

## DRUG-FREE CENTER

Code **ADB** Issued **11/02**

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

The center is committed to providing a drug and alcohol free learning environment and workplace. Drug and alcohol abuse at the center or in connection with center-sponsored activities on or off center grounds threatens the health and safety of our students and our employees and adversely affects the educational mission of the center.

### Employees

Employees of the center, while on duty and in the presence of students, will not consume or be under the influence of intoxicating beverages.

No employee will unlawfully manufacture, distribute, dispense, possess or use any drug on or in the workplace. "Drug" means any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined by the act and regulation cited below.

"Workplace" means the site for the performance of work. That includes any center building or any center premises and any center-owned vehicle or any other center-approved vehicle used to transport students to and from the center or center activities. It also includes off-school property during any center-sponsored or center-approved activity, event or function such as a field trip or athletic event where students are under the jurisdiction of the center or where work on a federal grant is performed.

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 center policy respecting a drug-free workplace.

An employee who violates the terms of this policy will satisfactorily participate in a drug abuse assistance or rehabilitation program approved by the board. An employee who fails to satisfactorily participate in such program will be subject to disciplinary action including, but not limited to, nonrenewal, suspension or termination at the discretion of the board.

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

The board directs the administration to establish a drug-free awareness program in the center to include information on the dangers of drug abuse in the workplace, the center's policy on a drug-free workplace, and any drug 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 center property (including buildings, grounds, vehicles)
- at any center-sponsored activity, function or event whether on or off center 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.

The director 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 center grounds.

(Cf. JICH, GBEC)

Adopted 11/8/99; Revised 11/25/02

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

##### (Alcohol)

1. S.C. Constitution Article XVII, Section 14 - Must be over 21 to possess distilled liquors.
2. 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.
3. Section 59-67-150 - Drinking alcoholic liquors on a school bus is prohibited.

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(Drugs)

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.