

DRUG AND ALCOHOL USE BY STUDENTS

Code **JICH** Issued **6/05**

Purpose: To establish the basic structure for the board's prohibition of student drug and alcohol use.

Students may not possess, use, sell, consume, purchase, barter, distribute or be under the influence of alcoholic beverages or controlled or illegal substances on district or school property, on buses or at any district- or school-sponsored activities whether on or off district or school grounds. This prohibition also pertains to look-alike substances, i.e., any substance represented to be or substantially similar in color, shape, size, markings, etc., to an alcoholic beverage or controlled or illegal substance. Students in violation of this policy will be disciplined in accordance with state law and district policies.

If the situation warrants, district or school administrators should communicate all available information to appropriate law enforcement entities and cooperate in any law enforcement investigations.

Adopted 7/1/75; Revised 3/13/80, 8/13/91, 5/12/92, 4/13/93, 6/14/05

Legal references:

I. Alcohol:

A. S.C. Constitution:

1. Article XVII, Section 14 - Must be over 21 to possess distilled liquors.

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

1. 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.
2. Section 59-67-150 - Drinking alcoholic liquors on a school bus is prohibited.
3. Section 20-7-370 - Must be 21 to possess fermented liquors.

II. Drugs:

A. S.C. Code, 1976, as amended:

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.
5. Section 44-49-80 - Establishment of drug abuse treatment program in public schools.