

THE HOWARD COUNTY PUBLIC SCHOOL SYSTEM
10910 Clarksville Pike
Ellicott City, Maryland 21042

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Assistant Superintendent for Administrative Affairs

Policy Update

To: All Staff

From: Karalee Turner-Little
Assistant Superintendent for Administrative Affairs

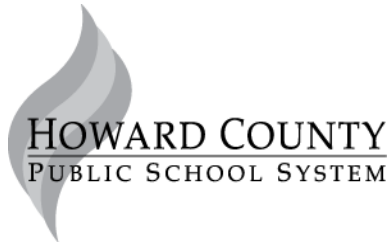
On May 3, 2018, the Superintendent provided to the Board modified implementation procedures to Policy 9230 Alcohol, Other Drugs, Prescription Medication and Over the Counter Products.

The modification to the implementation procedures increases the consistency in the implementation of consequences of possession by reducing the number of suspension days allowable for first offenses and specifying the range for other offenses. It clarifies language throughout for all Policy 9230 related offenses and aligns with COMAR's requirement that expulsion cannot be automatic.

The policy and implementation procedures in their entirety can be accessed on the HCPSS website at <http://www.hcpss.org/board/policies/>.

Thank you for your attention to this update.

KTL/CH/kb
Attachment



**POLICY 9230-IP
IMPLEMENTATION PROCEDURES**

**ALCOHOL, OTHER DRUGS, PRESCRIPTION
MEDICATION AND OVER THE COUNTER
PRODUCTS**

Effective: May 3, 2018

I. Definitions

Within the context of these procedures, the following definitions apply:

- A. Expulsion – The exclusion of a student from the student’s regular school program for 45 school days or longer as determined by the Superintendent/Designee. Expulsion may occur when the Superintendent/Designee has determined that the student’s return to school prior to the completion of the expulsion period would pose an imminent threat of serious harm to other students, staff, or others.
- B. Imminent Threat of Serious Harm – Likely or immediate danger of adverse and significant impact on physical or emotional well-being.
- C. Suspension – The denial of a student’s right to attend regular classes or school for a specified period of time for cause. Suspension includes extended suspension, in-school suspension, short-term suspension, or long-term suspension.
 - 1. In-School Suspension – The removal of a student from the student's current education program, for up to but not more than 10 school days in one school year, for disciplinary reasons by the principal to another location within the school building.
 - 2. Short-Term Suspension – The removal of a student from school for up to but not more than 3 school days for disciplinary reasons as determined by the principal.
 - 3. Long-Term Suspension – The removal of a student from school for between 4–10 school days for disciplinary reasons as determined by the principal.
 - 4. Extended Suspension – The exclusion of a student from school for between 11 and 45 school days for disciplinary reasons as determined by the Superintendent/Designee.

II. Notification

- A. The principal will annually notify all students, parents and staff members that alcohol and other drugs are prohibited on school grounds and at school-related activities. Notification may be:

1. Given via an announcement over the public address system at the beginning of the school year and at other times as deemed appropriate.
 2. Published in the school newsletter and/or in student/faculty handbooks, etc.
 3. Posted for students and staff (e.g., on bulletin boards in the main office, teachers' lounge, guidance office and other commonly used areas).
 4. Provided to new students and parents through the registration process.
- B. Middle and high school students will be notified of the provisions of this policy in writing and be asked to acknowledge receipt of such notification with their signature. School-based administrators will monitor the collection of the signed policy forms to ensure that all students have acknowledged awareness and understanding of the policies.
- C. The Superintendent/Designee will:
1. Notify local law enforcement officials of this policy.
 2. Coordinate efforts with local law enforcement officials to:
 - a. Prevent alcohol and other drug use by students.
 - b. Detect policy violations.
 - c. Adopt procedures for reporting policy violations.
 - d. Adopt procedures for investigating suspected policy violations.
 - e. Adopt procedures for seizing and storing confiscated alcohol and other drugs.
 - f. Utilize School Resource Officers (SROs) in support of safe and drug free schools.

III. Intervention and Support

Student Assistance Program (SAP) Procedures

- A. When a student's behavior or performance arouses suspicion that the student might have an alcohol or other drug problem, a staff member will:
1. Obtain a referral form from the Student Support Team (SST), Instructional Intervention Team (IIT) or Student Assistance Program (SAP).
 2. Record on the form those observations of student behavior and performance that aroused concern.
 3. Return the form in a confidential envelope to the school's IIT or SST chairperson.
- B. Once the IIT or SST chairperson has received the referral form, its members will:
1. Assign a case manager.
 2. Collect data on the Observation Checklist from all staff who know the student of concern.
 3. Combine the collected data on the Combination Observation Checklist.

