall conclude one year post the violation. Each meeting will provide support and a detailed analysis of grades, attendance and discipline.
- (7) Failure to comply with numbers 1-6 above will result in further disciplinary action, up to and including long term suspension or expulsion, as determined by administration.

2. Second and Subsequent Violations: If a student is found to be in violation on school property or at a school sponsored event, all of the following shall occur:

- a) Parent notification.
- b) Police notification.
- c) Confiscation of alcohol or other drug when possible.
- d) Suspension for 10 school days.*
- e) Recommendation to the School Board for an expulsion hearing*; procedure is as follows:
 - (1) The school Board shall convene a hearing within the 10 school days of the suspension period.
 - (2) All parties shall be entitled to representation by counsel at their own expense.
 - (3) Upon conclusion of the hearing, the Board shall make its decision.
 - (4) The student and parent shall be notified of the Board's decision as soon as possible but within five working days, and a written decision shall follow regarding expulsion.
 - (5) A drug and alcohol assessment shall be required at parent/guardian expense, and be made by a certified drug and alcohol counselor prior to re-entry to school.
 - (6) Student/parent(s) guardian must release the assessment information to the designated school person(s) and the treatment recommendations must be followed.
 - (7) Student shall meet with the student assistance counselor upon return to school.
 - (8) Failure to comply with numbers 5-7 above will result in further disciplinary action as determined by the administration.

(*Refer to Special Education/504 regulations/guidelines, as applicable.)

E. Retaliation

1. Retaliation is a serious matter and depending upon the circumstances and the seriousness of the incident:
 - a) Student may be suspended for up to 10 school days and/or referred to the School Board for expulsion.*

(*Refer to Special Education/504 regulations/guidelines, as applicable.)

III. FACULTY AND STAFF VIOLATIONS

Anyone observing a faculty or staff member using, under the influence and/or exchanging alcohol, tobacco or other drugs, on school property shall report the violation to the administrator and/or supervisors.

1. The administration and supervisors are responsible for enforcing the policy with school personnel.
2. Failure to comply constitutes a violation of School Board policy and shall be dealt with according to established due process procedures and any applicable provisions of the collective bargaining agreement. The school district shall provide information regarding access to programs, which support employees seeking to withdraw from alcohol, tobacco or other drug use.
3. Personnel who violate School Board policy shall be subject to disciplinary action including suspension or dismissal.

IV. NON-SCHOOL PERSONNEL

With non-school personnel, the administration's responsibility is to educate, to provide information about the policy, and report continued violations of this policy to the police for issuance of a trespass notice should it be deemed appropriate, based on evidence.