



Book	Policy Manual
Section	200 Pupils
Title	Controlled Substances/Paraphernalia
Code	227
Status	Active
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### **Purpose**

The Board recognizes that the abuse of controlled substances is a serious problem with legal, physical and social implications for the whole school community. As an educational institution, the schools shall strive to prevent abuse of controlled substances.

### **Definition**

For purposes of this policy, **controlled substances** shall include all:[1][23]

1. Controlled substances prohibited by federal and state laws.
2. Look-alike drugs.
3. Alcoholic beverages.
4. Anabolic steroids.
5. Drug paraphernalia.
6. Any volatile solvents or inhalants, such as but not limited to glue and aerosol products.
7. Substances that when ingested cause a physiological effect that is similar to the effect of a controlled substance as defined by state or federal laws.
8. Prescription or over-the-counter drugs, such as aspirin, Motrin, Advil, cough syrup, etc., except those for which permission for use in school has been granted pursuant to Board policy.[2]

For purposes of this policy, **under the influence** shall include any consumption or ingestion of controlled substances by a student.

For purposes of this policy, **look-alike drug** shall include any pill, capsule, tablet, powder, plant matter or other item or substance that is designed or intended to resemble a controlled substance prohibited by this policy, or is used in a manner likely to induce others to believe the material is a controlled substance.

For purposes of this policy, paraphernalia shall include all utensils or items, which in the judgment of the School District, are used, intended for use or designated for use to conceal, distribute, inject, ingest, package, smoke, store or use as a controlled substance or alcohol.

### **Authority**

The Board prohibits students from using, possessing, distributing, and being under the influence of any controlled substances during school hours, at any time while on school property, at any school-sponsored activity, and during the time spent traveling to and from school and school-sponsored activities.[3][4][5]

The Board may require a student who has violated this policy to participate in drug counseling, rehabilitation, testing or other programs as a condition of reinstatement into the school's educational, extracurricular or athletic programs.[6][7][8][9]

In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.

### **Off-Campus Activities**

This policy shall also apply to student conduct that occurs off school property and would otherwise violate the Code of Student Conduct if any of the following circumstances exist:[10]

1. The conduct occurs during the time the student is traveling to and from school or traveling to and from school-sponsored activities, whether or not via school district furnished transportation.
2. The student is a member of an extracurricular activity and has been notified that particular off-campus conduct could result in exclusion from such activities.[11][12]
3. Student expression or conduct materially and substantially disrupts the operations of the school, or the administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of the school.
4. The conduct has a direct nexus to attendance at school or a school-sponsored activity, for example, a transaction conducted outside of school pursuant to an agreement made in school, that would violate the Code of Student Conduct if conducted in school.
5. The conduct involves the theft or vandalism of school property.
6. There is otherwise a nexus between the proximity or timing of the conduct in relation to the student's attendance at school or school-sponsored activities.

### **Delegation of Responsibility**

The Superintendent or designee shall prepare rules for the identification, and control of substance abuse in the schools which:

1. Establish procedures to appropriately manage situations involving students suspected of using, possessing, being under the influence, or distributing controlled substances.[13][16][24]
2. Disseminate to students, parents/guardians and staff the Board policy and district procedures governing student abuse of controlled substances.
3. Provide education concerning the dangers of abusing controlled substances.

4. Establish procedures for education and readmission to school of students convicted of offenses involving controlled substances.

### **Guidelines**

Violations of this policy may result in disciplinary action up to and including expulsion and referral for prosecution.[10][15]

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents involving possession, use or sale of controlled substances on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.[13][16][17][18][19]

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving possession, use or sale of controlled substances as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[17][20]

In accordance with state law, the Superintendent shall annually, by July 31, report all incidents of possession, use or sale of controlled substances to the Office for Safe Schools.[16]

In all cases involving students and controlled substances, the need to protect the school community from undue harm and exposure to drugs shall be recognized.

No student may be admitted to a program that seeks to identify and rehabilitate the potential abuser without the intelligent, voluntary and aware consent of the student and parent/guardian.

### **Anabolic Steroids**

The use of anabolic steroids by students involved in school-related athletics is prohibited, except for a valid medical purpose. Bodybuilding and muscle enhancement, increasing muscle bulk or strength, or the enhancement of athletic ability are not valid medical purposes. Human Growth Hormone (HGH) shall not be considered an anabolic steroid for purposes of this policy.[21]

### **Reasonable Suspicion/Testing**

If, based on the student's behavior, medical symptoms, vital signs or other observable factors, the building principal has reasonable suspicion that the student is under the influence of a controlled substance, the student may be required to submit to drug or alcohol testing. The testing may include but is not limited to the analysis of blood, urine, saliva, or the administration of a Breathalyzer test.

## Legal

1. 35 P.S. 780-102
2. Pol. 210
3. 24 P.S. 510
4. 24 P.S. 511
5. 22 PA Code 12.3
6. 22 PA Code 10.23
7. 20 U.S.C. 1400 et seq
8. Pol. 103.1
9. Pol. 113.2
10. Pol. 218
11. Pol. 122
12. Pol. 123
13. 24 P.S. 1302.1-A
15. Pol. 233
16. 24 P.S. 1303-A
17. 22 PA Code 10.2
18. 22 PA Code 10.21
19. 22 PA Code 10.22
20. 22 PA Code 10.25
21. 35 P.S. 807.1
22. 35 P.S. 807.2
23. 21 U.S.C. 812
24. 42 Pa. C.S.A. 8337
- 20 U.S.C. 7114
- 20 U.S.C. 7161
- 21 U.S.C. 801 et seq
- 22 PA Code 403.1
- 34 CFR Part 300
- 35 P.S. 780-101 et seq
- 35 P.S. 807.1 et seq
- Pol. 000
- Pol. 210.1
- Pol. 805