4. Contact the parent(s) to present the data. The Howard County Health Department Substance Abuse Counselor, as a designated school official, may be contacted to meet with the parents to share data.
5. Offer the parent a referral for a free assessment from the Howard County Health Department.
6. Follow-up with the parent through the IIT or SST to determine what additional support is needed.

IV. Violation of Policy – Investigation

- A. Health issues should be addressed immediately if a student is suspected of being under the influence or suspected of drug-induced illness or unconsciousness. All staff are required to report the suspicion immediately to the health room and administrator. If appropriate, the administrator will first escort the student to the health room for an Howard County Public School System (HCPSS) screening assessment. Nurses and health assistants will follow the HCPSS-SAP procedures.
- B. A school administrator will promptly investigate any alleged violation of this policy. The student will be given due process and may be subject to a search.
- C. If, at the conclusion of the investigation, the school administrator finds that there has been a violation of this policy, consequent action will be in accordance with the provisions in §V., as well as Policy 9200 Discipline, and the Howard County Student Code of Conduct.

V. Consequences

- A. Possession and/or Use (including constructive possession) of Alcohol or Other Drugs (including drug paraphernalia such as but not limited to, rolling papers, bong, pipes, mason jars, dryer sheets, metal boxes with drilled holes, baggies, lipstick dispensers, needles, razor blades).
 1. First Offense
 - a. Suspension for not more than ten (10) school days.
 - b. A school administrator may consider the assignment of a lesser consequence than suspension if the paraphernalia did not contain any residue of drugs or alcohol.
 - c. Exclusion from attendance at, participation in and practice for all extracurricular and school-related activities for no less than 10 school days. After the exclusionary period, students may participate in tryouts for athletics up until the date specified that rosters are to be submitted to the Office of Athletics. For all other extracurricular activities, students may participate in tryouts up until final selection is determined.

Exclusion from commencement exercises is only applicable if commencement occurs during the suspension from school.

- d. Participation in a parent/guardian-student conference with a school administrator prior to the conclusion of the suspension.
- e. Mandatory assessment, counseling and/or education through a licensed addictions program or a state-certified addictions counselor. The student must provide documentation from the provider of his/her appointment or participation in the assessment during the period of suspension. Failure to provide such documentation will result in an extension of the original suspension and the student's being excluded from school and attendance at, participation in and practice for all extra-curricular and school-related activities for up to thirty (30) school days or until certification is provided to the school administrator or Superintendent/Designee.
- f. Referral to Student Services for follow-up contact with the student and parent/guardian, including the monitoring of the student's participation in the mandatory assessment, as well as his/her appointment or continued participation in and/or satisfactory completion of any prescribed treatment plan. A student who fails to provide documentation of his/her continued participation in or completion of a prescribed treatment plan is subject to exclusion from school and attendance at, participation in and practice for all extracurricular and school-related activities until documentation is provided for up to thirty (30) school days.

2. Second Offense

- a. Referral to the Superintendent/Designee for an extended suspension of eleven (11) – forty-five (45) school days.
- b. Suspension from attendance at, participation in and practice for all extracurricular and school-related activities for the period of the suspension. However, exclusion from commencement exercises is only applicable if commencement occurs during the suspension from school.
- c. Participation in a parent/guardian-student conference with a school administrator prior to the conclusion of the suspension.
- d. Mandatory assessment, counseling and/or education through a licensed addictions program or a state-certified addictions counselor. The student must provide documentation from the provider of his/her appointment or participation in the assessment during the period of the suspension. Failure to provide such documentation will result in an extension of the original suspension and the student's being excluded from school and attendance at, participation in and practice for all extra-curricular and school-related activities until certification is provided to the school

- administrator or Superintendent/Designee for up to thirty (30) school days.
- e. Referral to Student Services for follow-up contact with the student and parent/guardian, including the monitoring of the student's participation in the mandatory assessment, as well as his/her appointment or continued participation in and/or satisfactory completion of any prescribed treatment plan. A student who fails to provide documentation of his/her continued participation in or completion of a prescribed treatment plan is subject to exclusion from school and attendance at, participation in and practice for all extracurricular and school-related activities until documentation is provided for up to 30 school days.
3. Third or subsequent Offense – Referral to the Superintendent/Designee for an extended suspension of eleven (11) – forty-five (45) school days or expulsion.
- a. Suspension from attendance at, participation in and practice for all extracurricular and school-related activities for the period of suspension or expulsion. However, exclusion from commencement exercises is only applicable if commencement occurs during the suspension or exclusion from school.
 - b. Participation in a parent/guardian-student conference with a school administrator prior to the conclusion of the suspension or expulsion.
 - c. Mandatory assessment, counseling and/or education through a licensed addictions program or a state-certified addictions counselor. The student must provide documentation from the provider of his/her appointment or participation in the assessment during the period of the suspension. Failure to provide such documentation will result in an extension of the original suspension and the student's being excluded from school and attendance at, participation in and practice for all extra-curricular and school-related activities until certification is provided to the school administrator or Superintendent/Designee for up to thirty (30) school days.
 - d. Referral to Student Services for follow-up contact with the student and parent/guardian, including the monitoring of the student's participation in the mandatory assessment, as well as his/her appointment or continued participation in and/or satisfactory completion of any prescribed treatment plan. A student who fails to provide documentation of his/her appointment or continued participation in or completion of a prescribed treatment plan is subject to exclusion from school and attendance at, participation in and practice for all extracurricular and school-related activities until documentation is provided for up to 30 school days.

