

# **LEBANON SCHOOL DISTRICT**

POLICY: 227

SECTION: PUPILS

TITLE: SUBSTANCE AWARENESS AND ABUSE

ADOPTED: July 18, 1994

REVISED: September 17, 2018

## **227. SUBSTANCE AWARENESS AND ABUSE**

### **Purpose**

The Board recognizes that the misuse of drugs/controlled substances is a serious problem with legal, physical, emotional and social implications for the whole school community. Alcohol will be considered a drug/controlled substance within the provisions of this policy.

The purpose of this policy is to establish rules and regulations prohibiting the use of drugs/controlled substances as follows:

1. To protect the health and safety of all students.
2. To prevent accidents and injuries resulting from the use of drugs/controlled substances.
3. To provide an effective Student Assistance Program for students who are using drugs/controlled substances.
4. To empower students to make responsible choices relating to non-use of drugs/controlled substances.
5. To provide a safe and secure learning environment in which all students may achieve to their fullest potential.

### **Definitions**

**Alcohol** - ethyl alcohol of any degree of proof originally produced by the distillation of any fermented liquid, whether rectified or diluted with or without water, whatever may be the origin thereof, and shall include powdered alcohol and synthetic ethyl alcohol, but shall not mean or include ethyl alcohol, whether or not diluted, that has been denatured or otherwise rendered unfit for beverage purposes.

**Controlled substances** shall mean all:<sup>1</sup>

- Controlled substances prohibited by federal and state law.
- Look-alike drugs.
- Alcoholic beverages.
- Liquor.
- Anabolic steroids and derivatives of steroidal plants or substances controlled by law.
- Drug paraphernalia.
- Any volatile solvents or inhalants, such as but not limited to, glue and aerosol products.
- Bath salts and synthetic bath salts.
- Synthetic cannabinoids.
- Over-the-counter (OTC) drugs.
- Any inappropriate use of a substance that could pose a health risk.
- 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.
- Prescription or patent drugs, except those for which permission for use in school has been granted pursuant to Board policy by a licensed health care provider.

**Distribution** - the act of (a) providing, making available, supplying, delivering, selling, passing, sharing, offering, giving, transferring, or soliciting any controlled substance; (b) attempting to deliver, sell, pass, share, offer, give, transfer, or solicit any controlled substance or (c) assisting another person in doing (a) or (b). Distribution shall also include:

1. Being in possession in sufficient quantity of any controlled substance to indicate intent to do (a) or (b);

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<sup>1</sup> 35 P.S. 780-102; 21 U.S.C. 812.

2. Being in possession of any controlled substance in quantity sizes or packages to indicate to do (a) or (b); and
3. Being in possession of drug paraphernalia including, but not limited to, scale(s) or bag(s), to indicate an intent to do (a) or (b).

**Drug Paraphernalia** - any utensil or item which, in the school's judgment, can be associated with the use/abuse/delivery mechanism of narcotic drugs, synthetic drugs, misuse of controlled prescription medication, or alcohol. Examples may include, but are not limited to, razor blades, scales, spoons, lighters, matches, small plastic bags, cigarette rolling papers, roach clips, pipes, and bowls.

**Liquor** - any alcoholic, spirituous, vinous, fermented or other alcoholic beverage, powdered alcohol, or combination of liquors and mixed liquor a part of which is spirituous, vinous, fermented or otherwise alcoholic, including all drinks or drinkable liquids, preparations or mixtures, and reused, recovered, or redistilled denatured alcohol usable or taxable for beverage purposes, which contain more than one-half of one percent of alcohol by volume, except pure ethyl alcohol and malt or brewed beverages.

**Look-alike Drugs** - except as otherwise provided by law, no person shall manufacture, process, package, distribute, possess, or sell a non-controlled substance that has stimulant, depressant, or cognitive/physical impairment effect on humans. This includes substances whose label or container substantially resembles a specific controlled substance. This definition is applied to aid administration and staff to observe and enforce this policy.

**Manufacture** - the act of producing, preparing, propagating, compounding, converting, or processing of any controlled substance.

