

227. CONTROLLED SUBSTANCES/PARAPHERNALIA - Pg. 2

<p>3. Authority SC 510, 511 Title 22 Sec. 12.3</p> <p>Pol. 218</p>	<p>For purposes of this policy, under the influence shall include any consumption or ingestion of controlled substances by a student.</p> <p>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.</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>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 or timing of the conduct in relation to the student's attendance at school or school-sponsored activities. 2. 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. 3. The conduct has a direct nexus to attendance at school or a school-sponsored activity, such as an agreement to complete a transaction outside of school that would violate the Code of Student Conduct. 4. The conduct involves the theft or vandalism of school property.
<p>4. Delegation of Responsibility</p> <p>42 Pa. C.S.A. Sec. 8337 Pol. 218, 233</p>	<p>The Superintendent or designee shall develop administrative regulations to identify and control 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 the Board policy and administrative regulations governing student abuse of controlled substances. 3. Provide education concerning the dangers of abusing controlled substances.

<p>SC 1303-A</p> <p>5. Guidelines</p> <p>35 P.S. Sec. 807.1</p> <p>35 P.S. Sec. 807.2 Pol. 233</p> <p>35 P.S. Sec. 807.3</p>	<p>4. Establish procedures for education and readmission to school of students convicted of offenses involving controlled substances.</p> <p>Incidents of possession, use and sale of controlled substances 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 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><u>Performance Enhancing Drugs</u></p> <p>The Board prohibits the use of anabolic steroids and Human Growth Hormones (HGH) by students involved in school-related athletics, except for a valid medical purpose pursuant to the order of a physician. Body building and muscle enhancement of athletic ability are not valid medical purposes.</p> <p>Students shall be made aware of the dangers of using performance enhancing drugs; 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>The following minimum penalties are prescribed for any student athlete found in violation of the prohibited use of anabolic steroids:</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. <p>No student shall be eligible to resume participation in school athletics unless a medical determination has been submitted, verifying that no residual evidence of steroids exists.</p>
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<p>Pol. 233</p>	<p><u>Classification/Implementation</u></p> <p><i>Student Seeking Help –</i></p> <p>Every effort shall be made to gain the student’s consent to notify the parents/guardians, or at least consent to referral for treatment.</p> <p>Strict confidentiality shall be maintained; lines of communication between student and confident must be kept open.</p> <p>The student shall be advised that any further use, possession, or transfer of a controlled substance will not be condoned, and that information concerning any such future activity will not be treated confidentially.</p> <p><i>Actual Usage –</i></p> <p>When there is reasonable evidence that a student is under the influence of, or is involved in the use of, a controlled substance and this is his/her first offense, the parents/guardians shall be notified; and the student shall be given a three (3) to ten (10) day suspension from school, depending upon the situation.</p> <p>The student must seek help from any one of the various organizations specializing in this need.</p> <p>At the second offense the parents/guardians shall be notified, and referral shall be made for a mandatory expulsion hearing before the Board. All aspects of due process shall be followed as required by law, and further disciplinary action will be taken if the Board so decides.</p> <p>For habitual offenses, the penalty may be exclusion from school for a period of up to one (1) calendar year or more unless recommendation of the principal provides an alternative. Application for readmission at the conclusion of this period will be reviewed by the Superintendent and/or a designated committee, and a report with a recommendation will be forwarded to the Board.</p> <p><i>Possession Without Actual Usage –</i></p> <p>When a student is found in possession of a controlled substance(s), referral must be made to law enforcement authorities, who will obtain an analysis of such suspected controlled substance(s) and will determine whether an arrest or referral to a judicial agency shall be made.</p>
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Except with look-alike drugs, if the result of the analysis is negative and no further legal action is taken, all records as to the identity of the student shall be destroyed.

If the result of the analysis is positive or look-a-like drugs are involved, steps shall be taken as in actual usage. If analysis is unable to be obtained and student admits to a possession of controlled substance(s), steps will be taken as in actual usage.

Selling Or Buying –

It is not the intent of these regulations to distinguish between a seller and a buyer. However, individual situations may result in such a distinction being made.

Parents/Guardians and the local police shall be notified, and appropriate criminal charges against those involved are to be filed.

In addition, when there is reasonable evidence that a student is guilty of buying or selling, those involved may be excluded from school for a period of up to one (1) calendar year.

Upon request, a periodic review is to be made of an individual case; readmission before the complete calendar year has elapsed may be granted if sufficient evidence exists that rehabilitation has taken place and that further exclusion is detrimental to the welfare of the student.

Application for readmission at any time will be reviewed by the Superintendent and/or a designated committee, and a report with a recommendation will be forwarded to the Board.

Discovery Of A Controlled Substance(s) –

A controlled substance(s) found anywhere on the school premises are to be given promptly to law enforcement authorities; a receipt for same must be obtained from such authorities.

If a staff member discovers the use or sale of drugs, look-alike drugs, controlled substances, alcohol, or contraband during the performance of duties, s/he immediately should move to confiscate the items, identify the students, and seek immediate assistance in an investigation of the matter.

Apprehension By Police For Distributing A Controlled Substance(s) –

If a Fleetwood Area School District youth is apprehended by the police for distributing controlled substance(s), the principal will be notified by the police. S/He in turn will notify the Superintendent.

Suspicion Of Usage –

When a student is suspected of being under the influence of a controlled substance(s), investigation shall take place; the principal/assistant principal and, if necessary, the school nurse shall be called.

Parents/Guardians of a child who is displaying extraordinary behavior shall be apprised of the situation and asked to come to the school. They will decide whether to take the child home, to a physician, or to the hospital. If a parent/guardian cannot be located, the family physician will be contacted; and s/he will be asked to make a recommendation. The principal or assistant principal shall notify the Superintendent. The teachers and counselors will be informed and asked to keep watch on the student in the future.

Before the student returns to school, the parent/guardian must furnish a report as to what caused the extraordinary behavior. In addition, the principal or assistant principal shall hold a conference with the parents/guardians and student. During the conference the student must agree to undergo counseling and/or treatment if a controlled substance(s) was used. A record of the treatments must be furnished to the Superintendent.

References:

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

State Board of Education Regulations – 22 PA Code Sec. 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.

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

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

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

Board Policy – 000, 122, 123, 210, 218, 233