

PENN MANOR SCHOOL DISTRICT

ADMINISTRATIVE REGULATION

APPROVED: July 2, 2012

REVISED: May 1, 2015

227-AR-0. CONTROLLED SUBSTANCES/PARAPHERNALIA

The district recognizes that substance use and abuse is a serious problem with legal, physical and social implications for the entire school community. These administrative regulations represent a coordinated effort by the district to openly and effectively respond to the current and potential uses of controlled substances by district students.

The district is committed to education, prevention and intervention with regard to the use of controlled substances by students. This commitment will be implemented through the use of communications with students and parents/guardians, a comprehensive K-12 drug and alcohol curriculum, parent and community support, a clear and consistent administrative and faculty effort, and use of the Student Assistance Program, including both rehabilitative and disciplinary procedures.

Annually, building principals will notify students and parents/guardians through the student Code of Student Conduct of the resources available to students regarding substance abuse and of the disciplinary sanctions for violation of the Board policy, administrative regulations and school rules governing use of controlled substances and paraphernalia by district students. Each building principal will utilize other means appropriate to student maturity levels to issue information regarding use of controlled substances by students. District administrators will utilize additional means to communicate such policy and administrative regulations, such as parent newsletters, district website, school blogs, and articles in local publications.

To implement the Board policy, corresponding administrative regulations will be followed by all district staff when responding to situations involving student use of controlled substances. Staff will receive instruction in administrative regulations during staff inservice programs.

A student who uses, possesses, distributes, or is under the influence of any controlled substance as defined 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 school-sponsored activities will be disciplined in accordance with the Code of Student Conduct and be subject to the following procedures.

Definitions

The following definitions are used to implement and support the Board policy, administrative regulations and school rules governing the use of controlled substances and paraphernalia by students when under the control of the district.

The term “*controlled substance*” means:

- a. A controlled substance as defined by state and/or federal law, including substances identified in Schedules I, II, III, IV or V in Section 202 of the Controlled Substance Act (21 U.S.C. § 812);
- b. A “look-alike drug,” which is any substance that has a stimulant, depressant or hallucinogenic effect on humans, or is or has been represented to be a controlled substance, stimulant, depressant or hallucinate;
- c. A “designer or synthetic drug,” which is any substance not identified in state or federal law as a controlled substance, but has a chemical structure and produces an effect substantially similar to that of a controlled substance. A synthetic drug includes both synthetic bath salts and synthetic cannabinoids;
- d. A “mood altering substance,” which is any solvent, inhalant or other substance ingested or that may be ingested for the purpose of a stimulant, depressant or hallucinogenic effect on human. A mood altering substance includes hemp oil, cannabinoid derivatives, or any pre-packaged concentrate, extract or oil used for inhalation via a vaporizer or e-cigarette device;
- e. Anabolic steroids;
- f. Alcoholic beverages.

The term “*paraphernalia*” means:

- a. Any utensil or item, which in the judgment of the School District, is used, intended for use or designed for use to conceal, distribute, inject, ingest, package, smoke, store or use a controlled substance or alcohol; or
- b. Any electronic device that delivers nicotine or other substances via vapor for inhalation. The term includes e-cigarettes, e-cigars, e-pipes and other similar products; and includes all components and parts, such as e-cigarette batteries, atomizers, vaporizers, replacement cartridges and any solutions manufactured for use with such a device.

The term “*under the influence*” means the consumption or ingestion of a controlled substance by a student.

Assessment - an evaluation by a professional drug and alcohol counselor from the district or a local agency.

Cooperation - a student’s willingness to work with district staff in a reasonable and helpful manner, complying with requests and recommendations of the members of the Student Assistance Program.

Distribution - delivering, selling, passing, transferring, or giving any controlled substances, as defined, from one individual to another.

Possession - to possess for personal use, without any attempt to distribute as defined, any controlled substance as defined or as determined to be illegal.

School Property - includes school buildings, other district facilities on the grounds of the school campus, school buses, school bus stops, school parking areas, and any facility used for a school function, and includes student travel to and from school and a school-sponsored activity.

School-Sponsored Activity - includes any school-sponsored activity, such as field trips, athletics, band, cheerleading, school clubs and school activities, regardless of the time frame or location of the activity, and includes the travel time, the activity and any overnight stays. The time period of the activity encompasses the time period the student leaves school property until the student returns home.

Student Assistance Program (SAP) Team - a multidisciplinary team comprised of district staff, such as administrators, teachers, psychologists, nurses, counselors, and community mental health and drug/alcohol counselors. The team is trained to understand and address issues of substance use, abuse and dependency and plays a primary role in the process of identifying and referring students in need of intervention.

Uncooperative - a student shows resistance or refusal, either verbal; physical; or passive, to comply with the reasonable request or recommendation of school staff. Defiance, insult, deceit, and/or flight will constitute examples of uncooperative student behavior, as well as refusal to comply with recommendations of the Student Assistance Team.

