

ALCOHOL, TOBACCO/NICOTINE, AND DRUG USE BY STUDENTS PROHIBITED

The Reading Public Schools seeks a drug free environment for its students and staff. To that end, RPS offers specialized training for school personnel so they may better address student needs for support and referral. Reading Public Schools was a founding member of the Reading Coalition Against Substance Abuse and actively participates in prevention efforts impacting the school system and the broader community. The purpose of the policy and the ensuing regulations that follow is:

- to ensure student safety,
- maintain compliance with MIAA rules/regulations so students can compete in the Middlesex League,
- maintain the intent of the federal drug free workplace policy, and
- to provide guidance for school personnel and administrators.

A student shall not, regardless of the quantity, use or consume, possess, buy or sell, or give away any beverage containing alcohol; any tobacco/nicotine product, including vapor/E-cigarettes; marijuana; steroids; or any controlled substance. The School Committee prohibits the use or consumption by students of alcohol, tobacco/nicotine products, or drugs on school property or at any school function, regardless of the function's physical location. For the purposes of this policy and the ensuing regulations, possession is defined by M.G.L. c.138, §34C and any related case law.

Additionally, any student who is under the influence of drugs or alcoholic beverages prior to, or during attendance at or participation in a school-sponsored activity, will be barred from that activity and may be subject to disciplinary action as defined in the regulations herein and in the student handbook.

Moreover, a student will not be penalized for pro-actively seeking assistance for a substance use problem for themselves or if attempting to get assistance for a friend per MGL94C, Section 34A, Good Samaritan Law: MGL 94C: [Section 34A Immunity from prosecution under Secs. 34 or 35 for persons seeking medical assistance for self or other experiencing drug-related overdose](#)

This policy shall be posted on the district's website and notice shall be provided to all students and parents 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.

Adopted by the Reading School Committee on March 26, 2007

Revised and Accepted by the Reading School Committee on April 9, 2012

Revised and Adopted by the Reading School Committee on July 27, 2016

LEGAL REF.: M.G.L. c. 272, §40A, M.G.L. c. 71, §37H; M.G.L. c. 76, sec. 17
M.G.L. c.138, §34C; M.G.L. c 94C.; Town of Reading Article 5.5.6-

Consumption of Alcoholic Beverages; Town of Reading Article 17: Section 5.5.10- Public Consumption of Marijuana or Tetrahydrocannabinol

CROSS REF.: IHAMB, Teaching About Drugs, Alcohol, and Tobacco
GBEC, Drug Free Workplace Policy

LEGAL REF.: M.G.L. 272:40A
M.G.L. c.138, §34C
M.G.L. c 94C.;
Town of Reading Article 5.5.6- Consumption of Alcoholic Beverages;
Town of Reading Article 17: Section 5.5.10- Public Consumption of
Marijuana or Tetrahydrocannabinol
Town of Reading, Board of Health Regulations, Section 16 as of 6/30/16

CROSS REF.: IHAMB, Teaching About Drugs, Alcohol, and Tobacco
GBEC, Drug Free Workplace Policy
MIAA Chemical Health Guidelines

Reading Public Schools Chemical Health Regulations for High School Students

The regulations below are in furtherance of the Reading School Committee's Policies on Drug Free Workplace (File: GBEC) and Teaching About Drugs, Alcohol, and Tobacco (File: IHAMB). If there is a conflict with these regulations and these policies or the RMHS Student Handbook, these regulations shall govern.

ALCOHOL AND OTHER DRUGS

Use or possession of alcohol/drugs is strictly prohibited both during school and at ANY school-sponsored event. Possession is defined in accordance with M.G.L. Drugs shall include without limitation:

- Any tobacco/nicotine product including delivery devices/nicotine (nicotine found in cigarettes, cigars, bidis, e-cigarettes, vape pens and smokeless tobacco)
- Alcohol (ethyl alcohol found in liquor, beer, wine)
- Cannabinoids (marijuana, hashish) and synthetic marijuana products
- Opioids (heroin, opium),
- Stimulants (cocaine, amphetamine, methamphetamine)
- Club Drugs (Ecstasy, GHB, Rohypnol®,
- Dissociative Drugs (Ketamine, PCPC and analogs, Salvia divinorum, and DXM (Dextromethorphan, robotripping)
- Hallucinogens (LSD, mescaline, psilocybin (mushrooms)
- Other compounds (anabolic steroids, bath salts)
- Inhalants
- Non-prescribed prescription drugs (depressants, stimulants, opioid pain relievers)
- Other performance enhancing stimulants
- Other performance enhancing supplements
- Any controlled substance as defined in M.G.L. 94C.
- Non-alcohol/near beer
- Any such substance, mentioned above, that is disguised in food products such as candy, baked goods, or dissolved in drinks

It is not a violation for a student to be in possession of a legally defined drug specifically prescribed for the student's own use by his/her doctor. In those instances, students shall follow proper procedures to notify the health and athletic departments.

