



**NORTH ALLEGHENY
SCHOOL DISTRICT**

SECTION:	PUPILS
TITLE:	CONTROLLED SUBSTANCE AND PARAPHERNALIA
ADOPTED:	11/16/16
REVISED:	

227 - CONTROLLED SUBSTANCE AND PARAPHERNALIA

Section 1. Purpose

The Board recognizes that the abuse of controlled substances is a serious problem with legal, physical, and social implications for the school community. As an educational institution, the North Allegheny School District shall strive to prevent abuse of controlled substances.

Section 2. Definitions

a. Controlled substances shall include all:

1. Controlled substances prohibited by federal and state law.
2. Look-alike drugs.
3. Alcoholic beverages.
4. Anabolic steroids.
5. Drug paraphernalia, including vapes.
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.

Examples of controlled substances include, but are not limited to, beer, wine, liquor, marijuana, hashish, cocaine, heroin, methamphetamines, LSD and other hallucinogens, tranquilizers, chemical solvents, glue, bath salts, look-

35 P.S.
Sec. 780-102
21 U.S.C.
Sec. 812

Pol. 210

	<p>alike drugs, over-the-counter drugs, caffeine pills, aspirin and any capsules and pills not registered with the nurse, annotated within the student's health record, and given in accordance with the School District policy for the administration of medication to students in school.</p> <p>b. Constructive Possession - knowing the location and having the ability and intent to obtain control of an object. Knowledge and intent may be inferred from the totality of the facts. Proximity does not establish possession, but may be used to infer knowledge or intent. Possession may involve joint possession by two or more individuals.</p> <p>c. Distribution - to deliver, sell, pass, share, or give to another person.</p> <p>d. Drug Paraphernalia - any item used to make, grow, carry, conceal, distribute, ingest, package, or promote use of a controlled substance. Examples include, but are not limited to, roach clips, pipes, and bowls; needles; and drug-related publications.</p> <p>e. Look-alike Drug - 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.</p> <p>f. Possession - to possess, hold, or use.</p> <p>g. Student Assistance Program - a multidisciplinary team that includes teachers, administrators, nurse, and counselors. This team is trained to understand and work with adolescent chemical use, abuse, and dependency. The team's primary role is to identify, refer, and intervene when student improper substance use, abuse, possession, or distribution is suspected.</p> <p>h. Uncooperative Behavior - resistance or refusal, either verbal, physical, or passive, on the part of the student to comply with the reasonable requests or recommendations of school personnel. Defiance, assault, deceit, and flight shall constitute examples of uncooperative student behavior. Uncooperative behavior shall also include the refusal to comply with recommendations of the SAP Team.</p> <p>i. Under the Influence - any consumption or ingestion of a controlled substance by a student. Under the Influence means that a student is affected in any detectable manner by a controlled substance. Symptoms of an individual being under the influence may be demonstrated by behavior, school performance, impairment of physical or mental ability, such as slurred speech, lapse of memory, inability to concentrate, mood change, disorientation, loss of coordination, difficulty in maintaining balance, eye pupil abnormality, or other observable factors. A determination that a student is under the influence may be established by a student's admission to use of a controlled substance; professional medical opinion; a scientifically-valid test; or the opinion of a</p>
--	--

<p>SC 1302.1-A, 1303-A 42 Pa. C.S.A. Sec. 8337 Pol. 218, 233</p>	<p>Section 3. <u>Delegation of Responsibility</u></p> <p>a. The Superintendent or designee shall develop administrative policies to identify and control 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, parent(s)/guardian(s), and staff the Board policy and administrative regulations 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.
<p>SC 1302.1-A Pol. 805</p>	<p>b. The Superintendent shall react promptly to information and knowledge concerning possible or actual incidents of possession, use, or sale of controlled substances. Such action shall be in compliance with state law and regulation and with the procedures set forth in the Memorandum of Understanding with local law enforcement officials.</p>
<p>SC 1303-A</p>	<p>c. 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 regulation.</p>
	<p>Section 4. <u>Guidelines</u></p> <p>a. 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>b. 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(s)/guardian(s).</p>
<p>35 P.S. Sec. 807.1</p>	<p>c. 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 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</p>	<p>Students shall be made aware annually of the dangers of steroid use; that anabolic steroids are classified as controlled substances; and that their use,</p>