**School District Property** - buildings, facilities, and grounds on any school or career-technology campus, contracted school buses, charter buses, school vehicles, school bus stops, school parking areas, and any facility being used for a school function or school-sponsored trip.

**Student Assistance Program (SAP) Team** - a multidisciplinary team that may include a district administrator, school counselor, school nurse, and at least one (1) teacher. A school psychologist, social worker, alternative education teacher, and student assistance coordinator shall serve as consultants to the team, as needed. This team has been trained to understand and work on the issues of chemical use, abuse, and dependency and will play a primary role in the identification and referral process of students coming to its attention through the procedures outlined in this policy and its guidelines.

**Under the Influence** - shall include any consumption, ingestion, or influence of controlled or referenced substance by a student that enters the body through any manner of delivery.

**Violation of this Policy** - the manufacture, use, being under the influence, possession, distribution, or marketing of any controlled substance outlined in this policy will result in disciplinary action which may include, but is not limited to, suspension, up to, and/or including expulsion from school.

### **Authority**

Recognizing that the problem of drug/controlled substance abuse is a social cancer that preys upon the most vulnerable segment of our society, our youth, the Board of School Directors is determined to maintain a policy which will serve as the strongest possible deterrent to the illegal use of drugs/controlled substances within this school district.

The manufacture, use, being under the influence, possession or distribution of any controlled substance, by students, other than medications taken for illness and prescribed by a physician, is prohibited on school property and at all school-sponsored activities. The penalty for violation, although the individual circumstances of each case will be considered, shall generally be a suspension or expulsion from school. The police shall be notified of all such cases.<sup>2</sup>

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.

### **Off-Campus Activities**

This policy shall also apply to student conduct that occurs off of 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. 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.

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<sup>2</sup> 24 P.S. 510-511.

3. 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.
4. The conduct involves the theft or vandalism of school property.
5. 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.

### Confidentiality

The privileged confidentiality between students and school counselors, school nurses, school psychologists, home and school visitors and other school employees shall be respected; and no confidential communication made to such employee shall be required to be revealed without the consent of the student or parent/guardian, unless the best interests of the student can be served only by such release.

### **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 of, or distributing controlled substances.<sup>3</sup>
2. Provide education concerning the dangers of abusing controlled substances.
3. Disseminate to students, parents/guardians, and staff Board policy and district procedures governing student use of controlled substances.
4. Establish procedures for education and readmission to school of students convicted of offenses involving controlled substances.

### **Guidelines**

It is the Board's intent to promote non-use behavior and provide policies which emphasize that the use of any controlled substance will not be tolerated. This policy prohibits any student from manufacturing, using, being under the influence of, possessing, or distributing, any controlled substance

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<sup>3</sup> 42 Pa.C.S.A. 8337; 24 P.S. 1303-A; 24 P.S. 1302.1-A.

on school property and, in the limited circumstances discussed in this policy, off school property.<sup>4</sup>

Incidents of manufacturing, using, being under the influence of, possessing or distributing any controlled substance by any person on school property shall be reported to the Office of Safe Schools on the required form at least once each year.<sup>5</sup>

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.

### Specific Procedural Guidelines

#### A. School Nurse

In the event of a medical emergency, the student should be provided with prompt medical attention. The school nurse and building administrator shall be notified immediately. The building administrator will notify students' parents/guardians immediately. In case of a student who is hallucinating, care should be taken to prevent the student from harming himself/herself or others. The student should be isolated in a quiet room.

If conditions permit, the school nurse shall record the following:

1. Pulse, blood pressure and respiration. If abnormal, repeat every fifteen (15) minutes for a total of three (3) to four (4) times.
2. Appearance of pupils and reactivity to light and any injection or conjunctiva.
3. Any tremor, general appearance and behavior, speech and gait.
4. Simple coordination tests; (walk a straight line, heel-to-toe walking, finger-to-nose test, ability to balance on one foot with eyes closed, etc.).

The pupil shall be sent home with a parent or guardian accompanied by the nurse, if needed, unless in the opinion of the nurse, immediate medical attention is required. In this case, appropriate emergency steps will be taken.

