

BERMUDIAN SPRINGS SCHOOL DISTRICT

SECTION: PUPILS

TITLE: CONTROLLED SUBSTANCES/
PARAPHERNALIA

ADOPTED: March 14, 2006

REVISED: June 12, 2012

	227. CONTROLLED SUBSTANCES/PARAPHERNALIA
1. Purpose	The Board recognizes that misuse of drugs and/or alcohol at every level of society presents a threat to the health and well-being of those involved in such activities. Since the school is one environment where drug and alcohol abuse manifests itself, the Board establishes policy to assist district personnel with prevention and intervention activities aimed at combating such abuse. School authorities charged with responsibility for enforcing the provisions of this policy shall do so in a firm yet understanding manner. The general objective of this policy is to involve all staff members in working toward a drug-and-alcohol-free environment. Specific objectives addressed by the policy include the following: 1. To provide guidelines for educating all students in the areas of drug and alcohol misuse. 2. To provide a clear set of rules prohibiting the use of drugs and alcohol by students during regular school hours and while attending any school-related activities. 3. To establish firm guidelines for dealing with students who violate the policy, rules and regulations of the schools, as promulgated by the School Board and administration. 4. To provide guidelines for assisting those students who admit to dependence on drugs and/or alcohol. 5. To create an awareness to a problem which must be addressed by the joint efforts of parents/guardians and school staff members.
2. Definitions 35 P.S. 780-101 et seq 42 P.S. 8337	For purposes of this policy, the following terms shall be defined. Drugs shall include all: 1. Controlled substances prohibited by federal and state law.