- B. Possession and/or use of Prescription Medication and Over-the-Counter Products in the absence of or inconsistent with a written medication order.
1. First Offense
 - a. Suspension for not more than ten (10) school days.
 - b. A school administrator may consider the assignment of a lesser consequence than suspension if the following conditions are met:
 - i. The medication or over-the-counter product can be clearly identified (e.g., is in a pharmacy or manufacturer-labeled container/original packaging); and
 - ii. The administrator can verify that the student does in fact have a current prescription for the medication or that the student's parent has authorized the use of the over-the-counter product; and
 - iii. The prescription medication or over-the-counter product, if used by the student, was taken in accordance with the current prescription written for the student or with guidelines recommended by the manufacturer of the over-the-counter product. School administrators may contact Poison Control or the Health Services Office with questions regarding the identification, appropriate use and potential effects of prescription medications and over-the-counter products.
 - c. Any consequences assigned to the student must include a parent/guardian-student conference regarding requirements for the administration of prescription medication and over-the-counter products to students.
 2. Second Offense
 - a. Consequences for a second offense will be assigned in accordance with §V.A.2.
 - b. A school administrator may consider the assignment of the following consequences if the conditions contained in §V.B.1.b. were met in reviewing a first offense and the administrator assigned a lesser consequence than suspension:
 - i. Suspension for not more than ten (10) school days.
 - ii. Exclusion from attendance at, participation in, and practice for all extracurricular and school-related activities over the course of the suspension. After the exclusionary period, students may participate in tryouts for athletics up until the date specified that rosters are to be submitted to the Office of Athletics. For all other extracurricular activities, students may participate in tryouts up until final selection is determined. Exclusion from commencement exercises is only

- applicable if commencement occurs during the suspension from school.
- iii. Participation in a parent/guardian-student conference with a school administrator prior to the conclusion of the suspension.
 - iv. Mandatory assessment, counseling and/or education through a licensed addictions program or a state-certified addictions counselor. The student must provide documentation from the provider of his/her appointment or participation in the assessment. Failure to provide such documentation will result in an extension of the original suspension and the student's being excluded from school and attendance at, participation in and practice for all extra-curricular and school-related activities or until certification is provided to the school administrator or Superintendent/Designee for up to thirty (30) school days.
 - v. Referral to Student Services for follow-up contact with the student and parent/guardian, including the monitoring of the student's participation in the mandatory assessment, as well as his/her continued participation in and/or satisfactory completion of any prescribed treatment plan. A student who fails to provide documentation of his/her appointment or continued participation in or completion of a prescribed treatment plan is subject to exclusion from school and attendance at, participation in and practice for all extracurricular and school-related activities until documentation is provided for up to thirty (30) school days.
- c. Any consequences assigned to the student must include a parent/guardian-student conference regarding requirements for the administration of prescription medication and over-the-counter products to students.
3. Consequences for third and any subsequent offenses will be assigned consequences in accordance with §V.A.3.
- C. Intent to Distribute and/or Distribution of Alcohol, Other Drugs, or Prescription Medication
1. First Offense
 - a. Referral to the Superintendent/Designee for an extended suspension of eleven (11) – forty-five (45) school days, or expulsion.
 - b. For students not expelled
 - i. Suspension from attendance at, participation in, and practice for all extracurricular and school-related activities for the period of the suspension.