Students in possession or deemed to be under the influence of alcohol/drugs while in school or at a school-sponsored event will be subject to suspension of 5 to 10 days and/or other disciplinary action (including expulsion) deemed appropriate by the school administration. In addition, students in possession or deemed to be under the influence of alcohol/drugs while in school or at a school-sponsored event will need to participate in and complete an approved program that focuses on one of the following areas: health education, chemical dependency, substance abuse counseling, or treatment. The content, nature, and length of the

program will be determined by the building principal and based upon the nature of the violation.

POSSESSION AND/OR USE OF ALCOHOL AND/OR DRUGS REGULATIONS

- Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a drug, alcohol or paraphernalia will be suspended and may be subject to expulsion from the school or school district.
- In addition, students in possession or deemed to be under the influence of alcohol/drugs while in school or at a school-sponsored event will need to participate in and complete an approved program that focuses on one of the following areas: health education, chemical dependency, substance abuse counseling, or treatment. The content, nature, and length of the program will be determined by the building principal and based upon the nature of the violation.
- Any student who is charged with a violation of the above paragraph shall be notified in writing of an opportunity for a hearing prior to the imposition of any suspension or expulsion in excess of ten (10) consecutive school days; provided, however that the student may have representation (at private expense), along with the opportunity to present evidence and witnesses at said hearing before the Principal.
- After said hearing, the Principal or reviewing officer may, in his/her discretion, decide to suspend rather than expel a student who has been determined to have violated the above stated rule.
- Any student who has been expelled from the school district pursuant to these provisions shall have the right to appeal to the Superintendent.
- The expelled student shall have ten (10) calendar days from the date of the expulsion in which to submit written notice to the Superintendent of his appeal. In any such appeal hearing, the student shall have the right to be represented by an attorney (at private expense), to examine the evidence against him, and to present evidence and witnesses in support of his appeal. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of the above stated rule.
- When a student is expelled under the provisions of this section, no school or school district within the Commonwealth shall be required to admit such student or to provide educational services to said student. If said student does apply for admission to another school or school district, the superintendent of the school district to which the application is made may request and shall receive from the superintendent of the schools expelling said student, a written statement of the reasons for said expulsion. (M.G.L. c.71, §37H)
- Nothing in this regulation or in applicable Reading Public Schools' policies shall be construed as limiting the authority of a building principal or the Reading Public Schools to impose disciplinary sanctions or deny other privileges in accordance with district rules or policies or the laws of the Commonwealth of Massachusetts including, but not limited to, M.G.L. c.71, §37H, M.G.L. c.71, §37H1/2, and M.G.L. c. 76, sec. 17. In the event of any suspension or expulsion of a student from school, he/she will not be allowed to participate in any school related athletics or extracurricular activities during the time he/she is suspended or expelled from school.

SMOKING

In collaboration with the Board of Health, the high school will implement the following town ordinance regarding the use of tobacco and nicotine in public schools:

USE OF TOBACCO/NICOTINE IN PUBLIC SCHOOLS-Definitions

- School: Public primary, secondary, and vocational schools located in Reading
- School – Sponsored Activity: An activity at least partially funded or controlled by a school or a parent-teacher organization to which students are invited and which occurs off school grounds such as a field trip, class picnic or prom.
- School Ground: Property owned or controlled by a school within 100 feet, including but not limited to school buildings, structures, open space, sports or recreational facilities whether enclosed or not, vehicles owned or leased for the purpose of transporting students, school driveways, and parking lots. School grounds shall not mean any university property, college property, or adult education facility except during the time that these areas house public primary, secondary or vocational school programs.
- School Personnel: A person who performs services for a public school in Reading, including but not limited to principals, assistant principals, teachers, teacher’s aids, school counselors, coaches, assistant coaches, school nurses and therapists, cafeteria workers, administrative staff, janitorial staff, volunteers and interns.
- Student: A person enrolled at any primary or secondary school in Reading.
- Tobacco/Nicotine Product: Cigarettes, cigars, chewing tobacco, pipe tobacco, bidis, snuff, nicotine juice, or tobacco in any of its forms, or any product containing tobacco or nicotine.
- Tobacco/Nicotine Use: The inhaling, exhaling, chewing or burning of any form of tobacco and/or nicotine. Additionally, if an administrator witnesses tobacco smoke or vaping coming from a lavatory stall, he will anticipate tobacco/nicotine use.
- Visitor: A person on school grounds who is not a student or school personnel.

