

# **Brockton Public Schools School Committee Policy**

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## **DRUG AND ALCOHOL GUIDELINES**

### **GUIDELINES RELATED TO LEGAL ASPECTS OF DRUG USE AND ABUSE**

#### Definition of Controlled Substances

As per Massachusetts Law, Section 1 Chapter 94C, the Controlled Substance Act, A "controlled substance" is a "drug, substance, or immediate precursor in any schedule or class referred to in this chapter."

Under Massachusetts Law, these substances fall into five classes:

Class A: Heroin, Codeine, Morphine and other named opiates and opiate derivatives

Class B: Cocaine, PCP ("Angel Dust"), Methadone, Amphetamines, Methamphetamines (Speed), Barbiturates (Seconal, etc.)

Class C: Chlordiazepoxide ( Librium) " Hallucinogens including LSD, DMT, THC, (Hashish) Mescaline, Diazepam (Valium), Dilute forms of Codeine, Morphine and Opium

Class D: Phenobarbital, Chloral Hydrate Marijuana and certain "barbitals"

Class E: Prescription Medicines

#### Search for Contraband Materials

1. Search of Lockers - According to an opinion by the Attorney General - under the circumstances of a clear and present danger to the individual and general well-being and/or to the maintenance of discipline and order in the school, the principal and/or designee shall have the right and duty to inspect students' lockers and the contents therein generally held that the school principal has a reasonable right of inspection of school property and premises including student lockers.
2. Search of Students - A member of the school administrative staff may search, in the presence of a witness upon reasonable suspicion to believe that a student is in possession of a controlled substance, and if the circumstances permit, the individual pupil's person or any belongings which are on his/her person. This includes clothing and pockets. The police shall make such search only where there is a proper legal justification.

#### The Role of the Principal and School Police

1. Role of Principal - As the highest authority within the school, the principal bears the responsibility for the welfare of the student body. It is, therefore, required that the principal be informed of drug and alcohol abuse in the school. The principal and/or his/her designee will decide on a follow-up plan in each case of reported drug and alcohol abuse. The school adjustment counselor will be involved.

2. The Role of the School Police - The principal or his/her designee are the only officials authorized to contact the Police Department. The Brockton School Police will assist the principal's office whenever this assistance is needed.

Rights of Questioned Students

1. The school is responsible for protecting each student under its aegis. School authorities should establish effective working relations with the Brockton Police Department. According to School Committee Policy, the questioning of a student or teacher in the school or on school premises will be done only in the presence of a designated school official. Every effort will be made to include the parent or guardian of a child in any hearing that carries an implication of the possible allegation of guilt or the furnishing of information leading to an indictment. The designated official of the school will maintain an informal record of the interviews showing the time, place, persons, and summary of discussion and findings.

School Disciplinary Code: Use of and/or Possession of Alcoholic Beverages or Controlled Substances

1. Alcoholic Beverages
  - a. 1st time - a five-day suspension, mandatory parental conference and referral to a rehabilitation program
  - b. 2nd time - suspension from school for a period of ten days and recommendation to the School Committee for possible expulsion
2. Controlled Substances
  - a. Use of a controlled substance (1st Offense)
    - 1) Notification of parents
    - 2) Mandatory Parental Conference
    - 3) Five-day suspension
    - 4) Referral to a rehabilitation program
  - b. Possession of a controlled substance (1st Offense)
    - 1) Notification of parents
    - 2) Notification of Narcotics Bureau for possible action
    - 3) Five-day suspension
    - 4) Mandatory parental conference
    - 5) Referral to a rehabilitation program
  - c. A student apprehended with any controlled or alcoholic substance for a second time will automatically be referred to the School Committee for possible expulsion.
  - d. Distribution of and/or sale of a controlled substance
    - 1) Notification of parents
    - 2) Notification of Narcotics Bureau for possible action
    - 3) Immediate suspension for ten days and referral to the School Committee for possible expulsion.

