

**JOSIAH BARTLETT ELEMENTARY SCHOOL
SUBSTANCE ABUSE POLICY**

ADOPTED - 9/17/96
REVISION ADOPTED - 4/6/99

**Josiah Bartlett Elementary School is a Drug free School Zone
as established by RSA 193-B:2**

STATEMENT OF INTENT

Student health problems are primarily the responsibility of the home. However, the school and community share in that responsibility because chemical abuse problems negatively affect learning and development. Therefore, the school will cooperate with organizations dealing with chemical use and abuse problems. All contacts with any agent or agency will be on a confidential basis.

PHILOSOPHY

Josiah Bartlett Elementary School has a significant responsibility to maintain a safe, high quality learning environment. We acknowledge that the use and abuse of harmful substances (as defined below) by minors is illegal, and can interfere with the behavior, learning, health, and the fullest possible development of students.

It is the policy of the Josiah Bartlett Elementary School to take positive action through education, counseling, parents/guardians involvement, mental health or medical referral, and police referral if indicated, in handling incidents in the school involving the possession, sale, use and/or abuse of behavior affecting substances by students and school personnel. A principle component of the school's philosophy is the dual promotion of each student's total well-being of the school as a whole.

I STUDENT SUBSTANCE ABUSE POLICY

Substances covered by this policy include the following:

1. controlled drugs specified by the Controlled Drug Act (RSA 318-B)
2. tobacco and tobacco containing products (RSA 78:12-b)
3. alcohol (RSA 179:10)
4. over-the-counter products, or prescribed medications which are being used, misused or overused with the probable intent of achieving mind altered states (examples: NoDoz, cough medicines, inhalants, cleaning agents, volatile petroleum distillates, etc.)

This policy covers use or abuse of the above substances by students, during school time, as well as during all extra curricular activities and school functions. This policy also prohibits wearing clothing or use or possession of accessories and other property that advertises or depicts substances covered under this policy during school time, as well as during all extra curricular activities and school functions.

WE REQUEST THAT ALL PARENTS, GUARDIANS, AND VISITORS TO THE SCHOOL ADHERE TO THE ABOVE. AS WELL AS OF THE SCHOOL'S SUBSTANCE ABUSE POLICIES, WHILE ON SCHOOL GROUNDS OR AT SCHOOL ACTIVITIES.

“School time” is defined as the duration from the moment a student boards a school bus, or enters school property, until he or she exits same.

The student shall cooperate fully in any ensuing investigation of a suspected violation of this policy. As part of the investigation procedure, the administration reserves the right to inspect a student’s belongings, desk and locker as per the procedures contained in the student handbook. These procedures are based on decisions handed down by state and federal courts.

A. VOLUNTARY REFERRALS

Any staff member approached by a student who is seeking help is expected to maintain the confidentiality of the student, and to refer the student to the school guidance counselor, or the school nurse. A staff member may respond to a student seeking help with a chemical dependency or abuse problem without being compelled to use the information in a disciplinary manner.

All staff members need to be aware of the distinction between those who are seeking help (voluntary), and those who are violating the school’s policy(disciplinary action).

Upon receiving a referral from a staff member, or a self-referral by the student, the school guidance counselor or school nurse shall:

1. meet with the student for an initial fact-finding interview and for providing support.
2. complete confidential referral form, and inform the building administrator as fully as possible about the self-referral.
3. assist the student, and/or parents/guardians, in accessing community services.

B. DISCIPLINARY ACTIONS

1. ROLE OF SCHOOL STAFF

Any **school employee** who has reasonable basis to suspect any student of possession, use, or supplying to another student a prohibited substance has the responsibility to:

1. Take whatever immediate action may be necessary to secure the health and safety of the involved student(s).
2. Report the case immediately to the building administrator.
The administrator or administrative designee, if possible, will obtain the alleged prohibited substances, using appropriate search and seizures procedures as outlined in the student handbook.

2. ADMINISTRATIVE PROCEDURES

a. Type One: Possession/ Use

First Offense:

1. Verification by two of the following: school nurse, guidance counselor, police, administrator, or administrative designee. These people may also be called on to evaluate a student's behavior and condition.
2. Building administrator notifies parents, police and superintendent.
3. Administrator meets with student and parents/guardians.
4. In-school social restriction for one of three days ---students will be assigned to remain in either an advisor's/teacher's classroom, or office area as appropriate. Student will remain in school, and can not participate in any extra-curricular activities
5. Student meets with guidance counselor or school nurse who develops an appropriate substance abuse education program.
6. Referral to Student Teacher Assistance Team for assessment and recommendation.

Second Offense:

1. Verification by two of the following: school nurse, police, guidance counselor, administrator, or administrative designee. These people may also be called onto evaluate a student's condition.
2. Building administrator notifies parents, police and superintendent.
3. Administrator meets with student and parents/guardians.
4. Internal social restriction or external suspension for three to five days, with a behavioral contract signed by parents/guardians, student, and building administrator.
5. Student meets with guidance counselor or school nurse who develops an appropriate substance abuse education program.
6. Referral to Student Teacher Assistance Team for assessment and recommendation.
7. Referral to Department of Human Services – Child Protective services as needed.

