

FOX CHAPEL AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: CONTROLLED SUBSTANCES/
PARAPHERNALIA

ADOPTED: May 10, 2010

REVISED: September 9, 2013

<p>1. Purpose</p> <p>2. Definitions 35 P.S. 780-102 21 U.S.C. Sec. 812</p>	<p style="text-align: center;">227. CONTROLLED SUBSTANCES/PARAPHERNALIA</p> <p>The Board recognizes that the use/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 use/abuse of controlled substances.</p> <p>For purposes of this policy, controlled substances shall mean all controlled substances prohibited by law, look-alike drugs, health endangering compounds, alcoholic or malt beverages, anabolic steroids, drug paraphernalia, any volatile solvents or inhalants, such as but not limited to glue and aerosol products, and prescription or patent drugs, except those for which permission for use in school has been granted pursuant to Board policy. Examples include but are not limited to beer, wine, liquor, marijuana, hashish, crack, cocaine, chemical inhalants, designer drugs and herbs.</p> <p>For purposes of this policy, under the influence shall include any consumption or ingestion of controlled substances (i.e. inhalers) by a student.</p> <p>Drug Paraphernalia - includes any utensil or item which, in the school's judgment, can be associated with the use of controlled substances. Examples include but are not limited to roach clips, pipes, lighters, and bowls.</p> <p>Possession - possess or hold, without any attempt to distribute any controlled substances determined to be illegal or as defined by this policy.</p> <p>Distributing - to deliver, sell, pass, share, or give any controlled substances, as defined by this policy, from one person to another or to aid therein.</p> <p>Student Support Team (SST) - a multidisciplinary team composed of school personnel; teachers, administrators, nurse, counselors, pupil services, home and school visitor, mental health and drug and alcohol liaison. This team, trained to understand and deal with issues of chemical use, abuse and dependency, will</p>
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<p>3. Authority SC 510, 511 Title 22 Sec. 12.3</p> <p>Title 22 Sec. 10.23 20 U.S.C. Sec. 1400 et seq Pol. 103.1, 113.1, 113.2, 805.1</p> <p>Pol. 218</p> <p>Pol. 122, 123</p>	<p>play a primary role in the identification of at-risk behavior, the referral process, coordinating efforts with community resources, and in developing in-school support group and education programs.</p> <p>Student At-Risk - any student who demonstrates behaviors which interfere with his/her ability to function in school.</p> <p>The Board assumes a responsible posture to support the administration and district staff in their commitment to effectively coordinate the efforts of the school with those of the community, family, and law enforcement agencies to educate, prevent, and intervene in the use and abuse of controlled substances by its student population. To accomplish this goal, the school district will provide for the adoption of a coordinated curriculum, community involvement, cooperation with appropriate agencies and the implementation of student support programs.</p> <p>The Board prohibits students from manufacturing, purchasing, using, possessing, selling, distributing, and being under the influence of any controlled substances during school hours, on school property, including lockers, vehicles used to transport students, at designated school bus stops, and at any school-sponsored event whether on or off school property and during the time spent traveling to and from school and school-sponsored activities. The violation of this policy shall be cause for a student to be disciplined as prescribed by Board policy.</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.</p> <p>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.</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. 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.
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<p>4. Delegation of Responsibility 227-AR</p> <p>SC 1302.1-A, 1303-A 42 Pa. C.S.A. Sec. 8337 Pol. 218, 233</p> <p>SC 1303-A</p> <p>5. Guidelines</p>	<p>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.</p> <p>4. 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.</p> <p>5. The conduct involves theft or vandalism of school property.</p> <p>The Superintendent or designee shall develop administrative regulations for the identification, amelioration and control of substance use/abuse in the schools which:</p> <p>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.</p> <p>2. Provide education concerning the dangers of abusing controlled substances.</p> <p>3. Disseminate to students, parents/guardians and staff, the Board policy and administrative regulations governing student use/abuse of controlled substances.</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, 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>This program will be part of the overall code or policy in existence which is intended to promote that total educational process in the Fox Chapel Area School District. Should a situation arise that is not specifically described by this policy, the Superintendent or designee will have final decision-making authority.</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>
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<p>227-AR, 227-AR-1 Pol. 233</p>	<p>A student found to have violated this policy shall be disciplined in accordance with the established school district policy and regulations. Participation in athletic activities shall be subject to additional requirements. All students should be aware that during any period when a student is suspended from school, the student is also suspended from all school activities, including athletics.</p>
<p>35 P.S. Sec. 807.1</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>Anabolic Steroids</u></p> <p>The Board prohibits the use of anabolic steroids 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 an anabolic steroid.</p>
<p>35 P.S. Sec. 807.2 Pol. 233</p>	<p>Students shall be made aware of the dangers of steroid use; 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 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> <p>Participation in a drug counseling, rehabilitation, testing or other program as a condition of reinstatement into a school athletic program may be required.</p> <p>Student notification of the prohibition of use of anabolic steroids shall be made through the Athletic Handbook.</p>

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.

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, 805.1