- ii. Participation in a parent/guardian-student conference with a school administrator prior to the conclusion of the suspension.
 - iii. Mandatory assessment, counseling and/or education through a licensed addictions program or a state-certified addictions counselor. The student must provide documentation from the provider of his/her appointment or participation in the assessment. Failure to provide such documentation will result in an extension of the original suspension and the student's being excluded from school and attendance at, participation in and practice for all extra-curricular and school-related activities until certification is provided to the school administrator or Superintendent/Designee for up to 30 school days.
 - iv. Referral to Student Services for follow-up contact with the student and parent/guardian, including the monitoring of the student's participation in the mandatory assessment, as well as his/her appointment or continued participation in and/or satisfactory completion of any-prescribed treatment plan. A student who fails to provide documentation of his/her continued participation in or completion of a prescribed treatment plan is subject to exclusion from school and attendance at, participation in and practice for all extracurricular and school-related activities until documentation is provided for up to thirty (30) school days.
- c. Consequences assigned to a student for an offense involving prescription medication, must include a parent/guardian-student conference regarding requirements for the administration of prescription medication and over-the-counter products to students.
2. Second or Subsequent Offense
- a. Referral to the Superintendent/Designee for an extended suspension of forty-five (45) days or expulsion.
 - b. For students not expelled
 - i. Suspension from attendance at, participation in and practice for all extracurricular and school-related activities for the period of the suspension.
 - ii. Participation in a parent/guardian-student conference with a school administrator prior to the conclusion of the suspension.
 - iii. Mandatory assessment, counseling and/or education through a licensed addictions program or a state-certified addictions counselor. The student must provide documentation from the provider of his/her appointment or participation in the assessment. Failure to provide such documentation will result in an extension of the original suspension and the student's being excluded from school and attendance at, participation in and practice for all extra-

curricular and school-related activities until certification is provided to the school administrator or Superintendent/Designee for up to 30 school days.

- iv. Referral to Student Services for follow-up contact with the student and parent/guardian, including the monitoring of the student's participation in the mandatory assessment, as well as his/her appointment or continued participation in and/or satisfactory completion of any-prescribed treatment plan. A student who fails to provide documentation of his/her continued participation in or completion of a prescribed treatment plan is subject to exclusion from school and attendance at, participation in and practice for all extracurricular and school-related activities until documentation is provided for up to thirty (30) school days.

D. Intent to Distribute and/or Distribution Over-the-Counter Products

1. First Offense

- a. A school administrator may consider the assignment of a lesser consequence than suspension if the student distributes an over-the-counter product and that product can be clearly identified (e.g., is in manufacturer-labeled container/original packaging). School administrators may contact Poison Control of the Health Services Office with questions regarding the identification, appropriate use and potential effects of over-the-counter products.
- b. If the condition above is not met, the administrator will make a request to the Superintendent/Designee for an extended suspension of eleven (11) – forty-five (45) school days.
- c. Any consequences assigned to the student must include a parent/guardian-student conference regarding requirements for the administration of prescription medication and over-the-counter products to students.

2. Second and Subsequent Offenses

- a. Referral to the Superintendent/Designee for an extended suspension of eleven (11) – forty-five (45) school days, or expulsion.
- b. For students not expelled
 - i. Suspension from attendance at, participation in, and practice for all extracurricular and school-related activities for the period of the suspension.
 - ii. Participation in a parent/guardian-student conference with a school administrator prior to the conclusion of the suspension.

- iii. Mandatory assessment, counseling and/or education through a licensed addictions program or a state-certified addictions counselor. The student must provide documentation from the provider of his/her appointment or participation in the assessment. Failure to provide such documentation will result in an extension of the original suspension and the student's being excluded from school and attendance at, participation in and practice for all extra-curricular and school-related activities until certification is provided to the school administrator or Superintendent/Designee for up to 30 school days.
 - iv. Referral to Student Services for follow-up contact with the student and parent/guardian, including the monitoring of the student's participation in the mandatory assessment, as well as his/her appointment or continued participation in and/or satisfactory completion of any-prescribed treatment plan. A student who fails to provide documentation of his/her continued participation in or completion of a prescribed treatment plan is subject to exclusion from school and attendance at, participation in and practice for all extracurricular and school-related activities until documentation is provided for up to thirty (30) school days.
- c. Consequences assigned to a student for an offense involving prescription medication, must include a parent/guardian-student conference regarding requirements for the administration of prescription medication and over-the-counter products to students.

VI. Confidentiality of Student Records

Provisions to protect student rights to confidentiality of information regarding their use of alcohol and other drugs include:

- A. Maintaining as few education records as possible.
- B. Identifying students on certain sensitive, confidential records by first name and last initial.
- C. Disposing of records when they are no longer useful in accordance with procedures set forth in COMAR 13A.08.02.05 (Retention, Disposition and Destruction of Student Records), 13A.08.02.06 (Review and Updating), and other applicable law.

Note: When generating records as a result of providing assistance to students having problems in school due to alcohol or other drug abuse, care should be taken to consider all such records as confidential. It is important to note that there is neither a requirement to record a confidential conference between a student and a staff member on any education record nor a legal duty to notify parents regarding such a conference. Staff members may wish to note confidential

conferences in personal notes. Personal notes are not considered part of the student's education records. They are subject to inspection if they are shared with anyone else or used in decision making. In all cases, they may be subject to disclosure with a subpoena.

VII. History

ADOPTED: September 23, 2004

REVIEWED: July 1, 2011

MODIFIED: August 14, 2014

June 8, 2017

May 3, 2018

REVISED: August 26, 2004

May 12, 2005

January 12, 2006

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