

Tyrone Area School District

SECTION: PUPILS

TITLE: CONTROLLED SUBSTANCES/
PARAPHERNALIA

ADOPTED: AUGUST 9, 2005

REVISED:

<p>1. Purpose</p> <p>2. Definitions 35 P.S. 780-101 et seq 42 P.S. 8337 21 U.S.C. Sec. 812</p> <p>42 P.S. 8337</p>	<p style="text-align: center;">227. CONTROLLED SUBSTANCES/PARAPHERNALIA</p> <p>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.</p> <p>This policy is based upon the need to protect the school community from undue harm and exposure to drugs and alcohol. Effective identification of drug and alcohol problems begins with consistent consequences incurred for violations of the school's chemical use policy. Therefore, violations of the chemical use policy incur simultaneous action and referral to the Student Assistance Program, emphasizing both our adherence to the Code of Student Conduct, the Inter-scholastic Athletic Code, and our commitment to help troubled students reach help.</p> <p>The following policy will be enforced to encourage individual responsibility; to discourage enabling behaviors; and to send a clear message of wellness to students, staff, parents, and the community at large.</p> <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.
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<p>Pol. 210</p>	<p>7. Prescription or patent drugs, except those for which permission for use in school has been granted pursuant to Board policy.</p> <p>For purposes of this policy, under the influence shall include any consumption or ingestion of controlled substances by a student. The following actions involving chemicals or paraphernalia will incur consequences:</p> <ol style="list-style-type: none"> 1. Attempting to secure or purchase. 2. Using or having used. 3. Possessing. 4. Intending or attempting to sell or distribute. 5. Selling or distributing.
<p>3. Guidelines</p>	<p>REASONABLE SUSPICION – DRUG TESTING OF INDIVIDUAL STUDENTS</p> <p>A. If based on observable behavior or symptoms, a school employee has a reasonable suspicion that a student is under the influence of a controlled substance, the employee will report the matter to the building principal and the student will be escorted to the school nurse’s office for an examination that may include checking the student for abnormal vital signs.</p> <p>B. When a student is suspected to be using or under the influence of a drug/mood altering substance/alcohol/anabolic steroids, it shall be recognized and treated as a medical emergency. All standard medical and emergency procedures shall be followed. A student may be required to submit to drug testing. The administration will attempt to contact the parent/guardian. If the student refuses to comply with the directives of the administration, which may include search and/or drug testing, this refusal will be treated as a policy violation and the student will be subject to possible suspension and/or expulsion. In such instances, the student shall not be left alone. The school nurse will be summoned immediately, and if necessary, additional medical help will be secured.</p> <ol style="list-style-type: none"> 1. In such an emergency, the principal or authorized delegate shall be responsible for all investigations to be carried out. The principal and his/her authorized delegate may search the student’s locker and remove any apparent drug substance.