TOBACCO/NICOTINE PRODUCT USE PROHIBITED

No student, school personnel, or visitor shall use a tobacco or nicotine product at any time while on school grounds or at school-sponsored activity as defined above.

PENALTIES FOR TOBACCO/NICOTINE USE

- In case of a first violation during any of the 4 years of high school
 - One day suspension from school and attendance in a tobacco/nicotine education class
 - Payment of a ticket issued pursuant to Mass. Gen. Laws Ch 40,§21D in the amount of \$75.00 and payable to the Town of Reading within twenty-one (21) days. In lieu of fine, 6 hours of community service
 - Notification to the violator’s parent or legal guardian of the infraction and mandatory parental conference
 - Mandatory one-hour tobacco/nicotine education class
- In the case of a second or subsequent violation within 4 years:
 - Three day suspension and attendance in a tobacco/nicotine education class

- Payment of a ticket issued pursuant to Mass. Gen. Laws Ch 40, §21D in the amount of \$75.00 and payable to the Town of Reading within twenty-one (21) days
- Mandatory parental conference
- In the case of a third offense within 4 years:
 - Three day suspension and attendance in a tobacco/nicotine education class
 - payment of a ticket issued pursuant to Mass. Gen. Laws Ch 40, §21D in the amount of \$75.00 and payable to the Town of Reading within twenty-one (21) days
 - Mandatory parental conference prior to re-admission to school
- In the case of a four or more offenses within 4 years:
 - Five day suspension and attendance in a tobacco/nicotine education class
 - payment of a ticket issued pursuant to Mass. Gen. Laws Ch 40, §21D in the amount of \$100.00 and payable to the Town of Reading within twenty-one (21) days
 - Mandatory parental conference prior to re-admission to school

Non-Criminal Method of Disposition

Whoever violates any provision of this regulation of which is subjected to a specific penalty shall be penalized by the non-criminal method of disposition as provided in Mass. Gen. Laws Ch 40 § 21D, which might result in eventual filing of a criminal complaint in the appropriate jurisdiction and venue.

Enforcement

The Board of Health of the Town of Reading and or the school officials specially designated by the Board of Health shall be responsible for enforcing this regulation.

Possession of tobacco/nicotine products

- Students found in possession of tobacco/nicotine products will have the item(s) confiscated.
- Failure to obey the request by faculty or staff to be given the items will be treated as insubordination and will be subject to detention and/or suspension after the student is afforded his/her due process rights.

Chemical Health Regulations for High School Athletics and Extra-curricular Activities

In addition to the regulations above, the regulations below represent an expansion upon the current Massachusetts Interscholastic Athletic Association (MIAA) guidelines on Chemical Health. These revised regulations are meant to support and educate our students who participate in athletics and/or school-sponsored extra-curricular activities while providing for a safe environment for our students. The consequences and penalties below are cumulative to the regulations above.

From the point that an enrolled student concludes their 8th grade year until they graduate at Reading Memorial High School or the final athletic event of their senior year (whichever is latest), a student shall not, regardless of the quantity, use, consume, possess, buy/sell, or distribute any beverage containing Alcohol (ethyl alcohol found in liquor, beer,

wine); Tobacco/Nicotine (nicotine found in cigarettes, cigars, bidis, vape pens, hookahs and smokeless tobacco); Cannabinoids (marijuana, hashish); Synthetic marijuana, Opioids (heroin, fentanyl, opium); Stimulants (cocaine, amphetamine, methamphetamine); Club Drugs (Ecstasy, GHB, Rohypnol®); Dissociative Drugs (Ketamine, PCPC and analogs, Salvia divinorum, and DXM (Dextromethorphan, robotripping); Hallucinogens (LSD, mescaline, psilocybin (mushrooms); Other compounds (anabolic steroids, bath salts); Inhalants; Non-prescribed prescription drugs (depressants, stimulants, opioid pain relievers); Other performance enhancing stimulants; Other performance enhancing supplements; Any controlled substance as defined in M.G.L. c. 94c.; and/or Non-alcohol/near beer. For the purposes of this policy and the ensuing regulations, possession is defined by M.G.L. c.138, §34C (Possession or Transport of Alcohol) and any related case law. In addition, any such substance that is disguised in food products such as candy, baked goods or dissolved in drinks is prohibited under these regulations. It is not a violation for a student to be in possession of a legally defined drug specifically prescribed for the student's own use by his/her doctor. In those instances, students shall follow proper procedures to notify the health and athletic departments.

