

Unauthorized or illegal drugs and alcohol are a threat to safe and orderly schools and will not be tolerated. The superintendent is responsible for ensuring that this policy is consistently applied throughout the school system.

#### **A. PROHIBITED BEHAVIOR**

Students are prohibited from possessing, using, transmitting, selling or being under the influence of any of the following substances:

1. Narcotic drugs;
2. Hallucinogenic drugs;
3. Amphetamines;
4. Barbiturates;
5. Marijuana or any other controlled substance;
6. Synthetic stimulants, such as MDPV and mephedrone (e.g., “bath salts”), and synthetic cannabinoids (e.g., “Spice,” “K2”);
7. Any alcoholic beverage, malt beverage, fortified or unfortified wine, or other intoxicating liquor; or,
8. Any chemicals, substances, or products procured or used with the intention of bringing about a state of exhilaration or euphoria or of otherwise altering the student’s mood or behavior.

Students also are prohibited from possessing, using, transmitting, or selling drug paraphernalia or counterfeit (fake) drugs. Students may not participate in any way in the selling or transmitting of prohibited substances, regardless of whether the sale or transmission ultimately occurs on school property.

Possession or use of prescription and over-the-counter drugs is not in violation of this policy if such drugs are possessed and used in accordance with Policy JHCD, “Administering Medicines to Students.” The principal may authorize other lawful uses of substances that are otherwise prohibited by this policy, such as for approved school projects.

#### **B. CONSEQUENCES**

As required by Policy JFCA, “Criminal Behavior,” the principal must report to the

appropriate law enforcement agency any student who has used or possessed prohibited substances in violation of this policy.

~~The disciplinary consequences for violations of this policy shall be consistent with policy JFC, "Student Conduct/Discipline."~~ All prohibited behaviors outlined in section A of this policy are deemed to constitute "serious violations" pursuant to Policy JFC, "Student Conduct/Discipline," and the disciplinary consequences for those prohibited behaviors shall be consistent therewith. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of this policy.

### C. ~~Suspension for~~ SUBSTANCE ABUSE OFFENDERS PROGRAM

~~The Transylvania County Board of Education is committed to maintaining schools that are free of alcohol and drugs. Therefore, in an effort to maintain drug and alcohol free schools, the principal, with permission by the superintendent, shall suspend for the remainder of the school year any student who is found to be guilty of using alcohol or drugs on educational property, being on educational property after having consumed alcohol or drugs, possessing or having on his/her person alcohol or drugs, or storing alcohol or drugs in any location on educational property. This includes use or possession of alcohol or drugs at any school related/sponsored function whether on or off educational property.~~

~~At the same time, the school system~~ The Board is concerned for the well-being of students who are substance abuse offenders and recognizes their need to remain in school and continue their education. Therefore, ~~an alternative to long-term suspension may be provided for first-time substance abuse offenders~~ voluntary participation in Transylvania County Schools' Substance Abuse Offenders Program may be provided, in conjunction with other disciplinary consequences, as an alternative to long-term suspension for first-time substance abuse offenders. ~~A possible alternative is as follows:~~

~~Voluntary acceptance by the student and the student's parent or guardian of a minimum five-day out-of-school suspension and agreement to participate in the Transylvania County Schools' Substance Abuse Offenders Program.~~ Program components are listed below:

#### 1. **Addiction Assessment**

A substance addiction assessment shall be administered to the student by a certified, adolescent substance abuse counselor approved by the principal. The cost of the assessment shall be paid by the student or his parent/guardian. Verification of the assessment, and the recommendation from the addiction assessment administrator or the substance abuse counselor shall be forwarded to

the participant's school principal within five (5) school days of the infraction ~~following the initial suspension~~. If verification of the addiction assessment and substance abuse counselor recommendation is not received by the school principal within five (5) school days of the infraction ~~following the initial suspension~~, the student shall be immediately suspended from school until the verification and the substance abuse counselor's recommendation is received.

## **2. Intervention Plan**

After the addiction assessment, the principal or designee, the participant and his/her parent or guardian, a school counselor, and the addiction assessor (if desired) shall meet to define an intervention plan for the participant. The plan may include required family counseling sessions as outlined in the addition assessment. (The addiction assessor may, however, determine that the family need not participate in any family counseling sessions.) The intervention plan shall include four components: the school, the community, the participant, and the parent/guardian. It shall be the responsibility of the participant's principal or designee to coordinate the intervention plan and school re-entry.

Students electing to participate in the Substance Abuse Offenders Program and their parent/guardian shall sign a contract agreeing to fulfill all program requirements. The program shall include the following components:

### **A. School**

1. Continuation of the educational program
2. Teacher advocate appointed by the principal for the participant
3. Counseling services from peers and/or guidance counselors
4. Financial assistance for needy students

### **B. Community**

1. Court System - Juvenile Court Counselor or Adult Probation Officer
2. Law Enforcement - Police Department or Sheriff's Department
3. Social Services
4. Support Groups - Alcohol and Narcotics Anonymous

### **C. Participant**

1. Performance of forty (40) hours of school service (may

include such tasks as mopping/waxing floors, washing windows, cleaning football stadium or gym after games, picking up litter, cleaning restrooms, etc.). The school service will be performed outside of regular school hours under direct school supervision.

2. Completion of the Substance Abuse Offenders Program.
3. Additional school service for those students receiving financial assistance from the school.

#### **D. Family**

1. Commitment to and financial support of the participant's completion of the Substance Abuse Offenders Program.
2. Participation in required family counseling sessions.

A second substance abuse offense as a student in Transylvania County Schools or failure to complete the requirement of the participant's plan ~~shall~~ may result in the principal's recommendation for the student's long-term suspension (see Policy JGDA, "Long-Term Suspension, 365-Day Suspension, Expulsion"). ~~out of school suspension for the remainder of the school year. The suspension for the remainder of the school year must be authorized by the superintendent, as specified in Policy JGDA.~~

#### **D. REASONABLE SUSPICION DRUG TESTING**

When a school administrator has a reasonable basis to believe that a student is using or is under the influence of alcohol or a controlled substance at school or a school activity, the school administrator may offer the student, with the student's parent(s)' written permission, the opportunity to take a drug test, at Board expense. The purpose of this test is to determine whether the administrator's suspicion is justified. If test results are positive for the presence of drugs, the results shall be considered relevant corroborative evidence of a violation of this policy. If the test result(s) is negative for the presence of alcohol and/or an illegal drug(s), the student shall be found innocent of the allegations of misconduct. A decision by the student or the student's parents not to be tested shall not be used against the student. In such an event, the school administrator shall base his/her disciplinary decision solely on the information obtained during the investigation of the alleged misconduct.

Legal References: N. C. Gen. Stat. § 18B-301; 20-11(n1); ch. 90 art. 5; 115C-47, -276, -288, -307, -390.2

Cross References:  
Policy IGAJ, "Driver's Education and License Eligibility"

173 Policy JFC, "Student Conduct/Discipline"  
174 Policy JFCA, "Criminal Behavior"  
175 Policy JHCD, "Administering Medicines to Students"

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179 APPROVED BY BOARD  
180 AND EFFECTIVE \_\_\_\_\_  
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