

DO YOUR SCHOOL POLICIES SUPPORT YOUR STUDENTS' WELL- BEING?

MASS/MASC Conference 2017

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- A critical element of substance abuse prevention that is integral in creating a safe and supportive environment is having substance abuse policies that are exemplars. Do your substance abuse policies at the middle and high school reflect your curriculum (or do they contradict what students were taught at the elementary level)? This panel will discuss the impact of policies (school committee, chemical health, MIAA etc.) and how to create policies that support getting students the help they need.
- Presenters: **Ellen Holmes**, Ashburnham-Westminster School Committee (moderator); **Michelle Lipinski**, Principal, Northshore Recovery High School; **John Doherty**, Superintendent, Reading

Contextual Assumptions

We are only focusing this session on the policies which govern our interactions with potential substance users/abusers in our middle/secondary schools

This is NOT a judgment against any district policies. This is to raise awareness about what students need amidst the SUD/Opioid epidemic

There is *ALWAYS* a Balance

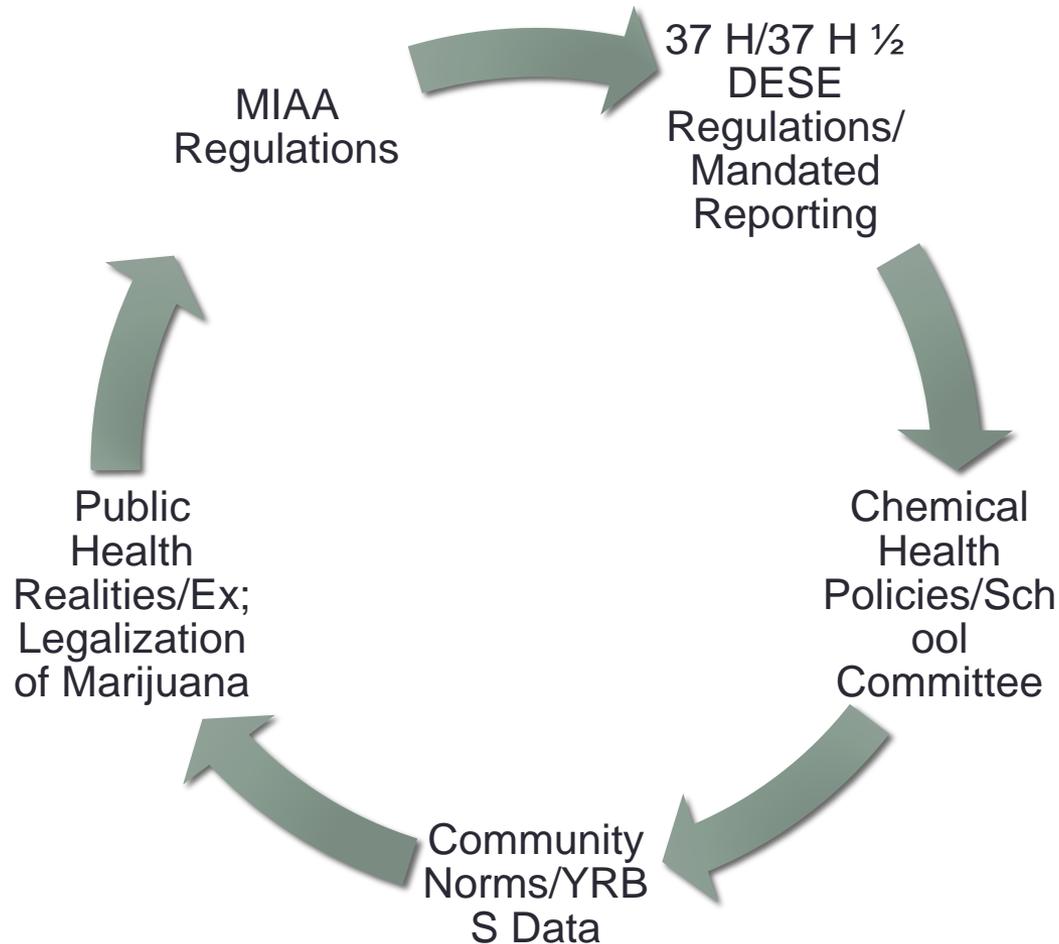


Zero
Tolerance



Giving Away
the Farm

Finding the Balance Based on the Norms of Your District



What is Addiction?

