

EASTON AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: CONTROLLED SUBSTANCES/
PARAPHERNALIA

ADOPTED: August 22, 2005

REVISED: July 17, 2008
March 24, 2011
June 18, 2013

| 227. CONTROLLED SUBSTANCES/PARAPHERNALIA | |
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| 1. Purpose | <p>The Board recognizes that the unauthorized use of controlled substances has an adverse effect on the ability of all members of the school community to achieve personal and school district goals, and 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 the unauthorized use of controlled substances so that students may develop in a productive and healthy manner.</p> <p>This policy shall extend student assistance services accompanied with interventions to students while complying with state laws for the protection of all students and staff.</p> |
| 2. Definition 35 P.S. Sec. 780-102 21 U.S.C. Sec. 812 | <p>For purposes of this policy, controlled substances shall include all:</p> <ol style="list-style-type: none"> 1. Controlled substances prohibited by federal and state law. 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. |
| Pol. 210 | <ol style="list-style-type: none"> 7. Prescription or patent drugs, except those for which permission for use in school has been granted pursuant to Board policy. |
| Pol. 222 | <ol style="list-style-type: none"> 8. Substances that when ingested cause a physiological effect that is similar to the effect of a controlled substance as defined by state or federal law, such as but not limited to herbal incense or other products containing synthetic cannabinoids. |

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| <p>Pol. 210</p> | <p>Examples of the above include, but are not limited to, beer, wine, liquor, anabolic steroids, non-anabolic steroids, marijuana, hashish, cocaine, chemical solvents, glue, look-alike substances, K-2, Spice, look-alike substances, and any capsules or pills not registered with the nurse, annotated within the student's health record, and/or taken in accordance with Board policy for the administration of medication to students in school.</p> |
| <p>3. Authority SC 510, 511 Title 22 Sec. 12.3</p> | <p>For purposes of this policy, under the influence shall include any consumption or ingestion of controlled substances by a student. A determination that a student is under the influence may be established by a student's admission of use of alcohol and/or a controlled substance; professional medical opinion; a scientifically-valid test; or the opinion of a school administrator or school nurse based upon commonly recognizable facts evidencing alcohol and/or controlled substance usage.</p> |
| <p>3. Authority SC 510, 511 Title 22 Sec. 12.3</p> | <p>The Board prohibits students from using, possessing, distributing, and being under the influence of any controlled substances during school hours, on school property, at any school-sponsored activity, and during the time spent traveling to and from school and school-sponsored activity privileges (including student spectators).</p> <p>The Board may require participation in drug counseling, rehabilitation, testing or other programs as a condition of reinstatement into the school's educational, extracurricular or athletic programs resulting from violations of this policy.</p> <p><u>Off-Campus Activities</u></p> |
| <p>Pol. 218</p> | <p>This policy shall also apply to student conduct that occurs off school property and would violate the Code of Student Conduct if:</p> <ol style="list-style-type: none"> 1. There is a nexus between the proximity and timing of the conduct in relation to the student's attendance at school or school-sponsored activities. |
| <p>Pol. 122, 123</p> | <ol style="list-style-type: none"> 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. 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, such as a transaction conducted outside of school pursuant to an agreement made in school that would violate the student Code of Conduct if conducted in school. |

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| <p>4. Delegation of Responsibility</p> <p>SC 1302.1-A, 1303-A 42 Pa. C.S.A. Sec. 8337 Pol. 218, 233</p> | <p>5. The conduct involves the theft or vandalism of school property.</p> <p>The Superintendent or designee shall prepare rules for the identification and control of substance abuse in the schools which:</p> <ol style="list-style-type: none"> 1. Establish procedures to deal with students suspected of using, possessing, being under the influence, or distributing controlled substances in school, up to and including expulsion and referral for prosecution. 2. Disseminate to students, parents/guardians and staff 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. |
| <p>5. Guidelines</p> | <p>SC 1303-A</p> <p>Incidents of possession, use and sale of controlled substances, including alcohol, by any person on school property shall be reported to the Office of Safe Schools on the required form at least once each year.</p> <p>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.</p> <p>No student may be admitted to a district program that seeks to identify and rehabilitate the potential abuser without the intelligent, voluntary and aware consent of the student and parent/guardian.</p> <p>This policy will be implemented through the cooperative efforts of the faculty and staff, administration, school employee groups, students, parents/guardians, and community agencies of the district.</p> <p><u>Student Assistance Program (SAP)</u></p> <p>A Student Assistance Program shall be operated for the purpose of providing students with early intervention for problems with controlled substances that occur during or after school hours. This applies to on-campus and off-campus activities.</p> |

