

## **SUBSTANCE USE BY STUDENTS**

The Brunswick School Board unequivocally endorses the philosophy that our schools should be free from the detrimental effects of illicit drugs, alcohol and tobacco products. The Board acknowledges, however, the threat of chemical use among students in our community. To promote the highest possible standards of learning, as well as the safety, health and well being of students, this policy is designed to aid students in abstaining from the use of drugs, alcohol and tobacco products and to support students who have developed a problem with these substances.

The School Department must be united with students, parents/guardians and the larger community in a problem-solving approach that focuses on the welfare of students without attempting to assign blame, deny problems or excuse bad behavior. The multifaceted approach outlined in this policy is intended to acknowledge a continuum of needs and to support administrators in flexibly responding to problems as they arise.

### **I. Prohibited Conduct**

No student shall manufacture, distribute, dispense, serve, possess, use, transport or be under the influence of any prohibited substance as defined by this policy, the laws of the state of Maine, or federal law.

Prohibited Substances include:

- Alcohol;
- Tobacco products (including smokeless);
- Scheduled drugs as defined in 17-A MRSA §1101;
- Controlled substances as defined in the federal Controlled Substances Act, 21 USC §812 (examples include but are not limited to: narcotics, hallucinogens, amphetamines, barbiturates, marijuana, and anabolic steroids);
- Any performance enhancing substance listed on the Maine Department of Health and Human Services Banned Substances list and any other substance which is illegal in Maine or the use of which is illegal for minors
- Prescription drugs not prescribed for the student and/or not in compliance with the Board's policy: Administering Medicines To Students (FILE: JLCD);
- Any substance which can affect or change a student's mental state, physical condition, or behavior pattern, including but not limited to volatile materials such as glue, paint or aerosols (when possessed for the purpose of inhalation); over the counter medications (such a pseudoephedrine or dextromethorphan) that when used alone in large quantity or in combination with other drugs may pose serious health risks (including death); or other plants and herbs smoked or ingested with the intent to produce drug-like effects;
- Drug paraphernalia (defined as any implement used to distribute, deliver or consume a prohibited substance); or
- Any counterfeit drug or substance that is described as or is purported to be a prohibited substance as defined above.

These prohibitions apply to any student who is on school property, any student in attendance at school or at any school-sponsored home or away activity, or any student whose conduct at any time or any place directly interferes with the peacefulness and usefulness of the school.

II. Enforcement

Violations of the terms of this policy will constitute grounds for student discipline, including suspension, expulsion, and/or referral to law enforcement agencies.

Corrective measures, beyond disciplinary actions for a violation, will be considered by the administrator, who may recommend actions that may range from mandatory in-school counseling to a treatment recommendation. If treatment is recommended, parents/guardians will bear the cost.

Administrators may be more restrictive in the applicability of this policy when engaging parents and students in contracts as a precondition to participate in extracurricular or co-curricular activities.

III. Deterrence

Deterrence can be affected in several ways: through meaningful health education and prevention programs; by creating a school environment where students have a sense of belonging; by building a culture of integrity where a premium is placed on honesty, and contracts can be used effectively; and through credible, visible, and consistent enforcement of chemical abuse policy and related laws.

The health curriculum should include building awareness of the detrimental aspects of chemical use. The Board strives to create a healthy and caring school environment by implementing a systemwide Code of Student Conduct (FILE: JICDA) and through policies such as Anti-Bullying (FILE: JIKC). The Board endorses the use of pledges, contracts and codes of conduct to establish acceptable bounds of behavior relative to the use of chemicals.

School administrators are responsible for developing operating procedures to deter and prevent drug use and trafficking within their school environments. Specific measures that may aid in deterrence may include, but are not limited to, the use of breathalyzers, drug tests and random or scheduled facility searches with counter narcotics dog teams after consultation with the Superintendent. When employed, it is the responsibility of school administrators, in conjunction with law enforcement officials, to establish procedures to ensure that these activities are conducted consistently, safely and with the maximum deterrent effect.

**IV. Prevention and Education**

The School Department will provide information and activities focused on educating students about drugs and alcohol and abstaining from their use. Such information and activities will address the legal, social and health consequences of drug and alcohol abuse and will provide information about effective techniques for resisting peer pressure to use illicit drugs and alcohol. The School Department will work in partnership with students, parents/guardians and local law enforcement officials to eliminate these risks for students, especially where the health and safety of a particular student are in question.

**V. Intervention and Treatment**

Administrators will provide assistance to students with chemical abuse problems through a team approach to intervention. Each school will establish teams consisting of, but not limited to: a counselor, teachers, administrators, and school nurse. This team will assist students in addressing their involvement with chemical substances and will advise parents on an appropriate student placement in a prevention treatment program at the parents'/guardians' expense. This team will also be a resource for students as they proceed in their educational program chemical-free. While the focus of this team approach is to address the chemical use, they should approach each student's needs holistically in order to address other life issues that may contribute to the student's use of chemicals. All student records concerning such interventions shall be kept confidential as required by state and federal laws. Additionally, the School Department will provide either staff or contracted substance abuse counseling.

**VI. Notice**

The School Department shall distribute this policy and appropriate related information to staff, students and parents/guardians on an annual basis through handbooks and/or other means selected by the Superintendent and school 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 §290 dd-2  
42 CFR § 2.1 et seq.  
20-A MRSA §1001(9); 4008

*Cross Reference:* FILE: AD – Philosophy of the Brunswick Public Schools  
FILE: ADC – Tobacco Free Schools  
FILE: GBEC – Drug-Free Workplace  
FILE: JIC – Student Conduct  
FILE: JICDA – Brunswick Code of Student Conduct  
FILE: JICFA – Hazing  
FILE: JICI – Weapons in School Dept  
FILE: JK – Student Discipline

*FILE: JKD – Suspension of Students*

*FILE: JKE – Expulsion of Students*

*FILE: JLCD – Administering Medicines to Students*

*FILE: JRA – Student Education Records*

*School Student-Parent/Guardian Handbooks*

*Federal Educational Rights and Privacy Act (FERPA)*

*Previous policy adopted:* 11/18/86  
*Revised:* 11/19/91, 2/12/96  
*Statutory References:* 17-A: 1101-2  
22: 2201 *et seq.*  
*Revised:* 5/9/07  
*Revised:* 3/13/19