- <https://www.youtube.com/watch?v=qRyeAL9tAVs#action=share>

Massachusetts Department of Elementary and Secondary Education

GUIDANCE ON SCHOOL POLICIES REGARDING SUBSTANCE USE PREVENTION

An Act Relative to Substance Use, Treatment, Education and Prevention was signed into law on March 14, 2016, as Chapter 52 of the Acts of 2016. The following sections relate to public schools:

- Mass. General Laws chapter 71, section 96 (as amended by St. 2016, c. 52, s. 15):
- Section 96. Each public school shall have a policy regarding substance use prevention and the education of its students about the dangers of substance abuse. The school shall notify the parents or guardians of all students attending the school of the policy and shall post the policy on the school's website. The policy, and any standards and rules enforcing the policy, shall be prescribed by the school committee in conjunction with the superintendent or the board of trustees of a charter school.

MA DESE c. 71

- Since 2014, Mass. Gen. Laws c. 71, s. 96 has required each public school to have policies
- regarding substance use prevention and the education of its students about the dangers of
- substance abuse, to notify students' parents or guardians about the policies, and to post the
- policies on the school's website.
- **The 2016 amendment to the statute now requires schools to file these policies with the Department of Elementary and Secondary Education (ESE). The law also directs ESE to provide guidance and recommendations to assist schools with developing** and implementing effective substance use prevention and abuse education policies. This guidance is intended to assist schools and districts as they develop or review and revise substance use prevention policies. Like many states across the country, Massachusetts is facing a growing epidemic of opioid addiction, and the Commonwealth is taking action to address it. Schools play an important role in preventing substance use among students and educating students about the dangers of substance abuse. ESE will continue to work with the Department of Public Health, public schools, and other interested parties to update this guidance. Feedback is welcome and may be sent to ESE's Office of Student and Family Support via achievement@doe.mass.edu.

Chapter 71 Section 37H

Policies relative to conduct of teachers or students; student handbooks

- Each school district's policies pertaining to the conduct of students shall include the following:
 - disciplinary proceedings, including procedures assuring due process;
 - standards and procedures for suspension and expulsion of students;
 - procedures pertaining to discipline of students with special needs;
 - standards and procedures to assure school building security and safety of students and school personnel; and the
 - disciplinary measures to be taken in cases involving the possession or use of illegal substances or weapons, the use of force, vandalism, or violation of a student's civil rights.

(Codes of discipline, as well as procedures used to develop such codes shall be filed with the department of education for informational purposes only.)

- Notwithstanding any general or special law to the contrary, all student handbooks shall contain the following provisions:
 - (a) Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.

- ***(b) Any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.***
- (c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal.
- ***After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).***

Leadership Responsibility

- Since this statute explicitly put the ownership of the decision on the building leadership, the enactment of the policy is placed in a “gray area.” This can lead to very different outcomes for students from school to school, district to district or even from student to student.

Scenario #1

- A sophomore boy, 'well-known' to administrators in his high school for his behaviors, was found smoking marijuana in the locker rooms. He only had a small amount, a bowl and lighter. Characteristically, he does not seem to be remorseful for his behavior.
- He has been sent to the school nurse multiple times for smelling like "weed" but never caught before.

Scenario #2

- Jane was found smoking marijuana in the school bathroom. This is not typical behavior for her. She is a good student and she is very remorseful for her behavior.

Section 37H1/2: Felony complaint or conviction of student; suspension; expulsion; right to appeal

- (1) Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal or headmaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or headmaster if said principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the superintendent.