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| <p>Pol. 122, 123</p> | <p>The individual student, a concerned peer or a staff member may make referrals. Referrals are confidential and a pre-assessment process may be implemented. The SAP team shall assess behavioral patterns noted by teachers or others, determine whether further review is necessary, and subsequently initiate appropriate action if appropriate.</p> <p>Student Assistance Program (SAP) procedures shall be developed by the district and will be disseminated in student handbooks.</p> <p><u>Suspension From Extracurricular Activities/Interscholastic Athletics</u></p> <p>The building administrator shall determine the appropriate suspension from extracurricular activities and athletics for any student who is found to be under the influence during school, on school grounds, at a school-sponsored event/activity, while utilizing district transportation or during transportation to or from school or a school-sponsored event/activity. This suspension shall be for the same period of the suspension from school plus the amount of time that is required for a student who is found to be under the influence off campus, as set forth below. Thus, for a first offense, the student would be suspended from an activity/athletic program, as delineated, below, for the period of the school suspension, plus an additional twenty-eight (28) calendar days.</p> <p>Any district student reported of violating the Board policy on unauthorized drug or alcohol use off campus, where such report is based on reasonable suspicion, will be subject to the following guidelines. Reasonable suspicion must be in evidence, which may include, but is not limited to police engagement, breathalyzer tests, blood tests, arrest or conviction, or photographic/video evidence. The following guidelines shall also apply to any student who admits to unauthorized drug or alcohol use off campus.</p> <p>First Offense: The student will be placed in a probationary program of twenty-eight (28) calendar days in duration. During this time participation in extracurricular activities will be permitted, but the student may not participate in activities such as but not limited to games, contests, performances, or concerts.</p> <p>Second Offense: The student will be suspended from all extracurricular activities for sixty (60) calendar days from the date the incident is verified. During this time, the student may not participate in any extracurricular activities including but not limited to practices, games, contests, performances, or concerts.</p> |
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| | <p>Third Offense: The student will be suspended from all extracurricular activities for one (1) calendar year from the date the incident is verified. During this time, the student may not participate in any extracurricular activities including but not limited to practices, games, contests, performances, or concerts.</p> <p>Fourth Offense: The student will be permanently prohibited from all extracurricular activities for the remainder of the student’s years in the school district.</p> <p>No student shall be suspended from extracurricular activities until his/her building principal has verified that the student is in violation of this policy.</p> <p>In addition to the consequences for violations of this policy, counseling may also be mandated for return to regular participation in extracurricular activities.</p> <p>In all instances, the building principal shall submit a written report notifying the Director of Pupil Services of such infractions and the resulting consequences.</p> <p><u>Drug-Sniffing Dogs</u></p> |
| <p>Pol. 226</p> | <p>The building principal or designee may request the use of certified drug-sniffing dogs through the local police department for the purpose of conducting searches for controlled substances.</p> |
| <p>35 P.S. Sec. 807.1</p> | <p><u>Prohibition Of Performance-Enhancing Substances</u></p> <p>The Board prohibits the use of performance enhancing substances by students involved in school-related athletics, except for a valid medical purpose. Body building and muscle enhancement of athletic ability are not valid medical purposes. Human Growth Hormone (HGH) shall not be included as a performance enhancing substance, but is also prohibited except for a valid medical purpose.</p> |
| <p>35 P.S. Sec. 807.2 Pol. 233</p> | <p>Students shall be made aware of the dangers of using performance enhancing substances; that anabolic steroids are classified as controlled substances; and that their use, unauthorized possession, purchase, or sale could subject students to suspension, expulsion and/or criminal prosecution.</p> |
| <p>35 P.S. Sec. 807.3</p> | <p>The following minimum penalties are prescribed for any student athlete found in violation of the prohibited use of performance enhancing substances:</p> <ol style="list-style-type: none"> 1. For a first violation, suspension from school athletics for the remainder of the season. |

2. For a **second** violation, suspension from school athletics for the remainder of the season and for the following season.

3. For a **third** violation, permanent suspension from school athletics.

No student shall be eligible to resume participation in school athletics after a violation of the prohibition of performance-enhancing substances provision unless a medical determination has been submitted, verifying that no residual evidence of steroids exists.

Reasonable Suspicion/Testing

If based on the student's behavior, medical symptoms, vital signs or other observable factors, the building principal or school nurse has reasonable suspicion that the student is under the influence of alcohol or 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.

Implementation Of The Policy

A designated committee, under the direction of the Director of Pupil Services, will review the policy on a yearly (minimum) basis. A report to the Board will follow this review.

References:

School Code – 24 P.S. Sec. 510, 511, 1302.1-A, 1303-A

State Board of Education Regulations – 22 PA Code Sec. 10.2, 10.21, 10.22, 10.23, 10.25, 12.3, 403.1

PA Controlled Substance, Drug, Device and Cosmetic Act – 35 P.S. Sec. 780-101 et seq.

Steroids – 35 P.S. Sec. 807.1 et seq.

PA Civil Immunity of School Officers/Employees Relating to Drug or Alcohol Abuse – 42 Pa. C.S.A. Sec. 8337

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.

No Child Left Behind Act – 20 U.S.C. Sec. 7114, 7161

Controlled Substances Act – 21 U.S.C. Sec. 801 et seq.

Individuals With Disabilities Education Act, Title 34, Code of Federal
Regulations – 34 CFR Part 300

Board Policy – 000, 103.1, 113.1, 113.2, 122, 123, 210, 210.1, 218, 233, 805