

BRANDYWINE HEIGHTS AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: CONTROLLED SUBSTANCES/
PARAPHERNALIA

ADOPTED: June 28, 2004

REVISED: First reading September 6, 2011

<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>Pol. 210</p> <p>3. Authority SC 510, 511 Title 22</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>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. 7. Prescription or patent drugs, except those for which permission for use in school has been granted pursuant to Board policy. 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 law, such as but not limited to herbal incense or other products containing synthetic cannabinoids. <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</p>
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<p>Sec. 12.3</p>	<p>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>Pol. 218</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.
<p>Pol. 122, 123</p>	<ol style="list-style-type: none"> 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. 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>4. Delegation of Responsibility</p> <p>42 P.S. 8337 Pol. 218, 233</p>	<p>The Superintendent or designee shall prepare rules for the identification and control of 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 district procedures governing student abuse of controlled substances. <p>Provide education concerning the dangers of abusing controlled substances.</p> <p>Establish procedures for education and readmission to school of students convicted</p>

	<p>of offenses involving controlled substances.</p>
<p>SC 1303-A</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>5. Guidelines</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>35 P.S. Sec. 807.1</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>

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:

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

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**REASONABLE SUSPICION -
DRUG TESTING OF INDIVIDUAL STUDENTS**

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.

If based on the student's observable behavior, medical symptoms, vital signs or other factors, school administrators have a 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.

If the student is required to submit to drug or alcohol testing, the testing will be done in the following manner:

1. The administration will attempt to contact the student's parent/guardian before the student is tested.
2. Testing will be done by a medical professional or clinic with appropriate testing facilities approved by the district. The parent/guardian of the student may exercise the right to choose a different medical professional or clinic to administer the test within the time limit set by the district. If the parent/guardian exercises the right to choose another medical professional or clinic, the parent/guardian will pay for the costs of the testing.
3. The testing will be conducted in a reasonable manner using a method that takes into account the factors of the student's age, sex, and the degree of intrusiveness involved in collecting a sample for testing.
4. Disclosure of drug testing results will be limited to the student, the student's parent/guardian, and appropriate district administrators for the purpose of providing counseling or taking appropriate disciplinary action.