

# DRUG AND ALCOHOL-FREE WORKPLACE AND SCHOOLS

Code **GBEC** Issued **9/12**

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

The 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 on or in the workplace. "Drug" means any narcotic drug, depressant, stimulant or hallucinogenic drug, amphetamine, barbiturate, marijuana, 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 district.

As a condition of employment, each employee will notify his/her supervisor of his/her conviction of any criminal drug statute for a violation occurring in the workplace as defined above. The employee must notify the supervisor no later than five days after such conviction.

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 drug-free workplace policy may be subject to disciplinary action including, but not limited to, nonrenewal, suspension or termination at the discretion of the board. Such employee may be required to satisfactorily participate in a drug abuse assistance program or rehabilitation program approved by the board.

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

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, 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.

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## 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 intends to expel all students who distribute any controlled substance on school grounds.

(Cf. JICH; also ADB)

Adopted 7/1/75; Revised 3/13/80, 8/13/91, 5/12/92, 4/4/95, 9/10/96, 11/12/96, 10/14/97, 1/13/01, 3/8/05, 4/18/06, 9/11/12

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Legal references:

A. Federal statutes:

1. Drug-Free Workplace Act 102 Stat. 4305-4308.
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. State law:

(Alcohol)

1. S.C. Constitution:
  - a. Article XVII, Section 14 - Must be over 21 to possess distilled liquors.
2. S.C. Code of Laws, 1976, as amended:
  - a. Section 16-17-530 - Students who come to school in an intoxicated condition, or conduct themselves in a disorderly or boisterous manner, could be arrested for a misdemeanor.
  - b. Section 59-67-150 - Drinking alcoholic liquors on a school bus is prohibited.

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(Drugs)

1. S.C. Code, 1976, as amended:
  - a. Section 44-49-80 - Establishment of drug abuse treatment program in public schools.
  - b. Section 44-53-110, et seq. - Definitions; lists of illicit drugs.
  - c. Section 44-53-140 - Certain communications and observations shall be privileged.
  - d. Section 44-53-160 - Manner in which changes must be made to schedules of controlled substances.
  - e. Section 44-53-190 - Substances added to Schedule 1 controlled substances.
  - f. Section 44-53-370 - Prohibited Acts A; penalties.
  - g. Section 44-53-440 - Distribution to persons under 18.