If a student is in violation of these regulations during the summer following his or her eighth grade year and prior to his or her entrance into high school, the consequences may be reduced by the high school principal after consultation with the middle school administration.

It is the duty and obligation of any coach or advisor employed by the Reading Public Schools to report any known violations of these regulations or other applicable policies pertaining to the possession and/or use of alcohol or drugs to the athletic director and the building Principal. Failure to report a known incident will result in disciplinary action and possible termination.

If a student in violation of this rule is unable to participate in interscholastic sports or school-sponsored extra-curricular activities due to injury/illness or academics, the penalty will not take effect until that student is able to participate again.

Notwithstanding the violations listed below, there may be other factors relating to the offense including without limitation, quantity of the chemical substance, the behavior of the student or egregious nature of the violation which the Principal may consider at his/her discretion and elevate the violation below (e.g., from a first violation to a third violation) as well as impose additional penalties or sanctions. Coaches and advisors may not impose additional penalties or sanctions without the approval of the Principal. The following are the additional consequences for students who violate the above Chemical Health regulations.

First violation:

When the Principal confirmsⁱ, following an opportunity for the student to be heard, that a violation of this policy occurred, the student shall lose eligibility without delay for the next consecutive interscholastic contests and meetings/events of the school-sponsored extra-curricular activity totaling 25% of all interscholastic contests and meetings/events in that *sport* or of school sponsored extra-curricular activities in which the student participates. In addition, the student will need to participate in and complete an approved program that focuses on one of the

following areas: health education, chemical dependency, substance abuse counseling, or treatment. The content, nature, and length of the program will be determined by the building principal and based upon the nature of the violation. The program will be paid for by the parent/guardian of the student. In regard to interscholastic sports and other competitive extra-curricular activities, it is recommended that the student be allowed to remain at practice or meetings for the purpose of rehabilitation. During the suspension, the disqualified student may not be in uniform and his/her attendance at the competition site is determined by the high school principal. The high school principal, in collaboration with a chemical dependency treatment or counseling program, must certify that student is attending or has received a certificate of completion from such a program. When calculating the number of events for which the student has lost eligibility, all fractional parts of an event will be dropped.

If the penalty period is not completed during the season of violation, the penalty shall carry over to the student's next season of actual participation, which may affect the eligibility status of the student during the next academic year. (e.g., a student plays only football: he violates the rule in winter and/or the spring of same academic year: he would serve the penalty [ies] during the fall season of the next academic year).

A student may not participate in interscholastic competition or participate in school-sponsored extra-curricular activities until they have submitted a certificate of completion from the chemical dependence, treatment, or counseling program and have served the suspension from the sport or activity. The program will be funded by the parent/guardian.

Second violation:

When the Principal confirms, following an opportunity for the student to be heard, that a second violation has occurred, the student shall lose eligibility without delay for the next consecutive interscholastic contests and meetings/events of the school-sponsored extra-curricular activity totaling 60% of all interscholastic contests in that sport and/or of school-sponsored extra-curricular activities in which the student participates. When calculating the number of events for which the student has lost eligibility, all fractional parts of an event will be dropped.

If, after a second violation, the student, of his/her own volition, becomes a participant in an approved chemical dependency, treatment, or counseling program, the student may be certified for reinstatement in Reading Public School interscholastic sports and extra-curricular activities after a minimum of 40% of events provided the student was fully engaged in the program throughout that penalty period. In regard to interscholastic sports and other competitive extra-curricular activities, it is recommended that the student be allowed to remain at practice or meetings for the purpose of rehabilitation. During the suspension, the disqualified student may not be in uniform and his/her attendance at the competition site is determined by the high school principal. The high school principal, in collaboration with a chemical dependency treatment or counseling program, must certify that student is attending or has received a certificate of completion from such a program. If student does not complete program, the penalty reverts back to 60% of the interscholastic contests or meetings/events of the school-sponsored extra-curricular activity in which the student is participating. When calculating the number of events for which the student has lost eligibility, all fractional parts of an event will be dropped.

If the penalty period is not completed during the season of violation, the penalty shall carry over to the student's next season of actual participation, which may affect the eligibility status of the student during the next academic year. (e.g., a student plays only football: he violates the rule in winter and/or the spring of same academic year: he would serve the penalty [ies] during the fall season of the next academic year)

A student may not participate in interscholastic competition or participate in school-sponsored extra-curricular activities until they have submitted a certificate of completion from the chemical dependence, treatment, or counseling program and have served the suspension from the sport or activity. The program will be funded by the parent/guardian.

