

## **Alcohol, Drug, & Tobacco Policy**

Alcoholic Beverages, Possession or use of Chapter 272: Section 40A. Alcoholic beverages, gift, sale, delivery, or possession on public school premises:

Section 40A: Whoever gives, sells, delivers or has in his possession any alcoholic beverage, except for medical purposes, in any public school building or on any premises used for public school purposes and under the charge of a school committee or other public board or officer, shall be punished by imprisonment for not more than thirty days or by a fine of not more than one hundred dollars, or both; provided however, that a school committee of a city, or town district may authorize a public or nonprofit organization using a public school building with its permission during non-school hours to possess and sell alcoholic beverages therein provided such nonprofit organization is properly licensed under the provisions of Section 14, Chapter 138.

### **Alcohol Use**

Being under the influence of alcohol, or found guilty of the use, sale, possession, or distribution of alcoholic beverages in the school building, school grounds, clinical externship or school sponsored field trips is strictly prohibited.

Students found guilty by school authorities of the use, sale, possession, or distribution of alcoholic beverages will be subject to an immediate suspension and will be subject to dismissal.

Students in violation of drug and alcohol policies while on clinical site will be subject to the policies of the clinical site.

### **Drug Abuse Policy**

Students apprehended and found guilty by school authorities of the use or, or in possession of a controlled substance (drugs) or narcotics as mentioned above will be subject to an immediate suspension or dismissal from school and referred to the appropriate law enforcement agency.

Being under the influence, using, selling, possessing, or distributing drugs, marijuana, and/or drug paraphernalia, (i.e. pipes, rolling papers, etc.) in the school building or on school premises is strictly prohibited and is subject to punishment by law.

Drug paraphernalia is all equipment, products, devices, and materials of any kind which are used or intended for use in packaging, repackaging, storing, containing, concealing, injecting, ingesting, or otherwise introducing into the human body a controlled substance.

The above regulation refers specifically to marijuana, hallucinogenic drugs, and narcotics of any kind as banned by Federal and State Law.

## Tobacco Policy

Policy pertaining to the conduct of teachers and students Chapter 71 Section 37h of the Massachusetts General Law prohibits the use of any tobacco products within the school buildings, the school facilities, on the school grounds, or on school buses by any individual including school personnel.

Any student smoking on school grounds will be subject to disciplinary action.

## Sale and/or Distribution of Illegal Drugs

Students apprehended for the alleged sale of marijuana, hallucinogenic drugs or narcotics will receive an immediate suspension and will be subject to dismissal. The following steps will be taken:

1. The STI Director shall be notified and the appropriate law enforcement agency will be called. The drug will be submitted to the police for identification and evaluation.
2. The student will be requested to confer with the administration concerning the above violation and will be advised of his/her legal rights and will be informed that he/she has the right to appear before the Superintendent.
3. If after an investigation by the administration, there is evidence the student was selling or distributing drugs, the STI Director shall mail a written notice to the student within twenty-four (24) hours of the determination to recommend dismissal. Such notice will contain:

A copy of the drug policy allegedly violated by the student.

A full statement of facts leading to the recommendation for dismissal.

A notice informing the student that he/she may have an opportunity to have a hearing before the Superintendent.

The notice will make specific reference that the hearing will be private unless the student requests that it be public.

The date for the hearing, if so requested, will not be scheduled less than five (5) days from the date of the request by the student to be heard.

The student has the right to be present at the hearing, to be represented by counsel of his/her choosing, to present evidence and witnesses, and to cross examine witnesses presented by the administration.

## Personal Searches

On January 15, 1985 the United States Supreme Court decided the case of New Jersey vs. T.L.O. The decision established the following: The legality of a search of a student should depend simply on the reasonableness, under all the circumstances, of the search...Under ordinary circumstances, a search of a student by a teacher or other school official will be 'justified at its inception' when there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. Such a search will be permissible in its scope when the measures adopted are reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and nature of the infraction. New Jersey v. T.L.O. 53 U.S.L.W. 40a3, 4087, 4088.