

Student Substance Abuse Policy

It is the policy of the Harvard School Committee to provide a school environment that is free of drugs, alcohol, tobacco and other harmful, prohibited substances and paraphernalia. Harvard Public Schools is committed to providing a safe and substance-free environment.

Definitions

“Prohibited Substance” in this policy shall include, but not be limited to, the following: alcohol, tobacco, e-cigarettes, nicotine, marijuana, cannabis, Tetrahydrocannabinol (THC), hashish, amphetamines, barbiturates, cocaine, heroin, codeine, Lysergic acid diethylamide (LSD), methadone, fentanyl, solvents and aerosol sprays, prescription medication, and any controlled substance under federal or state law.

“Paraphernalia” in this policy shall include but not be limited to, the following: any equipment, product, material or accessory that is intended or modified for making, weighing, compounding, converting, processing, concealing, preparing, using, injecting, ingesting, inhaling or otherwise introducing a prohibited substance into the human body or for the distribution of such prohibited substance.

“School Campus” in this policy shall include: The Bromfield School, the Hildreth Elementary School, the Harvard Public Library and all associated roadways, walkways, parking lots, grounds, and fields, the location of all school-sponsored events including but not limited to athletic events and field trips where ever such school-sponsored events are located, and all school transportation and school-sponsored transportation including but not limited to buses, vans, and automobiles.

“Possession” in this policy shall mean that a student has a substance on the student’s person or within the student’s personal property or under the student’s control such as but not limited to in a locker, bag, or motor vehicle while the student is on the school campus as defined above.

“Distribution” in this policy shall mean the intended or actual transfer of a prohibited substance to another person with or without the exchange of money or other valuables.

“Use” in this policy shall mean that a student is making or has made use of the prohibited substance such as, but not limited to any consumption, ingestion, injection, inhalation, huffing, snorting or any other means of introducing a prohibited substance into the human body. By way of example and not limitation, use includes drinking alcohol, smoking or chewing tobacco, vaping, smoking marijuana, wearing a transdermal patch, consuming marijuana edibles, consuming or nasally injecting a prohibited substance, huffing aerosols, intravenously injecting a prohibited substance, etc.

“Under the Influence” in this policy shall mean that a student is affected, controlled, impaired or intoxicated due to use of a prohibited substance.

“In the presence of” in this policy shall mean that a person has knowledge of, and is in the immediate area of, the manufacture, distribution, sale, intended sale, possession, or use of a substance prohibited under this policy, whether or not by that person or another person.

Prohibited Conduct

A student shall not, regardless of quantity, manufacture, possess, use, distribute any prohibited substance or paraphernalia on school campus as defined above. Additionally, any student who is impaired or under the influence of a prohibited substance upon arrival or during attendance at or participation in any school-sponsored activity will be barred from the activity and subject to disciplinary action.

Administrative Responsibilities

- The school administration shall promulgate rules and consequences for violations of this policy and shall distribute such rules and consequences to students, faculty, and the parents/guardians of students.
- To instruct students on the dangers of prohibited substances, the Harvard Public Schools will provide education programs for students on a regular basis.
- Administrators will work cooperatively with the police, medical and social services agencies in an effort to prevent and address the use of prohibited substances by students.
- The District shall maintain a referral service for any student needing help with a personal problem that involves the use of a prohibited substance. The District will maintain a list of drug and alcohol treatment providers and mental health services. The Harvard School Committee, the Harvard Public Schools and school administrators are not endorsing any of these programs and services on this list, and parents/guardians/students should do their own due diligence to determine the appropriateness of any such program or service for the student. Students and/or families needing help with treatment for mental health and/or use of prohibited substances will be strongly encouraged to obtain assistance through qualified medical and mental health professionals.
- The school administration shall report incidents under this policy to the Massachusetts Department of Children and Families consistent with its obligations pursuant to G.L. c. 119, § 51A.

Administrative Guidelines

- The school administration has both the authority and responsibility to make a legal and thorough investigation of any person and/or any person’s locker or other possessions on the school campus where there is reasonable suspicion that this policy is being violated through the possession, use, and/or distribution of a prohibited substance.

- Employees of the school system have a responsibility for monitoring student behavior that would indicate use, possession or distribution of a prohibited substance. Knowledge or suspicion of such behavior must be forwarded to a school administrator immediately for appropriate action and/or investigation.
- A parent/guardian will be notified whenever the parent's/guardian's child is determined to be in violation of this policy. Subject to student record laws and regulations, the administrator shall share information regarding the violation of this policy and the discipline code with the student's parent/guardian.
- Possession for distribution and/or sale of prohibited substances or paraphernalia as defined above is a matter for police involvement.