Third and subsequent violations:

When the Principal confirms, following an opportunity for the student to be heard, that a third or subsequent violation has occurred, the student shall lose eligibility without delay for one calendar year in all athletic and extra-curricular activities.

If, after the third violation, the student, of his/her own volition, becomes a participant in an approved chemical dependency program or treatment program, the student may be certified for reinstatement in Reading Public School athletic or extra-curricular activities after six (6) months provided the student was fully engaged in the program throughout that penalty period. The high school principal in collaboration with a chemical dependency, treatment, or counseling program, must certify that student is attending or has received a certificate of completion. If student does not complete a program, the penalty reverts back to one calendar year. The program is funded by the parent/guardian. This exception shall not apply to fourth or subsequent violations of this policy.

After a finding of a third or subsequent violation, a student will not be allowed to attend any practices or extra-curricular activities in any capacity during the period of his/her loss of eligibility.

Penalties shall be cumulative each academic year, but serving the penalty could carry over for one (1) year. If the penalty period is not completed during the season of violation, the penalty shall carry over to the student's next season of actual participation, which may affect the eligibility status of the student during the next academic year. (e.g., a student plays only football: he violates the rule in winter and/or the spring of same academic year: he would serve the penalty [ies] during the fall season of the next academic year).

A student may not return to interscholastic competition or participate in school sponsored extra-curricular activities until they have submitted a certificate of completion from the chemical dependence or treatment program and have served the suspension from the sport or activity. The program will be funded by the parent/guardian.

Other

1. A student entering their Junior or Senior year that has violated the chemical health policy may participate in an interscholastic sport and extra-curricular activity in which they have

not previously participated in during high school in order to serve the loss of eligibility. The student's loss of eligibility, however, will apply to both the new interscholastic sport or school-sponsored extra-curricular activity and the interscholastic sport or school-sponsored extra-curricular activities in which the student had participated in during previous years in the manner outlined below. Students found in violation of this policy may participate in interscholastic sports and extra-curricular activities in which they have not previously participated, but will serve the suspension in both the new sport/activity and 10% of the events from next sport/activity that he or she has participated in during previous years. For example, a student who has only played ice hockey during his/her Freshman and Sophomore years, and then violates the policy for the first time during the spring of his/her junior year, but then decides to run Cross Country in their Senior year for the first time, will serve the normal 25% penalty during the Cross Country season and then a 10% penalty during the Ice Hockey season. The high school principal will have the final decision on each situation.

2. If a student is serving a penalty during a season where he/she participates in both athletics and extra-curricular activities, the student will serve the penalty for both or all of the activities and contests. For example, if a student participates in a fall sport and the fall drama production, he/she will serve the penalty for both the fall sport and the fall drama production.
3. When a student leader has been elected for a leadership position and subsequently is found in violation of these regulations, that student will lose all rights to continue to be an officer of that organization and forfeits the right to be selected for any other leadership position for one calendar year from the date of the violation.
4. When an athlete has been designated as a team captain—and then subsequently is found in violation of these regulations, that athlete will lose all rights to continue to be a captain of that sport and forfeit the rights to be selected a captain in any other sport for one calendar year from the date of the violation.
5. If a student loses multiple leadership positions and/or team captain positions as a result of a chemical health violation, they may appeal to the high school principal for restoration of other leadership/captain positions beyond the first position. An exception to this is National Honor Society which has its own bylaws regarding an appeal process.
6. If a family cannot afford to pay for a program as outlined above, the Reading Public Schools will work with the family to identify ways to fund the program (i.e. health insurance, financial assistance, etc.)
7. If a student or family wishes to appeal a Chemical Health violation, it must be filed with the building principal within 7 days of the confirmed violation. If the family wishes to appeal the Principal's decision to the Superintendent, it must be filed within 7 days of the appeals decision.
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9. These regulations will be reviewed by the athletic department, health-wellness department, administration, police, and the Reading Coalition Against Substance Abuse (RCASA) on an annual basis to address changes that may be occurring in the use of illegal substances by students.

1st Offense - 25%	
# of Events / Season	# of Events / Penalty
1-7	1
8-11	2
12-15	3
16-19	4
20 or over	5
2nd Offense - 60%	
# of Events / Season	# of Events / Penalty
1-3	1
4	2
5-6	3
7-8	4
9	5
10-11	6
12-13	7
14	8
15-16	9
17-18	10
19	11
20 or over	12
2nd Offense w/Dependency Program - 40% if in the program throughout the penalty period.	
# of Events / Season	# of Events / Penalty
1-4	1
5-7	2
8-9	3
10-12	4
13-14	5
15-17	6
18-19	7
20 or over	8

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¹ Per MIAA policy