Elementary Students

Because the K-6 elementary configuration encompasses such a broad age group, these regulations are provided to support administrators in determining appropriate responses to incidents involving controlled substance abuse:

1. Each student will receive instruction during the school year to foster appropriate decision-making and safe behavior. This instruction may include, but is not limited to, the following:
 - a. Appropriate use of medicines.
 - b. Physical, emotional and social safe decision-making.
 - c. Adult support and resource persons.
 - d. Dangers of tobacco use.
 - e. Drug and alcohol laws.
 - f. Properties of controlled substances.

2. When an elementary school student possesses a controlled substance, look-alike substance* or drug paraphernalia, the building administrator will:
 - a. Confiscate item(s).
 - b. Notify the school nurse.
 - c. Notify the Superintendent or designee.
 - d. Notify a parent/guardian.
 - e. Notify police.
 - f. Hold a conference with the student and parent/guardian.
 - g. Notify the classroom teacher.
 - h. Notify the school counselor.

The building administrator may:

- a. Deny recess or other school privileges.
 - b. Assign in-school suspension.
 - c. Assign out-of-school suspension.
 - d. Request a formal Board Judicial Review hearing.
3. When an elementary school student uses, sells, or distributes a controlled substance, look-alike substance* or drug paraphernalia, the building administrator will:
 - a. Confiscate item(s).
 - b. Notify the school nurse.
 - c. Notify the Superintendent or designee.
 - d. Notify a parent/guardian.
 - e. Notify police.
 - f. Hold a conference with the student and parent/guardian.
 - g. Notify the classroom teacher
 - h. Notify the school counselor.

The building administrator may:

- a. Deny recess or other school privileges.
- b. Assign in-school suspension.
- c. Assign out-of-school suspension.
- d. Request a formal Board Judicial Review hearing.

4. When an elementary student is involved in a second incident of use, possession, sale or distribution of a controlled substance, look-alike substance* or drug paraphernalia, the building administrator will:
 - a. Confiscate item(s).
 - b. Notify the school nurse.
 - c. Notify the Superintendent or designee.
 - d. Notify a parent/guardian.
 - e. Notify police.
 - f. Hold a conference with the student and parent/guardian.
 - g. Notify the classroom teacher
 - h. Notify the school counselor.
 - i. Deny recess or other school privileges.
 - j. Assign in-school suspension.
 - k. Assign out-of-school suspension.
 - l. Request a formal Board Judicial Review hearing.

In items #2, 3, and 4 involving 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 including Policy #113.1.

**For e-cigarettes that do not and cannot contain substances other than nicotine, follow Policy #222 for 1st and 2nd offenses. For 3rd and subsequent offenses follow policy 227.*

Secondary Students

<u>Situational Category</u>	<u>Immediate Action</u>	<u>Procedures-Investigation</u>	<u>Notification Made</u>	<u>Disposition Of Substances</u>	<u>Response/Discipline</u>
<p>1. Student possession, distribution, or use of drug paraphernalia*, drugs, look-alike drugs, alcohol, controlled substances or medications in violation of Board Policy 227 and administrative regulations.</p> <p><i>*For e-cigarettes that do not and cannot contain substances other than nicotine, follow Policy #222 for 1st and 2nd offenses. For 3rd and subsequent offenses follow policy 227.</i></p>	<p>Administrator is notified.</p> <p>Paraphernalia and/or substance is confiscated.</p> <p>Medical personnel will be contacted and/or summoned if appropriate and in accordance with the circumstances.</p> <p>Standard health and first aid procedures will be followed.</p> <p>Student will be transported to a medical facility at parental expense, if warranted.</p>	<p>Administration will investigate the incident. If there is reasonable suspicion, the administrator will take action which may include a search of the student, his/her locker, car, and other possessions. Searches will be conducted in accordance with Board Policy 226.</p> <p>Nurse will prepare a written report, if warranted.</p>	<p>Notification of parent/guardian will be initiated on the day of the incident by phone. If parent/guardian is unavailable, attempt will be made to contact alternate person on emergency card.</p> <p>An informal hearing will be scheduled.</p> <p>Police notified in accordance with the law.</p> <p>Superintendent or designee notified.</p>	<p>Analysis will be made by proper authorities for possible use in further proceedings.</p>	<p>Referral to the Student Assistance Program.</p> <p>Assessment by a designated SAP assessor with recommendations.</p> <p>Middle School - Out-of-school suspension (up to 10 days) pending Board hearing.*</p> <p>High School - Out-of-school suspension (up to 10 days) pending Board hearing.*</p> <p>Formal hearing of the School Board Judicial Review Committee to determine possible expulsion from school, and to determine conditions for reinstatement.</p> <p><i>* 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 including Policy #113.1.</i></p>