



STUDENTS: Conduct

Alcoholic Beverages, Controlled Dangerous Substances, Intoxicants, Prescription and Nonprescription Drugs

I. Policy Statement

- A. The Board of Education of Baltimore County (Board) is committed to promoting and providing an alcohol-free and a drug-free environment for all students and providing appropriate safeguards for the administration of prescription medications and nonprescription drugs. The Board further believes that collaboration with parents and the community is essential in its efforts to deter student use of alcohol and other drugs.
- B. The Board believes that Baltimore County Public Schools (BCPS) has the responsibility to educate students on the physical effects and legal consequences of the use of illegal drugs and intoxicants.

II. Definitions

As used in this policy and accompanying rule, the following definitions shall apply:

- A. *Alcoholic Beverages* means any spirituous, vinous, malt, distilled or fermented liquor or compound, by whatever name called, which contains alcohol. Examples of alcoholic beverages include, but are not limited to, ale, beer, whiskey, rum, gin, or vodka.
- B. *Controlled Dangerous Substances* as defined under Section 5-101 of the Criminal Law Article means a drug or substance listed in Schedule I through Schedule V; or an immediate precursor to a drug or substance listed in Schedule I through Schedule V. Examples include, but are not limited to: marijuana, hashish, PCP (phencyclidine), methaqualone (Quaalude), mescaline, peyote, methadone, opium, heroin, morphine, cocaine, LSD (lysergic acid diethylamide), amphetamines, barbiturates, anabolic steroids, and any other drug or substance that causes intoxication.
- C. *Distribution* means the actual or intended sale, transfer, trade, giving, or exchange in any manner of alcohol, other drugs, prescription or nonprescription drugs by a student to any person whether or not a student, when such distribution takes place in a setting in which students are

responsible to school authority and/or supervision. Includes intent to distribute.

- D. *Drug-free School Zone* means the area within 1,000 feet of the real property of a Baltimore County public elementary and secondary school.
- E. *Drug Paraphernalia* as defined under Section 5-101 of the Criminal Law Article means equipment, a product, or material that is 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 or concealing a controlled dangerous substance; or injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled dangerous substance.
- F. *Intoxicants* mean any compound or substance which causes a loss of self-control or inebriation and which shall include, but not be limited to, glue, solvents, or aerosols.
- G. *Medication Order* means the written order signed by a physician, nurse practitioner, dentist, physician assistant, or osteopath for any prescription and nonprescription drugs needed on a regular basis, including homeopathic medicines.
- H. *Nonprescription Drug* means any non-narcotic drug product which may be sold without a prescription order and which is pre-packaged for use by consumers and labeled in accordance with the requirements of state and federal law.
- I. *School Day* means each day that schools are open from the opening bell signaling the commencement of the school day until the bell signaling dismissal.
- J. *School Property* means any Board-owned, controlled, or leased property or vehicle, regardless of whether students are present.
- K. *School-sponsored Activities* means activities that are sponsored, approved, conducted, planned, and/or supervised by school personnel regardless of whether they take place on or off school property or occur during normal school hours.

III. Standards

- A. Efforts to deter the use of alcohol and other drugs by students will include the following:
 - 1. A comprehensive health education program designed to inform students of the negative effects of alcohol and other drug use;
 - 2. Appropriate support and interventions related to student use of alcohol and other drugs; and
 - 3. Appropriate consequences for students who violate this policy.

IV. Prohibitions

- A. The possession, use, and distribution of alcoholic beverages, controlled dangerous substances, drug paraphernalia, or intoxicants in any quantity are prohibited on school property and at any school-sponsored activity.
- B. The attempt to distribute or possession with intent to distribute a non-controlled substance upon the representation that the substance is a controlled dangerous substance is prohibited on all school property and at any school-sponsored activity.
- C. The possession of prescription and nonprescription drugs by students is prohibited on all school property and at any school-sponsored activity. Should a student require medication during the school day or during any school-sponsored activity, the medication shall be accompanied by a medication order and administered by the school nurse or trained staff person, unless otherwise authorized by Board policy or Superintendent rule.

V. Violation of Policy

- A. Students who are found to have violated this policy shall be disciplined in accordance with Board Policy 5550, *Disruptive Behavior*.

VI. Implementation

- A. The Board directs the Superintendent to implement this policy.

Legal References: 20 U.S.C. §7101, *et seq.*, *Safe and Drug-free Schools and Communities Act*

POLICY 5540

*Annotated Code of Maryland, Criminal Law Article §5-101, et seq.,
Controlled Dangerous Substances, Prescriptions, and Other
Substances*

*Annotated Code of Maryland, Education Article §4-124,
Designation of Drug-free School Zones*

*Annotated Code of Maryland, Education Article §7-305, Suspension
and Expulsion*

*Annotated Code of Maryland, Education Article §7-308, Searches of
Students and Schools*

*Annotated Code of Maryland, Education Article §7-411, Drug
Education Program*

*Annotated Code of Maryland, Education Article §7-412,
Preservation of Rights of Student Seeking to Overcome Drug
Abuse*

*Annotated Code of Maryland, Education Article §7-413, Alcohol
Abuse Program*

*Annotated Code of Maryland, Education Article §26-103, Drinking
or Possessing Intoxicating Beverages on School Premises*

COMAR 10.27.11.05, *Nursing Functions*

COMAR 13A.05.05.08, *School Health Standards – for all Students
with Special Health Needs*

COMAR 13A.08.01.08, *Substance Use or Distribution*

COMAR 13A.08.01.11, *Disciplinary Action*

COMAR 13A.08.01.14, *Searches*

COMAR 13A.08.01.15, *Reporting Delinquent Acts*

Related Policies: Board of Education Policy 5330, *Social Events*
Board of Education Policy 5460, *Searches*
Board of Education Policy 5550, *Disruptive Behavior*
Board of Education Policy 5560, *Suspensions, Assignment to
Alternative Programs, or Expulsions*
Board of Education Policy 5600, *Students' Rights and
Responsibilities*
Board of Education Policy 6700, *Extracurricular Activities*
Board of Education Policy 6800, *Field Trips and Foreign Travel*

Related Rule: Superintendent's Rule 6801, *Cultural Exchange*

Policy

Board of Education of Baltimore County

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