Subsequent Offenses:

1. Any student who repeatedly violates any Substance Abuse Policy, and their parents/guardians, will be referred to the school board for appropriate action, which may include expulsion as per Public School Law (RSA 193:13).

b. Type Two: Furnishing and /or Selling

1. Verification and investigation of the incident.
2. Confiscation of substance.
3. Student meeting/hearing with building administrator.
4. Notification of parents/guardians, police and superintendent.

5. Administrator meets with student and parents/guardians.
6. Out of school suspension for five days by building administrator, notification to superintendent of schools for further disciplinary action.
7. Schedule hearing with students, and parents/guardians before the school board for appropriate action which may include expulsion as per Public School Law (RSA 193:13).

- c. **Type Three: A student found wearing clothing prohibited under this policy will be asked to remove or cover that advertisement or depiction so it cannot be seen. If this is not possible, the student's parent or guardian will be notified and requested to bring appropriate clothing for the student to change into. A student found possessing or using accessories and other property that advertises or depicts substances included in this policy will have the item(s) confiscated and their parents will be notified to pick the item(s) up at the school.**

II SCHOOL PERSONNEL SUBSTANCE ABUSE POLICY

It is the goal of the Josiah Bartlett Elementary School to have its school chemical free, in accordance with the Drug Free Workplace Act of 2988. School personnel are expected to be role models for our students, and as such, will be expected to abide by the following policies.

1. **Anyone employed by the school** will not use or possess alcohol or other controlled substances-except those prescribed by their physician-at school, on school grounds, or at school functions held on or off school grounds.
2. Volunteers are considered agents of the school and are also expected to abide by these policies.

The school recognizes chemical dependency as a treatable disease, and will encourage staff who show signs of this disease to obtain help.

A. Suspected Use

Anyone who suspects that an **individual employed by the school** is violating the Substance Abuse Policy shall report **that person** to the building administrator.

1. The administrator will contact another administrator to be present for an interview with the employees.
2. The superintendent will be notified immediately.
3. The administrators will interview the employee and may consult with the school nurse or guidance counselor if needed.
4. The administrator will document all reports and outcomes, and advise the superintendent of his/her determination.
5. The administrator will discuss the ramifications of such a report and encourage the **employee** to obtain personal assistance if appropriate.
6. Police will be notified if there are any suspected violations of RSA 318-B.

B. Violations:

1. If the administrator has sufficient information to suspect that a violation has occurred, the superintendent will remove the employee with or without pay, for cause, until a dismissal hearing takes place. (The employee may obtain an immediate, independent evaluation will be considered an admission of guilt.)
2. If there is a violation of New Hampshire Law, the police will be notified. The employee will be referred to an assistance program.

C. Witnessed Use, Possession, Distribution, or Sale of Illegal Substances.

Any person witnessing use, possession, distribution, or sale of substances covered under this policy shall report immediately to the administrator.

1. The administrator will investigate the situation.
2. The police and superintendent will be immediately notified.
3. The employee will be suspended with or without pay until there is a dismissal hearing with the superintendent.
4. The employee will be referred to an assistance program.

III USE OF TOBACCO BY SCHOOL EMPLOYEES

While serving as official representatives of the school, school personnel will not use or display tobacco products at school, on school grounds, or at school functions off school grounds if students are likely to be present. **The only exception** is when previously approved by the school administration, **for use** as an instructional aide.

A. Employee Violations and Procedures:

First Offense:

1. If the administrator or superintendent has sufficient information to suspect that a probable violation has occurred, a verbal warning will be given to the employee.
2. The employee will be referred to as assistance program.

Second Offence:

1. If the administrator or superintendent has sufficient information to suspect that a probable violation has occurred, a written warning will be given to the employee.
2. The employee will be referred to an assistance

Third Offense:

1. The employee will be suspended, with or without pay, until there is a hearing with the superintendent.

2. The employee will be referred to an assistance program.

All the above will be documented in the employees personnel file.

IV DUE PROCESS/APPEALS

Josiah Bartlett Elementary School is committed to administering and carrying out the full intent of this policy. In so doing, the school will protect the rights of the individual and ensure that all rights of due process will be observed.

A. Due Process

1. The individual will be given a hearing that will involve:
 - a. statement of charges
 - b. opportunity to respond
 - c. statement of consequences
2. The individual will be given a verbal and written notice of action to be taken.

B. Student Appeal Procedures

Any student who has been placed in social restriction has the right to appeal to the principal. The principal's decision on this appeal is final. Any student, who has been suspended from school for more than 5 days, or a parent/guardian of such student, has the right to appeal that suspension to the principal. If he/she is dissatisfied with the outcome of the appeal to the principal, he/she may make an appeal to the superintendent of schools. A student who has exhausted all administrative appeals, may appeal to the Bartlett School Board. The student will retain the right to attend school during the appeal process, unless his or her presence endangers the welfare of students, staff, or the orderly operations of the school. If the suspension is not overturned, it shall begin the day after the student has been officially notified.

All appeals of suspension must be made, in writing, within 24 hours of notification of suspension, whereupon the appropriate administrator will be notified.

C. Employee Appeal Procedure

Contracted employees disciplined for infractions under this policy will have the right to appeal based upon the procedures in their collective bargaining agreement. The appeal process for non-contracted employees will follow those set forth for contracted employees.

V POLICY REVIEW AND DISTRIBUTION

This policy will be distributed to all student, parents/guardians, and staff at the beginning of every school year. It will be reviewed on an annual basis by the Substance Abuse Committee.

Reviewed March 1999