



Book	Policy Manual
Section	200 Pupils
Title	Drugs and Alcohol
Code	218.4
Status	Active

Legal

1. 22 PA Code 10.23
2. 20 U.S.C. 1400 et seq
3. Pol. 103.1
4. Pol. 113.1
5. Pol. 805.1
6. Pol. 113.2
7. Pol. 218
8. Pol. 122
9. Pol. 123
10. Pol. 122.1
11. 35 P.S. 780-102
12. 21 U.S.C. 812
13. Pol. 210
14. Pol. 210.1
15. Pol. 210.2
16. Pol. 210.3
17. 24 P.S. 1302.1-A
18. 24 P.S. 1303-A
19. 22 PA Code 10.2
20. 22 PA Code 10.21
21. 22 PA Code 10.22
22. 22 PA Code 10.25
23. 24 P.S. 510
24. 24 P.S. 511
25. 22 PA Code 12.3
26. 42 Pa. C.S.A. 8337
27. Pol. 218.8
28. 35 P.S. 807.1
29. 35 P.S. 807.2
- 20 U.S.C. 7114
- 20 U.S.C. 7118
- 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. 805

Adopted August 12, 2013

Last Revised August 12, 2019

Purpose

The following policy reflects this community's concern for its youths' involvement with drugs and alcohol. As such, it addresses the responsibility the Moon Area School District has when dealing with the issues of potential and actual use or abuse of drugs, alcohol and mood-altering substances by members of its entire student population. It also provides for the remediation of individuals who are identified as being in violation of this policy.

The policy of the district does not intend to intrude into the personal lives of its students. However, the school district does expect that the students report for class or extracurricular, cocurricular or school-sponsored/sanctioned activities in a condition that will allow them to perform their various duties in a safe and efficient manner. The district recognizes that in-school as well as out-of-school drug and alcohol use has a negative impact on the institution as a whole and is detrimental to the safety of our student body as well as our goal of a drug-free learning environment. This policy has been developed to provide students information in advance of a problem and to promote the safety of all students, faculty and the public. This policy includes school-related and nonschool-related violations.

Authority

Through the use of a revised curriculum, classroom activities, community support and resources, a strong and consistent administrative and faculty effort, and rehabilitative and disciplinary procedures, the Moon Area School District will work to educate, prevent and intervene in the potential and actual use and abuse of all drugs, alcohol and mood-altering substances by the entire student population.

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.[1][2][3][4][5][6]

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:[7]

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.[8][9]
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

Where applicable, these procedures will be implemented through the functioning of the appropriate MAPS Team, which is a core team of administrators, teachers, counselors and nurses.

The Moon Area School District believes that participation in extracurricular, cocurricular and school-sponsored/sanctioned activities is a privilege, not a right or an entitlement. This policy includes school-related and nonschool-related violations.[8][9][10]

Definitions

For purposes of this policy, **controlled substances** shall include all:[11][12]

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 nonprescription (over-the-counter) medications, except those for which permission for use in school has been granted pursuant to Board policy.[13][14][15][16]
9. E-cigarettes - including, but not limited to, vape pens, juuls, e-hookahs, cloud 2.0, Micro G, etc.

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.

School-Sponsored/Sanctioned Activity - any activity approved or sanctioned by the school district, regardless of the location.

Extracurricular Activity - any arts, athletic, or academic activity held within or outside of the school, on or off school property.[8][9]

Cocurricular Activity - any activity that complements, but is not part of the regular school curriculum occurring beyond or outside the regular school day, on or off school property.[10]

Guidelines

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.[5][17][18][19][20][21]

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.[5][19][22]

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.[5][18]

Rules and Regulations

A student, who on school property, at any school-sponsored activity, or on any public conveyance, including but not limited to a school bus, providing transportation to or from a school or school-related activity, is under the influence or suspected to be under the influence of alcohol, drugs or mood-altering substances shall be subjected to disciplinary action. In addition, a student, who in the aforementioned circumstances, possesses, uses, dispenses, sells, transports or aids in the procurement of alcohol, narcotics, restricted drugs, mood-altering substances, or any substance purported to be a restricted substance or over-the-counter drug shall be subjected to discipline pursuant to the provisions and procedures outlined in the Board policies.[7][8][9][10][17][18][23][24][25][26]

Nonschool-related information regarding a student's arrest, citation and/or conviction (regarding D & A) shall come from the following sources: local/regional police, magistrate or probation officer. Nonschool-related reports from official sources shall result in discipline that includes provisions outlined in the Board policy and may include suspension from participating in extracurricular, cocurricular and school-sponsored/sanctioned activities.[27]

School Guidelines

As an integral part of the Moon Area School District Drug and Alcohol Prevention Program, these guidelines represent one (1) component in a district-wide effort to respond effectively to drug, mood-altering substance and alcohol-related situations that may occur at school or at school-sponsored activities. These guidelines are intended to provide a consistent minimum disciplinary means to respond to drug, mood-altering substances and related incidents that are both school-related and nonschool-related.

The Moon Area School District will strive to provide a safe and healthy environment for students with due consideration for their legal rights and responsibilities. The Board reserves the right to use any extraordinary measures deemed necessary to control substance use or abuse even if the same is not provided for, specifically in any rule or regulation enumerated herein.

Anabolic Steroids

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, increasing muscle bulk or strength or the enhancement of athletic ability are not valid medical purposes. Human Growth Hormone (HGH) shall not be included as an anabolic steroid.[28]

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.[27][29]

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. Electronic cigarettes in any form are considered drug paraphernalia unless the vaping solution does not contain an illicit drug or the student passes a drug screen. All testing and screening will be done at the expense of the parent/guardian.

[218.4 Attachment 1.pdf \(383 KB\)](#)