	<ol style="list-style-type: none">2. If the student must be taken to a medical facility, the student will be accompanied by the principal or his/her authorized delegate.3. If there is even a question of a student's safety, professional medical personnel will be notified immediately.4. All substances discovered at the emergency scene or subsequently uncovered shall be turned over to medical personnel for identification and aid in treatment. <p>C. When a student is thought to be under the influence of, in possession of, or attempts to secure or purchase, a drug/mood altering substance/alcohol/anabolic steroids/look-alike drug or drug paraphernalia for the first time, the matter will be pursued on an internal basis in terms of investigation and discipline. A student may be required to submit to drug testing. The administration will attempt to contact the parent/guardian. If the student refuses to comply with the directives of the administration, which may include search and/or drug testing, this refusal will be treated as a policy violation and the student will be subject to possible suspension and/or expulsion.</p> <ol style="list-style-type: none">1. Investigation will be conducted by the principal or his/her authorized delegate. School Police or State Police may be involved in the investigation at the discretion of the administration. Borough Police may be involved in the investigation if the incident occurred at district-owned ball fields. The staff member who discovers the drug/mood altering substance/alcohol anabolic steroids/look-alike drug will confiscate any drug/mood altering substance/alcohol/anabolic steroids/look-alike drug in plain sight. The student involved will be brought to the principal. The principal, in the presence of a second staff member, will then request that all other drugs/mood altering substances/alcohol/anabolic steroids/look-alike drugs be surrendered. The student, the student's purse, pockets, desk, locker, auto, and all other possessions may be searched in the presence of a second staff member. The student shall not be left alone during this process.2. The student involved shall be required to have an appointment with a school-designated drug and alcohol counselor and referred to the Student Assistance Program Team and must follow their recommendations.3. Parents/guardians shall be notified and completely informed of the circumstances.4. If first violation, the following discipline shall be administered:<ol style="list-style-type: none">(a) The student shall be suspended out-of-school for ten (10) days and
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<p>35 P.S. Sec. 807.1</p> <p>35 P.S. Sec. 807.2 Pol. 233</p>	<p>subject to an administrative hearing, fine, law enforcement action, and School Board hearing for possible expulsion.</p> <p>(b) The student shall be excluded from participating in all competitive extra-curricular activities and excluded from practicing and attending all competitive extra-curricular activities for nine (9) weeks or the period of expulsion.</p> <p>(c) The student shall be excluded from participating in all non-competitive extra-curricular activities and excluded from practicing and attending all non-competitive extra-curricular activities for nine (9) weeks or the period of expulsion.</p> <p>D. Anabolic Steroids</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>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>In addition to the provisions of this policy, when it has been determined that a student athlete has violated this policy with respect to the usage of anabolic steroids, the student shall not be eligible to resume participation in school athletics.</p> <p>E. When a student attempts to distribute or distributes any drug/mood altering substance/alcohol/anabolic steroids/look-alike drug, the situation will be investigated and all necessary procedures will be followed. A student may be required to submit to drug testing. The administration will attempt to contact the parent/guardian. If the student refuses to comply with the directives of the administration, which may include search and/or drug testing, this refusal will be treated as a policy violation and the student will be subject to possible suspension and/or expulsion.</p> <p>1. Investigation will be conducted by the principal or his/her authorized delegate. School Police or Borough and/or State Police may be involved in the investigation at the discretion of the administration. Because of the severity of this situation, extreme care should be exercised during all investigations. If available information indicates, the student will be questioned by the principal who will request the surrender of all drugs/mood</p>
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<p>Pol. 218</p>	<p>altering substances/alcohol/anabolic steroids/look-alike drugs. The student and the student's purse, pockets, desk, locker, auto, and all other possessions may be searched in the presence of a second staff member. The student shall not be left alone during this process.</p> <p>2. The student involved shall be required to have an appointment with a school designated drug and alcohol counselor. The student involved shall be referred to the Student Assistance Program and be required to follow their recommendations.</p> <p>3. Parents/guardians will be notified as soon as adequate supportive information is collected.</p> <p>4. If the suspicion is proven, for the first offense:</p> <p>(a) The student shall be suspended out-of-school for ten (10) days and subject to an administrative hearing, fine, law enforcement action, and School Board hearing for possible expulsion.</p> <p>(b) The student shall be excluded from participating in all competitive extra-curricular activities and excluded from practicing and attending all competitive extra-curricular activities for nine (9) weeks or the period of expulsion.</p> <p>(c) The student shall be excluded from participating in all non-competitive extra-curricular activities and excluded from practicing and attending all non-competitive extra-curricular activities for nine (9) weeks or the period of expulsion.</p> <p>5. For all subsequent offenses, a recommendation may be made for permanent expulsion from school:</p> <p>(a) The student shall receive a ten (10) day out-of-school suspension and require a hearing before the Superintendent/Board. No activities for competitive and non-competitive extra-curricular activities for nine (9) weeks. Referral will also be made to the Student Assistance Program Team and the student must follow the Team's recommendations.</p> <p>F. In the instances of suspicion of non-student selling or dispensing drugs on school property, the situation will be investigated and all necessary procedures will be followed.</p> <p>1. Investigation will be the primary responsibility of the School Police or State Police with full cooperation from all school staff members.</p>
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<p>Pol. 122, 123</p>	<p>2. Legal authorities will be contacted.</p> <p>G. Off-Campus Activities</p> <p>This policy shall also apply to student conduct that occurs during off-campus activities 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 extra-curricular 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 an agreement to complete a transaction outside of school that would violate the Code of Student Conduct. 5. The conduct involves the theft or vandalism of school property. <p><u>Procedures:</u></p> <ol style="list-style-type: none"> 1. <u>Immediate Action</u> – The group sponsor or accompanying administrator will be notified. School Police, Borough Police or State Police will be summoned if necessary. 2. <u>Investigation</u> – Notify School Police or Borough Police and/or State Police for assistance. The sponsor or administrator in the presence of another chaperon will request that the student empty his/her pockets, purse, or other containers and volunteer all drug-like substances. The student shall not be left alone. If the student refuses to comply with the directives of the administration, which may include search and/or drug testing, this refusal will be treated as a policy violation and the student will be subject to possible suspension and/or expulsion. <ol style="list-style-type: none"> (a) <u>Notification of Parents/Guardians</u> – A parent/guardian will be contacted immediately and the situation described. The parent/guardian will be requested to transport the student home. If parents/guardians are unable or unwilling to transport student, police will be asked to transport the student home.
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- (b) Disposition of Drug/Mood Altering Substance/Alcohol/Anabolic Steroids/Look-Alike Drug – If a drug/mood altering substance/alcohol/anabolic steroids/look-alike drug is discovered at the time of the emergency, it will be provided to the appropriate medical personnel for the sole purpose of aiding in treatment. Substance will then be sealed, documented, and submitted to the police for analysis. In such instances, the student shall not be left alone. If necessary, additional medical help will be secured.
- (c) Disposition of Student – Refer to Student Assistance Program to investigate student’s background and make findings known to parents/guardians, counselors, principals, Superintendent, and Board. Students must follow recommendations of Student Assistance Program Team.
- (d) Discipline – Discipline is determined by the appropriate section as previously stated in this policy.

H. Confidentiality will be confined to those with a need to know as mandated by the School Policy.

References:

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

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

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

Steroids – 35 P.S. Sec. 807.2

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

State Board of Education Regulations – 22 PA Code Sec. 12.3; 22 PA Code Sec. 403.1

No Child Left Behind Act of 2001 – 20 U.S.C. Sec. 7114, 7161

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