3. Authority SC 510, 511 Title 22 Sec. 12.3 SC 510, 511 Title 22 Sec. 12.3 Pol. 210 Pol. 218 Pol. 122, 123	student behavior and intervening to refer these students to appropriate community agencies. The SAP program approach is geared toward intervention rather than treatment. The most important part of any drug and alcohol program is that segment aimed at preventing the majority of students from becoming involved with drugs and/or alcohol. For this reason, it shall be the policy of the Board that an educational program be adopted with this objective in mind. It shall be the responsibility of the administration to ensure that such a program is offered at each level in the schools, i.e., elementary (K-4), middle school (5-8), and high school (9-12), and that such a program be implemented by designated personnel. The district's approach to prevention shall promote positive influences on the student's life style. These influences should take the form of activities that foster self-understanding, improved interpersonal and human relation skills, and effective coping behaviors to deal with stress. The principal task of drug and alcohol education is to help students gain knowledge while considering questions about drug and alcohol use in relation to their values, goals, and responsibilities. Young people need structured opportunities for constructing their own positions on drug and alcohol use. It shall be the policy of the Board that students refrain from any dealings with the substances defined in this policy at all times while under the jurisdiction of the school district. Students shall be considered to be under the district's control during the school day, at any school-sponsored activities and during the time spent traveling to and from school and school-sponsored activities. Dealings shall include use, possession, and/or distribution, as defined. Board policy and implementing procedures for proper use of prescription medications and/or over-the-counter medications shall be enforced by building principals. Failure by any student to comply with the established policy or procedures shall result in disciplinary action by the building principal. Any student under the district's control who possesses prescription and/or over-the-counter medications determined by the building principal not to be for legitimate personal use by the student will be in violation of this policy. <u>Off-Campus Activities</u> This policy shall also apply to student conduct that occurs off school property and would violate the Code of Student Conduct if: 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
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4. Delegation of Responsibility 42 P.S. 8337 Pol. 218, 233 SC 1303-A SC 1303-A	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. In those instances where students are found to be involved with drug or alcohol abuse, school personnel must take immediate action to intervene. This intervention requires enforcement of regulations, as well as assistance to users in the form of counseling and/or referral to the building Student Assistance Program Team (SAP). The primary purpose and justification for any action on the part of the school staff should be the protection of the health, safety and welfare of students, faculty, district property, and the educational process. The Superintendent or designee shall prepare rules for the identification and control of substance abuse in the schools which: 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 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. 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. The Superintendent shall annually, by July 31, report all incidents of possession, use and sale of controlled substances by any person on school property to the Office of Safe Schools on the required form in accordance with state law and regulations.
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5. Guidelines Pol. 233	<u>Violations</u> Students found in violation of provisions of this policy shall be subject to be discipline according to the following prescribed penalties, in accordance with Policy 233 Suspension and Expulsion. <u>First Offense – Possession And Use (Any Violation)</u> The student will be given a full suspension of ten (10) days to be served in school, out of school, or a combination thereof, based on the severity of the violation. Following the issuing of the suspension, the student will be referred by the principal to the Student Assistance Program (SAP). Subsequent to the suspension, the student will be readmitted to school following evidence of participation in a recognized drug and alcohol program. <u>First Offense – Distribution</u> The student will be assigned to the Alternative Education Program for a period of ninety (90) days. Following the issuing of the suspension, the student will be referred by the principal to the Student Assistance Program Team (SAP). The SAP Team will refer the student to a licensed drug/alcohol facility for an agency assessment. Subsequent to the suspension, the student will be readmitted to school following the establishment that evidence exists that the student has participated in the drug/alcohol agency assessment and is complying with the recommendations made by the agency. <u>Second Offense – Possession And Use</u> The student will be assigned to the Alternative Education Program for a period of ninety (90) days. Following the issuing of the suspension, the student will be referred by the principal to the Student Assistance Program Team (SAP). The SAP Team will refer the student to a licensed drug/alcohol facility for an agency assessment. Subsequent to the suspension, the student will be readmitted to school following the establishment that evidence exists that the student has participated in the drug/alcohol agency assessment and is complying with the recommendations made by the agency. <u>Second Offense – Distribution</u> The student will be expelled from school with consideration for readmission in the following year. Following the issuing of the expulsion, the student will be referred by the principal to the Student Assistance Program Team (SAP). The SAP Team will refer the student to a licensed drug/alcohol facility for an agency assessment. Subsequent to the expulsion, the student will be readmitted to school following the
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	establishment that evidence exists that the student has participated in the drug/alcohol agency assessment and is complying with the recommendations made by the agency. <u>Third Offense – Possession And Use</u> The student will be expelled from school with consideration for readmission in the following school year. <u>Third Offense – Distribution</u> The student will be permanently expelled from school. Any violation shall constitute an offense under this policy. Offenses will be accumulative from year to year while attending any school in the school district. All violations will be documented for the student’s record, with copies sent to the parents/guardians and the Superintendent. All information and/or evidence secured in connection with violations listed above shall be submitted to the proper local or state law enforcement agencies for possible criminal investigation and prosecution. <u>Anabolic Steroids</u>
35 P.S. Sec. 807.1	The Board prohibits the use of anabolic steroids by students involved in school-related athletics, except for a valid medical purpose. A physician’s statement will be required if the use of such steroids are for valid medical purposes. 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.
35 P.S. Sec. 807.2 Pol. 233	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. Education regarding the dangers of anabolic steroids shall be included as a part of other drug and alcohol curricular offerings.
35 P.S. Sec. 807.3	The following minimum penalties are prescribed for any student athlete found in violation of the prohibited use of anabolic steroids: 1. For a first violation, suspension from school athletics for the remainder of the season. 3. For a third violation, permanent suspension from school athletics.

	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. <u>Reasonable Suspicion/Testing</u> 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. <u>Counseling</u> Recognizing that substance abuse often leads to substance dependency, the school district shall assist those seeking help to obtain counseling. This counseling can be provided in any or all of the following ways: 1. Through a referral to the Student Assistance Program Team (SAP). 2. Through a peer-counseling program sponsored by the district. 3. Through the district's counseling program. 4. Through a counseling program established or recognized by the local Drug and Alcohol Abuse Council. 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, 1302.1-A, 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, 805
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