Section 37H1/2: Felony complaint or conviction of student; suspension; expulsion; right to appeal

- The student shall have the right to appeal the suspension to the superintendent. The student shall notify the superintendent in writing of his request for an appeal no later than five calendar days following the effective date of the suspension. The superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the suspension

MIAA Handbook

- http://www.miaa.net/gen/miaa_generated_bin/documents/basic_module/MIAAHandbook1719.pdf

ADMINISTRATORS' GUIDE FOR INTERPRETING AND ENFORCING MIAA HANDBOOK RULE #62 Student (and Coach) Eligibility: Chemical Health/Alcohol/Drugs/Tobacco

- **FIRST VIOLATION MINIMUM PENALTIES***: When the Principal confirms, following an opportunity for the student to be heard, that a violation occurred, the student shall lose eligibility for the next consecutive interscholastic contests totaling 25% of all interscholastic contests in that sport. For the student, penalties will be determined by the current or next season of participation. No exception is permitted for a student who becomes a participant in a treatment program. It is recommended that the student be allowed to remain at practice for the purpose of rehabilitation. Any fractional part of an event will be dropped when calculating the 25% of the season

ADMINISTRATORS' GUIDE FOR INTERPRETING AND ENFORCING MIAA HANDBOOK RULE #62 Student (and Coach) Eligibility: Chemical Health/Alcohol/Drugs/Tobacco

- **SECOND & SUBSEQUENT VIOLATIONS AND MINIMUM PENALTIES:** When the Principal confirms, following an opportunity for the student to be heard, that a violation occurred, the student shall lose eligibility for the next consecutive interscholastic contests totaling 60% of all interscholastic contests in that sport. For the student, penalties will be determined by the current or next season of participation. Any fractional part of an event will be dropped when calculating the 60% of the season

ADMINISTRATORS' GUIDE FOR INTERPRETING AND ENFORCING MIAA HANDBOOK RULE #62 Student (and Coach) Eligibility: Chemical Health/Alcohol/Drugs/Tobacco

- If after the second or subsequent violations 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 MIAA activities after a minimum of 40% of events provided the student was fully engaged in the program throughout that penalty period. The high school principal in collaboration with a Chemical Dependency Program or Treatment Program must certify that student is attending or issue a certificate of completion. If student does not complete program, penalty reverts back to 60% of the season. All decimal part of an event will be truncated i.e. All fractional part of an event will be dropped when calculating the 40% of the season. Penalties shall be cumulative each academic year, but serving the penalty could carry over for one year. Or, 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

MIAA Loophole

- Page 61 in MIAA Handbook(2017)
- “Prior to any chemical health violation a student's request for and enrollment in a substance abuse treatment shall not in and of itself constitute a violation of the chemical health/alcohol/drugs/tobacco Rule 62.”

Scenario #3

- Jack is a athlete with much promise. He comes from a “challenging family” with very little support. He is hastily changing into this uniform and a small pill falls out of his pants pocket and is seen by a coaching staff. When asked what it was, he replied, “An allergy medicine.” Upon further review, it was found to be xanax. He said he wasn’t aware of what it was and he didn’t take it. He claims he found it in his medicine cabinet at home.

Scenario #4

- Dover, NH volunteer coaching staff all (5) terminated for the remainder of the season and may not coach for Dover in the future.
- Volunteer coaches rented a van for a game that is 3 hours away. The driver was a former Dover Police officer.
- It was found that they had consumed a 12 pack of beer on the way home between all five coaches. They were not supposed to go back to the school and they were not supposed to be around students (until the head coach became ill and they had to go load the game tapes). They were not responsible for students.

Mandated Reporting

- Massachusetts law requires mandated reporters to immediately make an oral report to DCF when, in their professional capacity, they have reasonable cause to believe that a child under the age of 18 years is suffering from abuse and/or neglect. A written report is to be submitted within 48 hours

Abuse

- Abuse means: The non-accidental commission of any act by a caretaker upon a child under age 18 which causes, or creates a substantial risk of, physical or emotional injury; or an act by a caretaker involving a child that constitutes a sexual offense under the laws of the Commonwealth; or any sexual contact between a caretaker and a child under the care of that individual. This definition is not dependent upon location (i.e., abuse can occur while the child is in an out-of-home or in-home setting).

Neglect

- Neglect means: Failure by a caretaker, either deliberately or through negligence or inability, to take those actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, emotional stability and growth, or other essential care; provided, however, that such inability is not due solely to inadequate economic resources or solely to the existence of a handicapping condition. This definition is not dependent upon location (i.e., neglect can occur while the child is in an out-of-home or in-home setting).

