

Book - Policy Manual

Section - 200 Pupils

Title - Drugs and Alcohol

Code - 227

Status - Active

Adopted - February 26, 2009

Last Revised - July 12, 2016

Last Reviewed - July 12, 2016

Purpose

~~This policy, including the rules, regulations and guidelines, is a coordinated effort by the Chartiers Valley School District to openly and effectively respond to the potential and current uses and abuses of drugs, alcohol and mood-altering substances by students.~~ **The Board recognized that the abuse of controlled substances is a serious problem with legal, physical, and social implications for the whole school community. As an education institution, the schools shall strive to prevent abuse of controlled substances.**

~~It is our goal that Chartiers Valley School District will be free of drugs and alcohol and will offer a disciplined environment conducive to learning.~~

Mission Statement

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~~The primary responsibility of the Chartiers Valley School District is the education of its students. Students have the right to a safe, secure and peaceful school environment. Students and staff are protected from harm and supported by a climate conducive to learning. Collaboration between members of the entire school, parents/guardians and the community is critical to this prevention effort.~~

Definitions:

For the purpose of this policy, controlled substances shall include all: [1] [2]

- 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 law.**
- 8. Prescription or nonprescription (over the counter) medications, except those for which permission for use in school has been granted pursuant to Board policy. [3][4]**

For the purposes of this policy, under the influence shall include any consumption of ingestion of controlled substances by a student.

For the 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.

Authority

Statement of Policy

~~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 Chartiers Valley School District will work to educate, prevent and intervene in the use and abuse of alcohol, narcotics, drugs, mood-altering substances, and other substances by students.[1][2][3]~~

~~As an extension of this policy, the following rules, regulations and guidelines shall be used by all school district personnel when responding to drug, mood-altering substances and alcohol-related situations:~~

- ~~1. No person may possess, use, produce, sell, distribute or aid in the distribution of alcohol, narcotics, drugs, mood-altering substances or other substances, nor use, possess, sell or distribute paraphernalia for the purpose of drug use, at any time in school buildings, on school property and grounds, in school-sponsored vehicles or at school-sponsored events at other sites.[4]~~
- ~~2. The terms **alcohol, narcotics, drugs, mood-altering substances and other substances** refer to items such as: gases, solvents, butane, propane, adhesives, marijuana or its derivatives, cocaine/crack, LSD or other hallucinogenic drugs, barbiturates, PCP, amphetamines and amphetamine-like compounds, heroin, methadone, scheduled narcotics, steroids, herbal/natural euphorants, look-alike products and any substances commonly referred to as "designer drugs."~~
- ~~3. The unauthorized, inappropriate and/or illegal use of prescription and over-the-counter preparations is prohibited. Prescription medication or over-the-counter preparations for personal use shall be allowed only as per district medication policy, under the supervision of school personnel, with written orders from a physician. Federal, state and local laws shall apply.~~

~~Any student violating the Statement Of Policy shall be subjected to discipline pursuant to the provision and procedures outlined in Board policies. Offenses will be cumulative, K-12. The Board reserves the right to use any prudent measures deemed necessary to control substance abuse even if the same is not provided for specifically in any rule and regulation enumerated herein. Chartiers Valley School District does not tolerate drug and alcohol use, cases will be considered on an individual basis. In determining the final disciplinary action to be issued as a result of any violation of this policy, the school district will consider all circumstances relevant to the situation, which may include whether the student has obtained a complete drug and alcohol assessment and drug test, cooperative or uncooperative behavior of the student, the age of the student involved and the nature and severity of the conduct.[5][6]~~

~~As an integral part of the Chartiers Valley 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 substances 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 alcohol-related incidents. The Charters Valley School District will provide a safe and healthy environment for students with due consideration for their legal rights and responsibilities.

The board delegates authority to the superintendent to develop administrative regulation that includes procedural steps, recommended interventions and disciplinary sanctions, if needed, including, but not limited to suspension and expulsion.[6] A summary of these regulations shall be placed in the student handbook.

All staff members, administrators and members of the Board of Education involved in such circumstances are obligated to guard the confidentiality of the student.[7]

At the elementary level, every attempt will be made to be consistent with the Drugs and Alcohol Policy/Administrative Regulations. However, not all options, as described in the guidelines, are available, nor appropriate, for elementary students. Due to the wide range of individual differences related to ages and circumstances, elementary students will be subject to options established by the elementary principals working in concert with counselors, psychologists, Instructional Support Teams and other resources, as needed.

Definitions

Cooperative Behavior—the willingness of a student to work with staff and school personnel in a reasonable and helpful manner, complying with requests and recommendations of school personnel.

Distributing—deliver, sell, pass, share or give any alcohol, drug, mood-altering substances or other substances as defined by this policy, from one person to another or to aid therein.

