

## **ALCOHOL AND/OR DRUG USE BY STUDENTS**

### **I. Board Philosophy**

The Talbot County Board of Education is committed to the task of maintaining a drug and alcohol free environment on school property, on school transportation and at all school sponsored activities. The Board is committed to the full and strict enforcement of “Drug Free Zones” as described in Article 27, Section 286D of the Annotated Code of Maryland.

- A. Standards of Conduct - Drugs, Illicit Drugs: The manufacture, possession, sale, distribution, and use of illicit drugs is prohibited by Town, City and County ordinance, State law and Federal statute by persons of any age. The unlawful manufacture, possession, distribution, or use of illicit drugs on Talbot County Public Schools' property or as part of any of its activities by students or their guests is prohibited.
- B. Standards of Conduct - Alcohol: Maryland law declares possession of alcohol by persons under the age of 21 unlawful. Therefore, possession of alcohol by students or their guests is prohibited.

The Talbot County Board of Education supports a policy that ensures that students recognize that alcohol and other drug abuse are both health care issues as well as illegal acts. This policy stresses the need for

- strong and consistent disciplinary as well as legal action
- supportive efforts for prevention and student assistance
- parent involvement

### **II. Public Notice**

This policy shall be printed in the middle school and secondary school program of studies and/or student handbook and will be accessible via the Talbot County Public Schools website ([www.talbotschools.org](http://www.talbotschools.org)) or by contacting the Board office.

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### III. Prevention

To further its commitment to educate students to recognize that substance and alcohol abuse are health care issues as well as illegal acts, the Talbot County Public Schools supports the following prevention measures:

- Making the policy on Alcohol and/or Drug Use by Students available to students
- Providing a curriculum that addresses drug and alcohol as a health issue
- Providing student services teams and student assistance programs when appropriate
- Providing school based services which may include, but are not limited to, wellness centers, nurses, social workers and counsellors
- Providing information on available community resources

### IV. Violation

- A. The principal or designated representative will conduct a prompt investigation of the incident.
- B. Persons who violate the Alcohol and Drug Abuse Policy of the Talbot County Board of Education are subject to suspension, expulsion and/or criminal prosecution consistent with Policy Codes 10.22 and 10.23.

### V. Definitions

- A. Alcoholic Beverages - means alcohol, brandy, whiskey, rum, gin, cordial, beer, ale, porter, stout, wine, and any other spirituous, vinous, malt or fermented liquor, liquid, or compound, by whatever name called, which contains, except as provided in subparagraph (1.) of this paragraph, one-half of one percent or more of alcohol by volume, which is fit for beverage purposes.
  1. Alcoholic beverages does not include a confectionery food product that contains up to 5 percent of alcohol by volume and is regulated by the Department of Health and Mental Hygiene under § 210209 of the Health General Article.
- B. Drugs - any controlled dangerous substance, drug paraphernalia, controlled paraphernalia, look-alike drugs, over-the-counter drugs/medications, inhalants, prescription drugs, or any man made or naturally occurring substance used for the purpose of altering behaviors, mood, or for changing the brain or nervous system.
- C. User - a student who by any means assimilates or consumes or is under the influence of an alcoholic beverage, any controlled dangerous substance, any look-alike drug, and over-the-counter drugs/medications in excess of the recommended dosage, or any prescription drug in excess of the prescribed dosage or prescribed for a person other than the user.

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Possessor - a student who has an alcoholic beverage, drugs, drug paraphernalia, or controlled paraphernalia as defined in this section on his/her personal property, who has such substance under his/her control or who has knowingly placed himself/herself in proximity with a person known to have an alcoholic beverage or drugs on his/her personal property or under his/her control on school property, at school-sponsored or related functions, and/or on school buses/coaches.

E. Distributor - a student who participates in the transfer, or an attempted transfer, of an alcoholic beverage or drugs as defined in this section, to another person with or without the exchange of money or other valuables or who possesses such a quantity of a substance for use by others as determined by a law enforcement agency.

F. Extended suspension - a suspension for more than ten (10) school days which can be made only by the Superintendent or his designee at the recommendation of the principal; this type of suspension is usually for the remainder of a semester or school year, or for not less than nine (9) weeks, when alcohol/drugs are involved.

G. Expulsion - the termination of enrollment by the Superintendent from the Talbot County Public School System.

H. Controlled paraphernalia - as defined by Article 27, Section 287, of the Maryland Annotated Code, including hypodermic syringes, needles, or other instruments used to administer controlled substances as well as gelatin capsules, glassine envelopes, and other packaging or equipment intended to be used in the distribution of controlled substances.

I. Drug paraphernalia - as defined by Article 27, Section 287A of the Maryland Annotated Code including all equipment, products, and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled dangerous substance.

J. Inhalant - any odor, gas, particle, fume or vapor deliberately inhaled for the purpose of altering behavior, mood, or change the brain or nervous system.

K. Over-the-counter drugs/medication - a drug or medication that may be legally purchased without a prescription, including but not limited to aspirin, cold medication, caffeine pills and diet pills. Over-the-counter drugs/medication do not include Luden or Hall's type cough drops.

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### VI. Prohibition

- A. The use, actual possession, constructive possession, manufacture, or distribution of controlled dangerous substances, controlled paraphernalia, drug paraphernalia, look-alike drugs, unauthorized legal drugs, prescription drugs, over-the-counter drugs/medications or alcohol by Talbot County Public School students is strictly prohibited unless the medication is administered consistent with Policy Code 10.26, and Administrative Regulation Code 10.26-AR , Administering Medicine to Students.
- B. The use of over-the-counter drugs/medications or prescription drugs in excess of the recommended or prescribed dosage(s), the deliberate inhaling of odors, gases, particles, fumes or vapors, unless the medication is administered consistent with Policy and Administrative Regulation , Administering Medicine to Students; or possessing or using another person's prescription drugs is strictly prohibited.
- C. No student may distribute any over-the-counter or prescription drug/medication nor may they distribute a substance to be used as an inhalant
- D. The above prohibitions apply on school premises and at school sponsored or related functions.
- E. The Board of Education supports strong and consistent disciplinary measures to ensure that students recognize that substance and alcohol abuse are both health-care problems and illegal acts.
- F. Violations of drug/alcohol laws will be handled as illegal actions as well as school disciplinary infractions.

### VII. Notification

- A. The student's parent or guardian shall be notified as soon as possible and informed of the situation as well as the content of the drug and alcohol policy appropriate to the situation.
- B. If it is determined by school officials to suspend, expel, or prosecute an individual for violation of this policy, a certified letter containing the decision will be mailed to the parent or guardian. Included in the correspondence will be a list of rehabilitation resources.

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### **VIII. Enrollment**

The Board will not enroll in the Talbot County Public Schools any individual who is under expulsion or suspension from any other public or private school.

### **IX. Detection Dogs**

The use of drug detection dogs is authorized as one means to maintain a drug and alcohol free environment. Drug detection dogs are to have no contact with students.

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