Readmission to School: Policies and Procedures

1. Policy

a. Right to readmission:

Any student suspended from school usually has the right to be readmitted unless his/her case is referred to the School Committee for Possible Expulsion.

b. Conditions for readmission:

- 1) There should be evidence that the student and his/her family have taken steps to seek solutions for the problems that were the basis for the suspension.
- 2) The terms of the student's readmission should be evaluated with regard to continued treatment/counseling, medical care, and other rehabilitative efforts.
- 3) The school staff has an obligation to work closely with the medical, psychiatric, social work, probation consultants, and other agencies that have been working with the student.
- 4) Readmissions should be predicated primarily on the basis that:
  - a) Readmission constitutes a positive benefit to the student.
  - b) Readmission will not adversely affect the school population.

2. Suggested Procedure

- a. In serious cases of abuse the student will be readmitted only after medical and psychiatric clearance that he/she is ready to return to school. The specific diagnosis is of less importance than an evaluation that the student is ready to cope with the school situation and its attendant stresses. "Psychiatric clearance" may be interpreted to mean clearance by a treatment agency or clinic as well as by a qualified mental health practitioner. It should be underlined here that Brockton students have available to them the services of a school psychiatrist.
- b. Upon readmission an adjustment counselor will be assigned to the student if the student prior to his/her suspension did not utilize his/her help.

Parental Involvement

Where medical or psychiatric treatment of the pupil is indicated, the primary responsibility for making such arrangements and carrying them out shall lie with the parents. However, the school is ready to assist the parent, at any stage, in securing whatever care is indicated (e.g. outpatient, inpatient, medical, psychiatric, vocational, family counseling, etc.).

Confidentiality

Teachers must make it clear to pupils who confide in them information about their personal drug or alcohol problems that it is the duty of the teacher to report this information to the school principal or his/her designee - but only in order to further the goal of promoting the pupils' personal welfare.

This policy will remove any doubts as to whether or not the teacher him/herself will maintain confidentiality in regard to this information. Pupils will have been advised by the statement of policy that the information must be reported to the school administrator and, in fact, the pupil who seeks the teacher's help may actually be asking for help from the school authorities.

This policy also avoids the situation where the teacher has to decide whether or not to reveal this information to higher authorities within the school.

In all instances where the principal or his/her designee has received information of drug/alcohol involvement on the part of pupils, steps should be taken to advise the pupil that his/her parents must be notified and consulted about further actions that are appropriate in the particular situation.

Teachers and administrators are required to notify the parents about a pupil's drug or alcohol use.

It should be recognized that the Massachusetts General Laws do not accord any privilege to the confidential communications that are made between pupils and members of the faculty or the school administration. All school personnel (other than medical doctors conducting psychotherapy) can be subpoenaed into court and required to reveal the information that has been confided to them.

Similarly, student records may be subpoenaed into court with respect to civil or criminal proceedings.

### **SUGGESTED PROCEDURES FOR EMERGENCIES**

An emergency situation shall exist when:

1. The student has been rendered unconscious.
2. A student either verbally or by his/her actions threatens harm to him/herself or others.
3. A student exhibits abnormal coordination that could injure him/herself or others.

#### School-Related Activities

Occasionally, a student may disrupt a school function or activity by an acutely abnormal or bizarre personality display while no uniform set of procedures can be applied to all situations, the following observations should be kept in mind.

1. It should be remembered that such behavior may be emotionally, organically or chemically induced and that immediate differentiation may be impossible.
2. Immediate assessment of real danger to the student, other students, staff and property must be made.
3. If time permits, consultation and/or assistance from Pupil Personnel services or other personnel who may already know the individual student or have specialized skills in this area and avoid unpleasant and unnecessary complications.
4. If the crisis persists and no reason can be determined for the obvious and sudden personality change, the parent and/or doctor should be called immediately.
5. In most instances a referral to pupil services will be indicated to determine the most appropriate long-range plan for the student.

All drug and alcohol policies adopted for the regular school day are in force during all school related activities and cover behavior on school buses.