BOARD AGENDA ITEM

TITLE: Revisions to Administrative Regulations to Board Policy JPA: Substance Abuse

DATE: April 12, 2017

OVERVIEW:
These changes clarify the involvement of appropriate law enforcement agencies in response to substance abuse infractions, and reduce the opportunity for public confusion regarding the discretion of school officials.

RECOMMENDATION/FUTURE DIRECTION: For Board Information

Submitted by: Dana Falls, Director of Student Services

Approve/Concur:

__________________________________________
Steven M. Johnson
Assistant Superintendent of Instruction

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Stephen H. Guthrie
Superintendent of Schools
Administrative Regulation

1. **Purpose**

Board of Education of Carroll County policy, as well as, administrative and disciplinary regulations are designed to support the concept that substance abuse is both a health care problem and an illegal act. Violations of alcohol/drug laws will be handled as school disciplinary infractions, as well as, illegal actions. In all cases, parents and students are advised that appropriate law enforcement agencies will MAY be contacted by school system officials immediately upon the discovery of any alcohol/drug use, possession or distribution in school, on any school property or during any school sponsored function.

I. **Policies**

   - IGAD Alcohol and Drug Education Instructional Program
   - GBN Drug-Free Workplace Board Policy

2. **Scope**

Other Guidelines

1. These regulations refer to infractions committed on school property, at school sponsored or related functions, and school sponsored travel.

2. When an educator comes into possession of suspected drugs or suspicious substances, the administrator shall notify the Supervisor of School Security Programs AND CONTACT APPROPRIATE LAW ENFORCEMENT AS OUTLINED BELOW IN THESE REGULATIONS. The item(s) should immediately be placed in an envelope or other container and labeled with the date, time, and circumstances. The item(s) should not be touched or tasted and shall be kept under lock and key by the administrator.

3. Violations of these regulations affect student eligibility for participation in extracurricular activities as described in “High School Eligibility – Extracurricular Activities.”

4. Any students under extended suspension or expulsion from another school system for violations of comparable regulations who are seeking enrollment in Carroll County Public Schools should be referred to the appropriate Pupil Personnel Worker to determine eligibility for enrollment.
5. Additional information regarding laws and guidelines for dealing with substance abuse, substance users and other related information is included in the Student Welfare section (IX) of THE STUDENT SERVICES MANUAL in this handbook.

3. **Prerequisites**

**Definitions**

**Alcohol/Drugs:** Any controlled dangerous substance, drug paraphernalia, controlled paraphernalia, look-alike drugs, alcohol, over-the-counter drugs/medications, inhalants, prescription drugs, or any man made or natural occurring substance used for the purpose of altering behaviors, mood, or for changing the brain or nervous system.

**Controlled Paraphernalia:** Includes hypodermic syringes, needles, or other instruments used to administer controlled substances, as well as, gelatin capsules, glassine envelopes, and other packaging of equipment intended to be used in the distribution of controlled substances.

**Cumulative Suspension:** Suspension offenses coded as 201 (Alcohol), 202 (Inhalants), and 203 (Drugs) carry over from one year to the next, and accumulate for a student’s entire school career.

**Distribution:** Participating in the transfer, or attempted transfer, of alcohol or drugs, as defined in this section, to another person with or without the exchange of money or other valuables or possessing a quantity of such a substance for use by others as determined by the State’s Attorney after investigation by the local or Maryland State Police.
Drug Paraphernalia: Includes 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.

Inhalant: Any odor, gas, particle, fume or vapor deliberately inhaled for the purpose of altering behavior, mood, or changing the brain or nervous system.

Possession: Having alcohol, drugs, or paraphernalia on one’s personal property, or having such substance under one’s control.

Constructive Possession: Failing to remove oneself as quickly and safely as possible from a person, area, or situation where alcohol/drugs are illegally possessed.

4. **Procedure**

Recommended Discipline Guidelines

Variations from these guidelines may occur after consultation with the Director of Student Services or the appropriate School Director.

A. Possession/Use (or demonstrating effects of use) of a Student’s Own Prescription and/or Over-the-Counter Drugs/Medication (unless authorized to carry by a health care provider and school administrator) and Distribution of Over-the-Counter Drugs/Medication within Proper Dosage.