Physical Injury

- Physical Injury means: Death; or fracture of a bone, a subdural hematoma, burns, impairment of any organ, and any other such nontrivial injury; or soft tissue swelling or skin bruising, depending upon such factors as the child's age, circumstances under which the injury occurred and the number and location of bruises; or addiction to a drug or drugs at birth; or failure to thrive.

Emotional Injury

- Emotional Injury means: An impairment to or disorder of the intellectual or psychological capacity of a child as evidenced by observable and substantial reduction in the child's ability to function within a normal range of performance and behavior.

Scenario #5

- A 16 y.o. male student is found smoking marijuana on school grounds. When his mother is called, she admits she is aware that he is smoking and she does not think it is a problem since at least he is not doing “heavier drugs.”
- Do you file a 51A?

Examples of Existing Chemical Health Policies

- See Handouts

Examples of Existing Chemical Health Policies

- What should your Chemical Health Policy Include?

YRBS Data (Youth Risk Behavior Survey)

- How do we use our YRBS data to inform practice?

Susceptibility of School-Age Youth to Addictions (Chapter 14/MADPH)

- <https://neusha.org/student/programs/attachments/chapter14DPH.pdf>
- This document outlines the prevalence of SUD (Substance Use Disorder) in MA as well as prevention/intervention strategies for schools and communities.

Beyond Zero Tolerance

- http://www.drugpolicy.org/sites/default/files/DPA_Beyond_Zero_Tolerance.pdf

Research has shown that these punishments are not likely to change students' behavior. Ironically, rather than serving as an effective deterrent, drug education that lacks credibility and is backed by punitive measures often fosters resentment and oppositional behavior. The few secondary schools that offer drug education often repeat messages that may have had some credence for elementary school students but lack credibility for older, more experienced teenagers

Thinking Differently About the Substance Use Conversation

- Empowering Tomorrow: A Comprehensive Approach A reality-based model incorporates three mutually reinforcing elements: education, intervention/assistance, and restorative consequences.
- The basic tenets, which are described later in more detail, are as follows:
 - Drug education should be honest, balanced, interactive, and delivered in a way that involves full participation of students.
 - Intervention for students who need assistance should be an integral part of drug education.
 - A restorative process, in which offenders identify harms they have caused and then make amends, should replace most suspensions and expulsions.

What Can We Do Differently?

- http://www.onevoicenh.org/assets/modelalcoholdrugsschoolpolicy_final.pdf
- In light of the state's prescription drug epidemic, particularly among young adults, and the continuing high rates of heavy and/or binge drinking and marijuana use, the Commission is asking schools to review their existing policies and programs and consider strengthening them to increase attention and response to the issue among school-aged youth.
- The enclosed School Policy Recommendations have been designed to encourage schools and school boards to review the laws and requirements relative to substance abuse prevention and early intervention, to reflect on their comprehensiveness, consistency, and efficacy, and to consider expanding or improving their efforts.

Policy Recommendations

- Although schools have many demands placed on them, their role in preventing and reducing alcohol and drug use is essential to protect our state's most vital resource, its children.
- Policies and procedures provide supportive discipline and consequences that reflect the value of alcohol- and drugfree youth and environments;
- Policies and procedures connect students in need with critical early intervention, treatment and recovery support services when appropriate;
- Professional development relative to alcohol and drug trends and best practices for schools is provided to staff each year;

Policy Recommendations

- Alcohol and drug education is consistent and adequate throughout the elementary, middle and high school years, with extra attention given to key transitions (e.g. students entering middle school and high school);
- Health programming, parent education and outreach, and values acknowledge the significant, negative effect that alcohol and drug use have on a young person's safety, physical and emotional well-being, cognitive development, social development, academic achievement, athletic development and extracurricular opportunity;
- School values, policies and education relative to alcohol and drug use are shared with parents regularly;
- Enforcement of policies and reinforcement of school values and expectations is consistent for all students and groups (e.g. athletic teams, extracurricular groups).

Scenario #6

- The only custodial parent of a 12 y.o., 10 y.o. and 6 y.o. overdoses and dies while the children are sleeping. The children are taken into DCF custody and placed with the grandparents in a nearby town. According to policy, these children are expected to relocate to the new district despite having their existing protective factors in the current district.

What have we learned?