Drug and Alcohol Assessment—consists of verbal interview with client, interview with parent/guardian, written information from client and parent/guardian, other evaluative clinical assessment tools and a multi-panel urine drug screen, which shall be required. The student must undergo an evaluation at a licensed drug/alcohol facility or licensed therapists and comply with any and all recommendations resulting therefrom, if any. All costs and responsibilities are to be assumed by the parent/guardian. A Release of Information Form must be signed by the parents/guardians and student authorizing the release of all information to the district regarding the evaluation and student's compliance with any and all recommendations, after care, rehabilitation and counseling. In addition, the parents/guardians must submit a report from the chemical abuse specialist verifying the student's status in any recommended program of rehabilitation or counseling within ten (10) days. At the conclusion of the recommended program, a report must be submitted to the school. The report must include the results of a negative drug and alcohol urine test.

Drug Paraphernalia—includes any utensil or item, which in the school's judgment can be associated with the use of drugs, alcohol or mood-altering substances. Examples include, but are not limited to, roach clips, pipes, rolling paper and bowls.

Extracurricular Activities—consists of participation in an athletic team, band, drill team, play and school-sponsored clubs/activities.[8]

~~**Look-Alike**—any substance that resembles or is made to resemble a controlled and/or illegal substance.~~

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~~**Medical Wellness Check**—school nurse will take vital signs/monitor, conduct routine neurological examination, observe and note general appearance.~~

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~~**Multi-Panel Urine Drug Screen**—urinalysis of ten (10) common drugs of abuse.~~

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~~**Possession**—to possess or hold alcohol, narcotics, drugs, mood-altering substances or other substances determined to be illegal or as defined by this policy.~~

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~~**Random Drug Tests**—a student who violates the drug and alcohol policy understands and agrees that s/he may, as a condition for readmission to school, be subject to random drug tests initiated by the district solely at its discretion and at district expense for the remainder of his/her education at Chartiers Valley School District. In the event of a verified positive test result, the student may be brought before the Board for further disciplinary action up to and including permanent expulsion.~~

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~~**Student Support Team**—a multidisciplinary team composed of school personnel (teachers, staff, administrators, nurses, counselors) and other members of the community. This team has been trained to understand and work on the issues of adolescent chemical use, abuse, and dependency. The team will play a primary role in the identification and referral process of students coming to their attention through the procedures outlined in this policy.~~

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~~**Uncooperative Behavior**—resistance or refusal, either verbal, physical or passive, on the part of the student to comply with the reasonable request or recommendation of school personnel or professional personnel outside the district.~~

Legal

~~1. 24 P.S. 510~~

~~2. 24 P.S. 511~~

~~3. 22 PA Code 12.3~~

~~4. Pol. 210~~

~~5. Pol. 218~~

~~6. Pol. 233~~

~~7. Pol. 207~~

~~8. Pol. 122~~

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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 traveling to and from school and to and from school-sponsored activities.^{[5][6][7]}

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.

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.[8][9][10][11][12][13]

Off-Campus Activities

This policy shall also apply to student conduct that occurs off school property or during nonschool hours to the same extent as provided in Board policy on student discipline.[14]

Delegation of Responsibility

The Superintendent or designee shall develop administrative regulations to identify and control substance abuse in the schools which:

1. Establish procedures to appropriately manage situations involving students suspected of using, possessing, being under the influence, or distributing controlled substances.[15][16][17]
2. Disseminate to students, parents/guardians and staff the Board policy and administrative regulations governing student use 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.

Guidelines

Violations of this policy may result in disciplinary action up to and including expulsion and referral for prosecution.[14][18][19]

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.[13][15][16][20][21][22]

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.[13][20][23]

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.[13][16]

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.

{ } 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.

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.[24]

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.[18][25]

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.

NOTES:

Off-Campus Activities - Content related to off-campus conduct is now located in Policy 218 Student Discipline.

Maintenance – make sure any drug testing policy has been reviewed by district solicitor. See Andrews & Price memo for guidance.

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Legal

1. 35 P.S. 780-102

2. 21 U.S.C. 812
3. Pol. 210
4. Pol. 210.1
5. 24 P.S. 510
6. 24 P.S. 511
7. 22 PA Code 12.3
8. 20 U.S.C. 1400 et seq
9. 22 PA Code 10.23
10. Pol. 103.1
11. Pol. 113.1
12. Pol. 113.2
13. Pol. 805.1
14. Pol. 218
15. 24 P.S. 1302.1-A
16. 24 P.S. 1303-A
17. 42 Pa. C.S.A. 8337
18. Pol. 233
19. Pol. 236
20. 22 PA Code 10.2
21. 22 PA Code 10.21
22. 22 PA Code 10.22
23. 22 PA Code 10.25
24. 35 P.S. 807.1
25. 35 P.S. 807.2
22 PA Code 403.1
35 P.S. 780-101 et seq
35 P.S. 807.1 et seq
20 U.S.C. 7114
20 U.S.C. 7118
21 U.S.C. 801 et seq
34 CFR Part 300
Pol. 122
Pol. 805