

**File: ADB**

## **ALCOHOL AND DRUG POLICY**

### **A. General Prohibitions**

The Sharon School Department (öSchoolö) strictly prohibits the following conduct on School property and/or during School-sponsored events, including but not limited to extracurricular School activities, School athletic events and other School events staffed by School employees. (For purposes of this Policy, öSchool property,ö is defined as the buildings and premises of any school within the School Department, school buses and other school-owned or provided vehicles, and any other locations at which extracurricular activities sponsored by the Sharon School Department take place.)

School Staff (meaning School Department volunteers, faculty, athletic coaches, administrators, employees, and/or contractors) who violate one or more of the prohibitions set out below are subject to discipline, including suspension without pay, and/or termination from employment and/or their association with School athletic teams. If Staff is also charged with violations of the local, state, or Federal law in connection with their violation of this Policy, be advised that it is the practice of the School Department to initiate its own disciplinary proceedings without awaiting court action upon the charged legal violations.

Members of the public who violate one or more of the prohibitions set out above are subject to expulsion from School property and/or School-sponsored events; to their being barred from future school-sponsored events; and/or referral to local law enforcement agencies, where appropriate. The following is prohibited on School property and/or during School-sponsored events, including but not limited to extracurricular School activities, athletic events and other School events staffed by School employees:

#### Alcohol

- “ The use, possession, and/or consumption of alcohol by the public or Staff; and/or,
- “ Members of the public or Staff being under the influence of alcohol.

#### Illegal Substances

- “ The use, possession, and/or the consumption of illegal drugs, products, chemicals, or substances (collectively, öIllegal Substancesö) by the public or Staff; and/or,
- “ Members of the public or Staff being under the influence of Illegal Substances.

#### Prohibited Substances

- “ The misuse or alteration of legal or prescription drugs, products, chemicals, or substances for recreational and/or non-prescription purposes (collectively, öProhibited Substancesö) by the public or Staff; and/or,
- “ Members of the public or Staff being under the influence of Prohibited Substances.

### **B. Funds**

Funds held or raised by, or directly associated with the School Department, any School team or club, alumni group, School fundraisers, or town- or School-based athletic groups or associations, may not be used for the purchase of alcohol or Illegal or Prohibited Substances except as stated below.

In accordance with M.G.L., ch. 272, §40A, this prohibition does not apply to fundraising events organized by parent or educational associations during non-school hours and off School property to support the School Department, if such events incidentally involve the purchase and sale of alcohol to attending adults, subject to the associations being properly licensed to sell alcohol for such limited purpose. Nevertheless, the School Department encourages the organizers of such events, if School students are present, to be mindful of the students presence with respect to the alcohol being provided by the organizers.

This Policy does not apply to privately organized events that take place off School property, during non-School hours, and without School funds and sanction. Again, however, if School students are present, organizers should be mindful of the students presence with respect to the alcohol being provided by the organizers.

C. Drug Education, Testing, Assistance, and Safe Harbor

The School Department's goals are to promote an environment free of alcohol and Illegal or Prohibited Substances within School Department. This Policy provides a comprehensive plan that links Staff education, testing and rehabilitation in an integrated manner.

- " Education ó The School Department's objective is to provide Staff with the knowledge and information regarding the use, misuse and abuse of alcohol and Illegal or Prohibited Substances, in order to:
  - o Educate Staff to the personal risks and dangers of alcohol and Illegal or Prohibited Substances;
  - o Improve Staff decision-making with regard to alcohol and other drug use;
  - o Reduce the use of alcohol and of Illegal or Prohibited Substances;
  - o Assist in identifying Staff with alcohol and/or other substance abuse problems; and,
  - o Ensure compliance with School Department guidelines.
  
- " Testing ó The School Department's objective is to enforce this Policy, and its enforcement shall include measures to detect the prohibited use of alcohol and/or Illegal or Prohibited Substances by Staff while Staff is present on school property and/or at a school sponsored or related event. To that end, the School Department reserves the right to evaluate Staff, including the use of breathalyzer testing, for consumption or other use by Staff of alcohol and/or Illegal or Prohibited Substances, under circumstances where the behavior, conduct, statements, and/or appearance of Staff initially establishes a reasonable basis for the School Department to believe that the Staff member has recently consumed and/or is impaired by alcohol or an Illegal or Prohibited Substance. Staff who decline breathalyzer testing when such testing is requested by the School Department shall be immediately removed from school property, and shall be subject to further disciplinary measures.

The School Department shall provide employees who are assigned to evaluate alcohol and/or substance-related intoxication and/or impairment by Staff with training

appropriate to their responsibilities, including but not limited to the use and administration of breathalyzers.

If the School Department reasonably believes that a member of the general public has violated the prohibitions of this Policy, the School Department reserves the right to expel the person from school property, to bar the person from future school events, and/or to notify local law enforcement agencies. A member of the general public who objects to expulsion from either a specific School activity or event and/or from school property may elect to be tested for alcohol consumption by breathalyzer, but only if a breathalyzer is immediately available to the School Department. If breathalyzer testing occurs and results in a negative reading, the School Department shall not expel the person from the School activity or event at which the issue arose. If the testing indicates alcohol use, the School Department reserves its right to take such actions as provided above.

- “ Assistance ó The School Department’s objective is to recommend and support counseling and other rehabilitative services to Staff who have been identified as having violated this School Department policy. The School Department shall conduct itself with all appropriate confidentiality with respect to this assistance.
  
- “ Safe Harbor - Any Staff may enlist the cooperation and assistance of the School Department with respect to their personal substance abuse by approaching the School’s Athletic Director, a coach, faculty member, or School administrator. No discipline or other administrative sanctions will be imposed on Staff who has voluntarily self-referred under this program. The School Department will treat such self-referrals as confidentially as possible. Staff shall not be entitled to Safe Harbor protection if, (a) before their self-referral they have been informally or formally notified that the School Department believes they have violated this Policy; (b) before their self-referral they have been asked to submit to a breathalyzer evaluation; or, (c) they are being prosecuted or investigated for conduct that took place before self-referral relating to the use, possession, or sale of alcohol or Illegal or Prohibited Substances that represents violations of municipal, state or Federal law.

Legal Refs.: M.G.L. 71:37H, Policies Relative to Conduct of Teachers and Students; Student Handbooks  
M.G.L. 272:40A, Alcoholic Beverages; Gift, Sale, Delivery or Possession on Public School Premises

Revised: March 2, 2011