1. We are on the front lines of this epidemic.
2. We must create ways for students to safely disclose information of SU for themselves or their friends without fear of punitive measures.
3. Children do not know they need help. They need a trusted adult to help them
4. We cannot suspend or expel our way out of this crisis
5. This is a community issue that CAN be addressed by schools more effectively
6. There is no such thing as a perfect policy.

Resources for districts/educators

- **1. Here are a couple websites which outline signs and symptoms of addiction**
- <http://www.drugfree.org/resources/is-your-teen-using-signs-and-symptoms-of-substance-abuse/>
-
- <http://www.helpguide.org/articles/addiction/drug-abuse-and-addiction.htm>
-
- **2. Types of commonly abused substances and how the person appears who is abusing them**
- <http://www.mayoclinic.org/diseases-conditions/drug-addiction/basics/symptoms/con-20020970>
-
- **3. Substance Use Trends**
- <https://www.childtrends.org/wp-content/uploads/2014/10/2014-53NAHIICPolicyBrief1.pdf>

- **4. Resource Guide for substance use**

- <http://www.sipcw.org/tysa/Parent%20Resources/TYSA%20Treatment%20Resource%20Guide%2012-12.pdf>

- **5. Danger Signs and Staten Island Comprehensive Adolescent Drug Treatment program**

- <http://www.siu.edu/Our-Services/Clinical-Services/Substance-Abuse/Danger-Signs.aspx>

- <http://www.siu.edu/Our-Services/Clinical-Services/Substance-Abuse.aspx>

- **6. Example of Addiction Lesson Plans**

- <http://www.discoveryeducation.com/teachers/free-lesson-plans/cycle-of-addiction.cfm>

- <http://brainu.org/addiction>

- <http://headsup.scholastic.com/teachers/the-science-of-addiction-lesson>

- http://mapdaonline.org/corporate/Grades-9---12,-Videos-and-Lesson-Plans_cp7669.htm

- http://learning.blogs.nytimes.com/2003/09/30/redefining-addiction/?_r=0

- <http://www.discoveryeducation.com/teachers/free-lesson-plans/deadly-highs.cfm>

- <http://lessonplanspage.com/peteenprescriptiondrugabuse612-htm/>

- **7. Technology and Internet Addiction (not a big fan of the use of terminology but it shows that there is such a thing as internet addiction)**
- <http://www.pbs.org/pov/webjunkie/lesson-plan/>
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- **8. Connecting with your Community**
- https://www.cdc.gov/healthyyouth/protective/pdf/connectedness_administrators.pdf
-
- <http://www.ascd.org/publications/educational-leadership/apr05/vol62/num07/A-Case-for-School-Connectedness.aspx>
-
- https://www.cdc.gov/healthyyouth/protective/pdf/connectedness_teachers.pdf
-
- <http://community-matters.org/downloads/connectedness-study.pdf>
-
- Slides for promoting connectedness
- <https://www.google.com/search?q=fostering+school+connectedness&oq=fostering+connectedness+&aqs=chrome.2.69i57j69i60j0l2.27715j0j7&sourceid=chrome&ie=UTF-8>
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-
- 9. Developing positive teacher/student relationships strategies for the classroom
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- http://www.ascd.org/publications/books/105124/chapters/Developing_Positive_Teacher-Student_Relations.aspx
-
- <http://www.cnn.com/2016/04/22/health/suicide-rates-rise/index.html>

- 10. Suicide Rates
- <https://afsp.org/wp-content/uploads/2016/06/2016-National-Facts-Figures.pdf>
-
- <https://afsp.org/about-suicide/suicide-statistics/>
-
- <https://www.cdc.gov/Features/PreventingSuicide/index.html>
-
- <http://www.cnn.com/2016/04/22/health/suicide-rates-rise/index.html>

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- 11. Massachusetts Overdose Rates
-
- <https://www.mass.gov/files/documents/2017/08/31/data-brief-overdose-deaths-aug-2017.pdf>
-
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- 12. Importance of teacher/student relationships of low-income students
-
- <http://steinhardt.nyu.edu/appsycho/opus/issues/2013/fall/gallagher>
-
- 13. LD and sud
- <https://www.recoveryanswers.org/research-post/how-does-alcohol-use-marijuana-use-or-both-together-impact-the-adolescent-brain/>