

CHANGES TO REGULATION 400-86

Disciplinary Consequences for
Alcohol, Tobacco, Drugs and
Drug Paraphernalia Offenses

Impact on Student-Athletes

Spring 2011

Regulation 400-86

- Regulation for Student Athletes-
Disciplinary Consequences for Alcohol,
Tobacco, Drugs and Drug Paraphernalia
Offenses
- This regulation was rescinded on
December 8, 2010.

Regulation 400-86

- Although rescinded, this regulation remains in full effect through February 28, 2011.
- The Board of Education approved the change to be effective March 1, 2011 so that:
 - FCPS avoids creating confusion with athletic teams regarding two sets of rules after the season had begun
 - FCPS staff has time to make changes to necessary documents, train staff, and provide notice to parents/students.

Regulation 400-86

- All penalties imposed by schools prior to the 12:01 AM March 1, 2011 deadline apply.
- Consequences are to be served even if they start or continue after March 1, 2011.

Regulation 400-8

- After February 28, 2010 Regulation 400-86 is no longer in existence.
- All violations for alcohol, tobacco, and drugs fall under Regulation 400-8 and appropriate penalties apply as contained in this regulation.

Regulation 400-8

- Students will be subject to the established disciplinary regulations for any incident occurring on any property owned by the Frederick County Public School system before, during, and after school hours and also while attending school sponsored activities on or off school property.

Regulation 400-8

- Students may also be disciplined for possessing prohibited items in vehicles located on school property.

Regulation 400-8

- School administrators have the responsibility for taking action based upon their knowledge of the facts of the incident and the needs of the student.
- Some offenses may be considered criminal. Appropriate legal authorities would need to be informed.

Regulation 400-8

Drugs, Narcotics, Controlled Dangerous Substances, Inhalants, or Alcohol

- ** Possession, use, being under the influence to any degree, or being party to an actual or attempted transaction of any of the substances which are or have the appearance of drugs (prescription or non-prescription used outside of their legal medical purposes); narcotics; controlled dangerous substances; drug paraphernalia; inhalants; or alcohol. Steroids are considered a drug.
- NOTE: ATHLETES/STUDENT LEADERS ARE INELIGIBLE TO PARTICIPATE IN PRACTICES AND/OR SCHEDULED ACTIVITIES DURING THE SUSPENSION PERIOD.
- 5 Days Suspension to Expulsion

Regulation 400-8

Sniffing or Inhaling Harmful Substances

- The deliberate sniffing or inhaling of substances releasing toxic vapors which cause intoxication, excitement, or dulling of the brain or nervous system.
- 5 Days Suspension to Expulsion

Regulation 400-8

Alcohol

- Possession, use, or being under the influence to any degree of any alcoholic product.
- NOTE: ATHLETES/STUDENT LEADERS ARE INELIGIBLE TO PARTICIPATE IN PRACTICES AND/OR SCHEDULED ACTIVITIES DURING THE SUSPENSION PERIOD.
- 5 Days Suspension to Expulsion

Regulation 400-8

Distribution

- Dispensing, conspiring, or packaging to dispense, with or without the exchange of money, drugs, narcotics, controlled dangerous substances, drug paraphernalia, inhalants, alcohol, or any substance having the appearance of these items.
- Extended Suspension to Expulsion

Regulation 400-8

Tobacco

- Possession or use of any type of tobacco product.
- Tobacco products include, but are not limited to, any substance containing tobacco, including cigarettes, cigars, smoking tobacco, snuff, chewing tobacco, or smokeless tobacco.
- 1st Offense: Mandatory Parent Conference and referral to Health Department for Tobacco Education Program.
- 2nd Offense: Tobacco citation by SRO. Letter home to parent with notification to school nurse. Student must meet with school nurse for tobacco health consultation.

Regulation 400-8

Tobacco (continued)

- 3rd Offense: Tobacco citation by SRO
- 4th or Subsequent Offense: Tobacco citation by SRO. Disciplined for continued willful disobedience.
- NOTE: ATHLETES/STUDENT LEADERS ARE INELIGIBLE TO PARTICIPATE IN PRACTICES AND/OR SCHEDULED ACTIVITIES DURING THE SUSPENSION PERIOD.

Regulation 400-8

SPECIAL EDUCATION STUDENTS

- Special education students are disciplined in accordance with provisions of federal law.

SCHOOLS

- Schools cannot create their own drug, alcohol, tobacco policy that is different from Regulation 400-8.
- After February 28, 2011, schools should not be investigating alcohol, drug, and tobacco issues that occur off campus unless
 - the reported actions are carried onto school campuses or
 - are part of violent offenses as defined by Regulation 400-60.

COACHES

- Coaches continue to have discretion to establish team rules that serve the best interest of the team.
- Elimination of Regulation 400-86 does not eliminate the coaches' continued discretion to impose penalties for alcohol, drug, and tobacco in addition to the penalties imposed by the school administration under Regulation 400-8 provided:
 - i. Such penalties serve the best interest of the team.
 - ii. Such penalties are appropriately communicated to parents and athletes in advance from the beginning of the sports season.
 - iii. Such penalties are approved by the administration

COACHES (CONTINUED)

- Coaches continue to have the discretion to impose penalties for violations on or off campus provided:
 - i. Student athletes are made aware of the violation.
 - ii. The penalties are imposed in the best interest of the team.
 - iii. The penalties are appropriately communicated to athletes and parents in advance, from the beginning of the sports season.
 - iv. The penalties are approved by the administration