1. Students under the age of responsibility (7 years old) who have not sought school authorization: The principal will determine appropriate action, taking into consideration the severity of the offense.

2. Students over the age of responsibility (7 years old) who have not sought school authorization:
a. First Offense – The principal will determine appropriate action depending upon the severity of the offense. Examples include:

1) Parent Conference  
2) In School Suspension  
3) Out of School Suspension: Refusal to cooperate with school policies/regulations (code 807), non-cumulative offense  
4) Out of School Suspension: Drugs (code 203), cumulative offense

b. Second and Subsequent Offenses  
Disciplinary action taken for the first offense shall determine the action to be taken for second and subsequent offenses.

1) If a cumulative drug suspension was assigned for the first offense, then the second and third offense regulations for students who use alcohol/drugs or inhalants (listed in the next section) shall be followed respectively. 
2) If a non-cumulative suspension or lesser consequence was assigned for the first offense, then the principal will determine appropriate action for second and subsequent offenses, taking into consideration the severity of the offense. The principal may either:  
a) Apply consequences as listed under “first offense” in this section Or  
b) Apply first, second, or third offense regulations respectively for students who use alcohol/drugs or inhalants (listed in the next section).

Health issues should be addressed immediately if a student is suspected of drug-induced unconsciousness or illness. Examples include loss of consciousness, severe intoxication, inability to communicate coherently or threat of suicide.

B. Students who use (or demonstrate effects of use) Alcohol/Drugs or Inhalants and Students who Manufacture or Possess Alcohol/Drugs, Inhalants, Drug Paraphernalia or Controlled Paraphernalia (including prescription drugs or over-the-counter drugs/medication if not covered by previous section).

1. Students under the age of responsibility (7 years old): The principal will determine appropriate action depending upon the severity of the offense.

2. Students over the age of responsibility (7 years old): The following actions shall be taken:
First Offense:

a. **Contact Supervisor of School Security Programs to discuss or initiate involvement of appropriate law enforcement.** REPORT THE INCIDENT TO THE SUPERVISOR OF SCHOOL SECURITY.

b. **FOR VIOLATIONS INVOLVING THE POSESSION/PRESENCE OF DRUGS CONTACT APPROPRIATE LAW ENFORCEMENT FOR EVIDENCE HANDLING AND CONSIDERATION OF CRIMINAL CHARGES (DISCRETION MAY ONLY BE APPLIED FOR VIOLATIONS LIMITED TO ALCOHOL).**

c. Mandatory referral for substance abuse screening

   1) Referrals handled by the Youth Services Bureau or other provider with approval of the Director of Student Services
   2) Verification that the initial interview has occurred with the referral agency must occur prior to readmission to school
   3) As determined by the screening results, successful completion or continued participation in an educational program or substance abuse treatment must occur to remain a student

d. Out of School Suspension: Use Cumulative Suspension Code 201 (Alcohol), 202 (Inhalants) or 203 (Drugs)

   1) Suspension from school for up to five (5) days or
   2) Suspension from school for ten (10) days and recommendation to the Superintendent for an extended suspension from the assigned school

Second Offense:

a. **Contact Supervisor of School Security Programs to discuss or initiate involvement of appropriate law enforcement.** REPORT THE INCIDENT TO THE SUPERVISOR OF SCHOOL SECURITY.

b. **FOR VIOLATIONS INVOLVING THE POSESSION/PRESENCE OF DRUGS CONTACT APPROPRIATE LAW ENFORCEMENT FOR EVIDENCE HANDLING AND CONSIDERATION OF CRIMINAL CHARGES (DISCRETION MAY ONLY BE APPLIED FOR VIOLATIONS LIMITED TO ALCOHOL).**
c. Mandatory referral for substance abuse assessment

1) Referrals handled by the Youth Services Bureau or other provider with approval of the Director of Student Services
2) Verification that the initial interview has occurred with the referral agency must occur prior to readmission to school
3) As determined by the assessment results, successful completion or continued participation in substance abuse treatment must occur to remain a student.

d. Out of School Suspension: Use Cumulative Suspension Code 201 (Alcohol), 202 (Inhalants) or 203 (Drugs)

1) Suspension from school for ten (10) days and recommendation to the Superintendent for an extended suspension from the assigned school.