Penalties for Violations of this Policy

- Any student who is determined to have violated this policy shall be subject to disciplinary action in accordance with the established school disciplinary code in the student handbook and law.
- All suspension or expulsion proceedings shall be governed by policy of the Harvard School Committee and state law and regulations.
- The Superintendent will be notified within twenty-four (24) hours of any discipline due to a violation of this policy.

Specific Procedures To Respond to a Student Who Appears Impaired/Under the Influence of a Prohibited Substance or Who has Introduced a Prohibited Substance into the Student's Body

If any employee of the Harvard Public Schools directly observes or has reason to suspect that a student is impaired or under the influence of prohibited substances or has introduced a prohibited substance into the student's body:

- The student shall be escorted to the nurse or administrative offices, or if the student resists, the administrator, nurse and or guidance counselor should be notified immediately of the location and condition of the student.
- The student shall be examined by the school nurse, school psychologist or a physician, if available, and in the presence of at least two employees, one of whom may be the nurse, school psychologist, physician or administrator, they shall identify indicators giving rise to a determination that the student is impaired, under the influence of a prohibited substance.
- If it is determined that a student has introduced a prohibited substance into the student's body or is impaired or under the influence of a prohibited substance, or if the student admits to prohibited substance use; the nature of the prohibited substance taken shall be determined if possible. The student may be transported to an appropriate medical location by ambulance if it is deemed necessary.

- An administrator shall contact the student's parent/guardian if it is determined that a student is impaired or under the influence of a prohibited substance and/or when the student is transported to a medical location by ambulance.
- An administrator shall attempt to establish whether or not the involved student is in possession of a prohibited substance by conducting a thorough but legal search of the student, the student's locker, motor vehicle and/or other possessions on the school campus.

Specific Procedures: Possession and/or Distribution of Prohibited Substances

If any employee or student observes or has reason to suspect that a student is in possession of a prohibited substance or is involved in the distribution or sale of prohibited substances on the school campus:

- The suspicion should be reported immediately to a school administrator.
- Any employee has the authority and responsibility to confront and question any student and further, has the authority to take from such student any materials that are suspected to be prohibited substances or paraphernalia as defined above. The employee must immediately inform a school administrator of the incident and then turn over all confiscated material and/or paraphernalia.
- A school administrator(s) will determine if sufficient evidence of possession or distribution exists. A parent/guardian shall be notified as soon as possible when the administration has informed the police if the parent/guardian can be reached. (Inability to contact/reach a parent/guardian shall not, however, delay unduly the involvement of the proper authorities.)
- An administrator has the right to do a legal search the student, the student's locker, vehicle, desk or other possessions for evidence of prohibited substances or paraphernalia upon determination by the administrator of reasonable suspicion. Whenever possible, the administrator will require that another employee be available to witness the search. Prohibited substances and/or paraphernalia found in a student's locker; in a student's vehicle or in the student's other possessions is considered to be the property of the student.
- Students who violate this policy will be disciplined consistent with this policy, the student handbook, and law.

Verbal Screening

- In accordance with law, the Harvard Public Schools shall utilize a verbal screening tool approved by the Department of Elementary and Secondary Education ("DESE") to screen students for substance abuse disorders. The purpose of this verbal screening tool is to provide a safe setting to discuss the topic and either positively affirm non-use, or identify students who may be at risk. The tool shall be administered by trained staff on an annual basis at grades 7 and 9.

- Parents/guardians shall be notified about the verbal screening tool prior to the opening of school each year. Parents/guardians shall have the right to opt their child out of the screening by providing written notice to the district prior to or during the screening.
- All statements made by a student during this screening are confidential and shall not be disclosed except in the event of an immediate medical emergency or in accordance with law. De-identified results shall be reported to the Department of Public Health within 90 days of the completion of the screening process.
- This policy shall be posted on the District's website and notice shall be provided to all students and parent/guardians of this policy in accordance with state law. Additionally, the District shall file a copy of this policy with DESE in accordance with law in a manner requested by DESE.

Legal reference: M.G.L. 71:2A; 71:37H; 71:37H1/2; 71:37H3/4; 71:96; 94C:2; 272:40A

Cross Reference: IHAMA, Teaching About Drugs, Alcohol and Tobacco
GBEC, Drug Free Workplace Policy

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