<p>Pol. 233</p> <p>35 P.S. Sec. 807.3</p> <p>18 Pa. C.S.A. Sec. 6308 18 Pa. C.S.A. Sec. 6308</p> <p>18 Pa. C.S.A. Sec. 6308</p> <p>18 Pa. C.S.A. Sec. 6308</p>	<p>unauthorized possession, purchase, or sale could subject students to suspension, expulsion, and/or criminal prosecution. The following minimum penalties are prescribed for any student athlete found in violation of the prohibited use of anabolic steroids:</p> <p>1. First Offense: Any student who uses, is under the influence of, possesses, constructively possesses, sells or distributes, or attempts to sell or distribute anabolic steroids, or who conspires, solicits, aids, or abets in the same:</p> <ul style="list-style-type: none"> • May be excluded from school for ten (10) school days. • Shall be referred to the Student Assistance Program. • Shall obtain an alcohol and controlled substance assessment through a School District approved agency, and comply with all assessment recommendations. A copy of written records of the assessment and recommendations must be presented as a condition of readmission to school after the suspension. Any student involved in an offense who refuses to obtain an alcohol and controlled substance assessment, or who obtains the assessment and does not comply with the assessment recommendations or SAP Team recommendations, may be recommended for expulsion. Expulsion is exclusion from school by the Board of School Directors for a period that exceeds ten (10) school days and may be permanent. • Shall be referred to the local police or Pennsylvania State Police for prosecution under 18 Pa. C.S.A. Sec. 6308. • Uncooperative behavior will lead to an additional three (3) day suspension. <p>2. Additional Offenses: Any student who uses, is under the influence of, possesses, constructively possesses, sells or distributes, or attempts to sell or distribute anabolic steroids, or who conspires, solicits, aids, or abets in the same, for a second or subsequent occasion during his/her school career in the North Allegheny School District shall:</p> <ul style="list-style-type: none"> • Be recommended for expulsion by the Board of School Directors. • Be referred to the local police or Pennsylvania State Police for prosecution under 18 Pa. C.S.A. Sec. 6308. <p>d. 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.</p>
--	--

42 Pa. C.S.A.
Sec. 5945

- 2. Additional Penalties - The above penalties are minimum penalties. Nothing contained in this policy shall in any way limit the authority of the administration or the School Board to suspend, expel, or otherwise discipline students as provided in School Code Sec. 1318 or other applicable law. Additional penalties may include, but are not limited to, suspension from extracurricular activities, loss of student privileges such as driving privileges, attendance at prom, graduation ceremony, or other school events.
- h. Self-Referral - Any student who is self-referred, or who is voluntarily referred by a parent(s)/guardian(s), and who seeks help with controlled substance use, abuse, or dependency, and who is not at the time of referral under the influence or in possession of a controlled substance, shall not be subject to the minimum penalties, and may be referred to the SAP Team for assistance.
- i. Confidential Communications between students and their guidance counselors, school nurses, school psychologists, home and school visitors, and clerical employees working on their behalf, shall be treated as privileged communications as outlined in 42 Pa. C.S.A. Sec. 5945.

References:

School Code – 24 P.S. Sec. 510, 511, 1302.1-A, 1303-A
 State Board of Education Regulations – 22 PA Code Sec. 12.3, 403.1
 PA Controlled Substance, Drug, Device and Cosmetic Act – 35 P.S. Sec. 780-101 et seq.
 Steroids – 35 P.S. Sec. 807.1 et seq.
 Purchase, consumption, possession or transportation of liquor or malt or brewed beverages – 18 Pa. C.S.A. Sec. 6308
 Confidential Communications to School Personnel – 42 Pa. C.S.A. Sec. 5945
 PA Civil Immunity of School Officers/Employees Relating to Drug or Alcohol Abuse – 42 Pa. C.S.A. Sec. 8337
 No Child Left Behind Act – 20 U.S.C. Sec. 7114, 7161
 Controlled Substances Act – 21 U.S.C. Sec. 801 et seq.
 Board Policy – 000, 122, 123, 207, 210, 218, 233, 805

Replaces Policy:

3515