Third Offense:

a. Contact Supervisor of School Security Programs to discuss or initiate involvement of appropriate law enforcement. REPORT THE INCIDENT TO THE SUPERVISOR OF SCHOOL SECURITY.

b. FOR VIOLATIONS INVOLVING THE POSESSION/PRESENCE OF DRUGS CONTACT APPROPRIATE LAW ENFORCEMENT FOR EVIDENCE HANDLING AND CONSIDERATION OF CRIMINAL CHARGES (DISCRETION MAY ONLY BE APPLIED FOR VIOLATIONS LIMITED TO ALCOHOL).

c. Mandatory referral for substance abuse assessment.

1) Referrals handled by the Youth Services Bureau or other provider with approval of the Director of Student Services

d. Suspension from school for ten (10) days and recommendation to the Superintendent for expulsion from school.

Health issues should be addressed immediately if a student is suspected of drug-induced unconsciousness or illness. Examples include loss of consciousness, severe intoxication, inability to communicate coherently or threat of suicide.

C. Students who Attempt to Distribute or Distribute Alcohol/Drugs (including Over-the-Counter Drugs/Medication in Excess of the Recommended Dosage and Any
Amount of Prescription Drugs) and Students who Attempt to Distribute or Distribute Drug Paraphernalia, Controlled Paraphernalia or Inhalants

1. Students under the age of responsibility (7 years old): The principal will determine appropriate action depending upon the severity of the offense.

2. Students over the age of responsibility (7 years old): For all offenses, the following actions shall be taken:

First Offense:

a. Contact Supervisor of School Security Programs to discuss or initiate involvement of appropriate law enforcement. REPORT THE INCIDENT TO THE SUPERVISOR OF SCHOOL SECURITY.

b. CONTACT APPROPRIATE LAW ENFORCEMENT FOR EVIDENCE HANDLING AND CONSIDERATION OF CRIMINAL CHARGES (DISCRETION MAY ONLY BE APPLIED FOR VIOLATIONS LIMITED TO ALCOHOL).

c. Mandatory referral for substance abuse screening

1) Referrals handled by the Youth Services Bureau or other provider with approval of the Director of Student Services
2) Verification that the initial interview has occurred with the referral agency must occur prior to readmission to school
3) As determined by the screening results, successful completion or continued participation in an educational program or substance abuse treatment must occur to remain a student

d. Out of School Suspension: Use Cumulative Suspension Code 210 (Alcohol), 202 (Inhalants) or 203 (Drugs)

1) Suspension from school for ten (10) days and a recommendation to the Superintendent for an extended suspension from the assigned school or
2) Suspension from school for ten (10) days and a recommendation to the Superintendent for an expulsion from school.

Second Offense:
a. Contact Supervisor of School Security Programs to discuss or initiate involvement of appropriate law enforcement. REPORT THE INCIDENT TO THE SUPERVISOR OF SCHOOL SECURITY.

b. CONTACT APPROPRIATE LAW ENFORCEMENT FOR EVIDENCE HANDLING AND CONSIDERATION OF CRIMINAL CHARGES (DISCRETION MAY ONLY BE APPLIED FOR VIOLATIONS LIMITED TO ALCOHOL).

c. Mandatory referral for substance abuse assessment

   1) Referrals handled by the Youth Services Bureau or other provider with approval of the Director of Student Services

   a. Suspension from school for ten (10) days and recommendation to the Superintendent for expulsion from school.

D. Students who solicit the Purchase or Transfer of Drugs, Alcohol, Inhalants, or Paraphernalia

   1. Contact Supervisor of School Security Programs

   2. Discipline as appropriate up to Non-Cumulative Suspension from school for three (3) days (suspension code 807/Refusal to Cooperate with School Policies/Regulations)

   3. Refer to the Student Assistance Team or offer referral for optional substance abuse screening.

E. Students who Possess and/or Use Tobacco on School Premises (See Possession and/or

F. Use of Tobacco on School Premises (Policy JFCG)

5. **Expiration/Review**

   June 30, 2020
6. **Effective Date**

April 12, 2017