

## **JICH-R**

### **STUDENT DRUG/ALCOHOL USE AND POSSESSION ADMINISTRATIVE PROCEDURES**

---

The Kittery School Department shall implement the procedures contained in this regulation. It is the responsibility of the Superintendent and/or his/her designee(s) to ensure that these procedures are followed and to develop any additional procedures that are necessary to support this regulation and policy.

Violations of the policy are cumulative for students in grades K-3, 4-8 and 9-12 but do not carry over between these grade spans.

For the purposes of policy JICH and its regulations JICH-R, staff members are defined as individuals who are employed by the Kittery School Department or who are activity supervisors or coaches.

#### **I. Referrals**

- a. Any school staff member who has a concern or is approached by a student(s) about a substance abuse shall refer the student(s) to a school counselor and/or school nurse, or other appropriate staff.
- b. Parents/guardians or students who have a concern about a student's possible substance abuse are encouraged to notify a school counselor and/or school nurse, or other appropriate staff of their concern. Such referrals do not preclude disciplinary action for violations of this policy.
- c. A student concerned about his or her own substance abuse may seek the assistance of a school counselor and/or school nurse, or other appropriate staff. Seeking assistance does not result in any disciplinary action.
- d. Self-referrals do not preclude disciplinary action for violations of this policy which have already been identified.

#### **Procedures**

The school counselor or other designated staff member meets with the student and his/her parents/guardians and/or case manager, to perform a non-clinical chemical health assessment, in conjunction with the school nurse when appropriate, and develop an action plan to meet the individual student's needs.

Confidentiality of student information concerning substance abuse issues must be maintained in accordance with state and federal laws.

#### **II. Discipline**

- a. Violating of the Student Drug/Alcohol policy results in disciplinary action as described in this regulation. Students involved in extra-curricular or co-curricular activities are subject to additional rules and sanctions.

### III. Procedures

Any staff member who has reasonable basis to suspect a student of possession, use, or selling to another student of a prohibited substance has the responsibility to:

1. Take whatever immediate action is necessary to secure the health and safety of the involved student(s);
  2. Report the case immediately to a school administrator or other appropriate authority.
- b. Administrators will investigate the allegation and take further steps based on the facts of each case and in accordance with established disciplinary procedures. The School Resource Officer or other appropriate law enforcement authority must be notified about all violations.
- A) **Disciplinary process and penalties for consuming, possessing prohibited substances, and/or being under the influence of prohibited substances:**

#### First Offense

1. Verification and confiscation of substance and/or paraphernalia.
2. Provide for immediate medical needs of involved student(s).
3. Administrator meets with student
4. Notification of parent/guardian and/or case manager
5. Notify SRO or Kittery Police Department
6. Enforce a 5 day out of school suspension, OR
7. If administration deems it appropriate, a student contract will be written by administration and presented to the student and parent/guardian for review. If all parties agree and the contract is signed, there will be a reduction in discipline to a two-day out-of-school suspension and a three-day in-school suspension. Please refer to Section IV, Student Contracts, for additional information.

#### Second Offense

1. Verification and confiscation of substance and/or paraphernalia
2. Provide for immediate medical needs of involved student(s)
3. Administrator meets with student
4. Notification of parent/guardian and/or case manager
5. Notify SRO or Kittery Police Department
6. Enforce a 7 day out of school suspension, OR
7. If administration deems it appropriate, a student contract will be written by administration and presented to the student and parent/guardian for review. If all parties agree and the contract is signed, there will be a reduction in discipline to a three-day out-of-school suspension and a four-day in-school suspension. Please refer to Section IV, Student Contracts, for additional information.

Third Offense

1. Verification and confiscation of substance and/or paraphernalia
2. Provide for immediate medical needs of involved student(s)
3. Administrator meets with student
4. Notification of parent/guardian and/or case manager
5. Notify SRO or Kittery Police Department
6. A 10-day out of school suspension, OR
7. The students and parent/guardian will be required to meet with the Superintendent to discuss possible expulsion

Fourth and Subsequent Offense

1. Meeting with Superintendent of Schools and School Committee for an expulsion hearing

**B. Disciplinary process and penalties for furnishing, selling, buying and/or manufacturing prohibited substances**

First Offense

1. Verification and confiscation of substance and/or paraphernalia
2. Provide for immediate medical needs of involved student(s)
3. Administrator meets with student
4. Notification of parent/guardian and/or case manager
5. Notify SRO or Kittery Police Department
6. Enforce a 10 day out of school suspension, OR
7. If administration deems it appropriate, a student contract will be written by administration and presented to the student and parent/guardian for review. If all parties agree and the contract is signed there will be a reduction in discipline to a six-day out-of-school suspension and a four-day in-school suspension. Please refer to Section IV, Student Contracts, for additional information.
8. Meeting with Superintendent of Schools to discuss potential expulsion

Second and Subsequent Offenses

1. Verification and confiscation of substance and/or paraphernalia
2. Provide for immediate medical needs of involved student(s)
3. Administrator meets with student
4. Notification of parent/guardian and/or case manager
5. Notify SRO or Kittery Police Department
6. Enforce a 10 day out of school suspension
7. Meeting with Superintendent of Schools and School Committee for an expulsion hearing

**IMPORTANT NOTE:**

*When an incident includes infractions covered in both section (A), "Disciplinary process and penalties for consuming, possessing prohibited substances, and/or being under the influence of prohibited substances:" and also (B), "Disciplinary process and penalties for furnishing, selling, buying and/or manufacturing prohibited substances," the greater of the two penalties is enforced.*

#### **IV. Student Contracts**

- a) Contracts developed as part of this process are legal agreements between the Kittery School Department and the parent(s)/legal guardian(s) and/or case manager of the student and/or the student if they are of legal age. The School Department reserves the right to alter the conditions of the contract in the best interest of the safety, welfare, and environment of the school department.
- b) Contracts may include, but are not limited to the following, at no financial expense to the school district:
  - Agreements to attend counseling
  - Educational requirements
  - Community service and participation in restorative justice activities
  - Searches of locker, possessions, articles of clothing and/or vehicle on school property
- c) All contracts are written for individual student circumstances and needs. Violations of a contract may result in additional disciplinary consequences.
- d) Contracts are considered confidential agreements and may not be released or discussed except when required by law.

#### **V. Annual Review**

Policy JICH and its regulations are reviewed annually by an advisory group, including administration, staff, students, parents and/or community members. This group may recommend changes to the Policy Committee for review and recommendation to the School Committee.

---

Adopted: March 2, 1993

Revised: 7/5/94; 9/15/98; 11/15/02; 2/18/03; 6/6/06; 8/21/12;  
March 17, 2015