

Buncombe County Schools recognizes that a serious chemical and substance use/abuse problem exists both nationally and in our community at large. Buncombe County Schools provides to all students, K–12, as required by Public School Law 115C–81 (a3), a developmentally appropriate and sequential curriculum regarding alcohol and other drug prevention as part of the NC healthful Living Essential Standards.

Unauthorized or illegal drugs and alcohol are a threat to safe and orderly schools and will not be tolerated. The superintendent is responsible for ensuring that this policy is consistently applied throughout the school system.

This policy applies to students while on school property or at a school-sponsored event or activity (whether on or off school property) and at any other time or place where the conduct is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment.

#### **A. Prohibited Behavior**

1. Students are prohibited from possessing, using, selling, delivering, manufacturing, or being under the influence of any of the following substances:
  - a. narcotic drugs;
  - b. hallucinogenic drugs;
  - c. amphetamines;
  - d. barbiturates;
  - e. marijuana;
  - f. synthetic stimulants, such as MDPV and mephedrone (e.g., “bath salts”), and synthetic cannabinoids (e.g., “Spice,” “K2”);
  - g. any alcoholic beverage, malt beverage, fortified or unfortified wine, or other intoxicating liquor;
  - h. any chemicals, substances or products procured or used with the intention of bringing about a state of exhilaration or euphoria or of otherwise altering the student’s mood or behavior;
  - i. any substance containing cannabidiol (CBD) or tetrahydrocannabinol (THC), regardless of whether it constitutes a controlled substance under state or federal law.

2. Students also are prohibited from possessing, using, selling, delivering, or manufacturing counterfeit (fake) drugs. Students may not participate in any way in the selling or transmitting of prohibited substances, regardless of whether the sale or transmission ultimately occurs on school property.
3. Students are prohibited from possessing, using, selling, delivering, or manufacturing drug paraphernalia, including but not limited to rolling papers, roach clips, lighters, matches, vaping devices, vape liquid containers, pipes, syringes, and other delivery devices for prohibited substances.
4. Students are prohibited from possessing, using, selling, delivery, or sharing prescription or over-the-counter drugs, except in accordance with policy 6125, Administering Medicines to Students. A student who possess or uses a prescription or over-the-counter drug in accordance with policy 6125 does not violate this policy.
5. A student is not in violation of this policy for being under the influence of a prohibited substance following its proper use as a medication lawfully prescribed for the student by a licensed health care practitioner.
6. Students may not participate in any way in the selling or delivering of prohibited substances, regardless of whether the sale or delivery ultimately occurs on school property.
7. The principal may authorize lawful use of substances that are otherwise prohibited by this policy for legitimate curriculum-related purposes, such as the use of matches or lighters in approved chemistry or other school projects.

## **B. Consequences**

As required by policy 4335, Criminal Behavior, the principal must report to the appropriate law enforcement agency any student who has used or possessed a controlled substance in violation of law while on school property.

The disciplinary consequences for violations of this policy will be consistent with Section D of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of this policy.

Legal References: G.S. 18B-301; 20-11(n1); ch.90 art. 5 and art. 5B; 115C-47, -276, -288, -307, -390.2, 115C-81(a3), -407.

Cross References: Student Behavior Policies (policy 4300), Criminal Behavior (policy 4335), Administering Medicines to Students (policy 6125)

Replaces Policy 470

**History of Policy 470**

Adopted: August 6, 1992

Revised: December 9, 1993

Revised: June 2, 1994

Revised: December 6, 2010

NCSBA wording and revisions replacing Policy 470 were adopted: May 2, 2013

Revised: January 16, 2020

October 1, 2020