

DRUG-FREE SCHOOLS

Code **GBEC** Revised **2/13**

Purpose: To establish the basic structure to ensure the board's vision of a school environment free of drugs and alcohol.

The school district is committed to providing a drug and alcohol free learning environment and workplace. Drug and alcohol abuse at school or in connection with school-sponsored activities on or off school grounds threatens the health and safety of our students and our employees and adversely affects the educational mission of the schools.

Employees

No employee will unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any drug in the workplace. "Drug" means any narcotic drug, depressant, stimulant or hallucinogenic drug, amphetamine, barbiturate, marijuana or any counterfeit drug, imitation controlled substance, "lookalike" substance, synthetic drug or designer drug (bath salts and synthetic marijuana) or any other controlled substance as defined by the act and regulation cited below. No employee will manufacture, distribute, dispense, possess, use or be under the influence of alcohol on or in the workplace.

"Workplace" means the site for the performance of work. That includes any school building or any school premises and any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities. It also includes off-school property during any school-sponsored or school approved activity, event or function such as a field trip or athletic event where students are under the jurisdiction of the school district.

As a condition of employment, each employee will notify his/her supervisor of his/her arrest for violation of any criminal drug statute. The employee must notify the supervisor no later than 24 hours after such arrest.

As a condition of employment, each employee must abide by the terms of the school district policy respecting a drug and alcohol-free workplace.

An employee who violates the terms of this policy may be subject to disciplinary action including, but not limited to, nonrenewal, suspension, or termination at the discretion of the board.

The board will take disciplinary action in accordance with district policies and regulations as well as applicable state and federal law.

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The board directs the administration to establish a drug and alcohol-free awareness program in the district to include information on the dangers of drug and alcohol abuse in the workplace and the district's policy on a drug and alcohol-free workplace, and any drug and alcohol counseling available to employees as well as any available rehabilitation and employee assistance programs.

Drug and Alcohol Testing

The District may randomly test employees in certain "sensitive jobs." Sensitive job has been defined but not limited to jobs that require operation of forklifts, riding mowers/tractors, district vehicles, and buses. In addition, jobs that require the operation of cooking and slicing machines are also considered sensitive jobs. The district will maintain a list of sensitive jobs and will notify employees who hold such positions. An employee who tests positive for alcohol or drugs as a result of a random test will be in violation of this policy.

Students

No student, regardless of age, will possess, use, sell, purchase, barter, distribute or be under the influence of alcoholic beverages or other controlled substances in the following situations.

- On school property (including buildings, grounds, vehicles)
- At any school-sponsored activity, function or event whether on or off school grounds (including any place where an interscholastic athletic contest is taking place)
- During any field trip
- During any trip or activity sponsored by the board or under the supervision of the board or its authorized agents

No student will aid, abet, assist or conceal the possession, consumption, purchase or distribution of any alcoholic beverage by any other student or students in any of the circumstances listed above.

No student will market or distribute any substance which is represented to be or is substantially similar in color, shape, size or markings of a controlled substance in any of the circumstances listed above.

All principals will cooperate fully with law enforcement agencies and will report to them all information that would be considered pertinent or beneficial in their efforts to stop the sale, possession and use of controlled substances.

The administration will suspend students who violate this policy and the board may expel them. The board may expel all students who distribute any controlled substance on school grounds. Students who violate this policy or any part of this policy may be expelled.

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(Cf. JICH; also ADB)

Adopted 2/2/98; Revised 2/4/08; Proposed revision 2/4/13

Legal references:

A. Federal statutes:

1. Drug-Free Workplace Act 102 Stat. 305-4308.
2. Controlled Substances Act (21 U.S. C.812) – Schedules I through V of Section 202.

B. Federal regulations:

1. 54 F.R. 4946 (1/31/89) – relating to the Drug-Free Workplace Act.
2. 21 CFR 1300.11 through 1300.15 – Defining controlled substances.

C. S.C. Code of Laws, 1976, as amended:

(Alcohol)

1. S.C. Constitution Article XVII, Section 14 - Must be over 21 to possess distilled liquors.
2. Section 16-17-530 – Student who come to school in an intoxicated condition or conduct themselves in a disorderly or boisterous manner could be arrested for misdemeanor.
3. Section 59-67-150 – Drinking alcoholic liquors on a school bus is prohibited.
4. Section 20-7-370 – Must be 21 to possess fermented liquors.

(Drugs)

1. Section 44-53-110 et seq. – Lists of illicit drugs.
2. Section 44-53-140 – Student addicted or dependent upon a drug may seek counseling concerning treatment or therapy from a guidance counselor or teacher without fear of legal action.
3. Section 44-53-370 – Unlawful for any person to possess scheduled drug unless obtained by valid prescription.
4. Section 44-53-440 – person over 18 who distributes a controlled substance to person under 18 shall be guilty of felony and sentenced to no more than 20 years with no suspension or probation.