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<sup>4</sup> 24 P.S. 1303-A.

<sup>5</sup> 24 P.S. 1303-A.

If the parent or guardian is at home but unable to come to the school, the nurse, accompanied by an administrator, shall take the pupil home. The parent or guardian will be alerted that this is being done.

#### B. Building Administrator

All incidents of drug/controlled substance use shall be reported to the building administrator.

The building administrator shall request that the parent or legal guardian of the pupil come to school immediately. The administrator shall conduct a search of the pupil's locker or cabinet. A detailed record of the event shall be made. The referring staff member and the building administrator shall record their observations concerning such things as circumstances, behavior and appearance. If the parent, guardian or alternate as indicated on the pupil's emergency card is unavailable to participate as provided herein, the student shall be turned over to the local police department.

After properly conducting the investigation, the building administrator shall notify the student assistance team of the report and investigation. If the student(s) involved are of an elementary school age, the guidance counselor shall be notified.

#### C. Classroom Teachers and Staff

Classroom teachers and staff are required to report to the building administrator immediately, any pupil suspected of being under the influence of or in possession of drugs/controlled substances. Failure to do so will be regarded by the Board of School Directors as an insubordinate act.

#### D. Students

##### 1. Students Seeking Help

Refer to the guidance counselor or a member of the SAP team. Every effort should be made to gain the students' consent to notify the parent/guardian, however, parental notification or consent is not a prerequisite to referral. Strict confidentiality should be maintained. Every effort should be made to help this individual.

##### 2. Students Seeking Help for a Friend

Refer to the guidance counselor or a member of the SAP team. Student should be commended for his/her concern for a fellow student. The student should be assured that the conversation will be confidential.

3. Students Suspected of Use or Possession

For students admitting drug or alcohol use, treat as in "Students Seeking Help", above. For students denying use, emphasize that help is available, would be kept confidential and explain school policy.

4. Students In Possession

Refer to police as provided for in school policy. Substances should be confiscated and turned over to police. Notify parents/guardians. Notify guidance counselor. All aspects of case should remain confidential. Proceed as under Penalty, below.

5. Students Volunteering Information Regarding Sale or Distribution of Drugs on School Property

Refer to police. Keep identity of student confidential.

6. Students Suspected of Sale or Distribution of Drugs

Investigate circumstances and, if warranted, refer to police.

NOTE: IT IS STRONGLY RECOMMENDED THAT SCHOOL AUTHORITIES NOT ACCUSE ANY STUDENT OF POSSESSION, DISTRIBUTION, SALE OR INTENT TO SELL, UNLESS THERE IS DEFINITE EVIDENCE TO SUBSTANTIATE THE CHARGES.

Non-students suspected of sale or distribution in the school shall be immediately reported to the building administrator who shall investigate the matter immediately. If the investigation indicates reasonable suspicion, the matter shall be reported to the police as provided in district policy.

E. Penalty

All suspensions or expulsions as a result of violations of this policy shall be carried out according to the following procedural guidelines:

1. Every principal may temporarily suspend any pupil on account of disobedience or misconduct. The period of temporary suspension shall not exceed three (3) school days. A full suspension of up to ten (10) days may be given provided an informal hearing is held prior to the suspension.



2. The principal shall promptly notify the superintendent or designee of all temporary or full suspensions, indicating the nature of the offense and stating the period of suspension.
3. After consultation with the principal, the superintendent shall decide whether the case should be referred to the school board for its action. When it is desired that the case of disobedience or misconduct be acted upon by the school board, the Board shall appoint a special committee to hear the case in the manner prescribed by law.

Whenever possible, the SAP team shall provide appropriate recommendations and/or other pertinent information to the Board committee.

#### F. General

It is important that in interpreting this policy, all provisions of law, including the State Board of Education's Regulations on Student Rights and Responsibilities be strictly followed. In addition, Act 63, 1972, must be followed. This law provides that a minor can give consent for his/her own treatment and parents/guardians do not have to give consent or be notified.

Except for school-related functions, activities covered by school rules, and as otherwise stated in this policy, a student should not be reprimanded by the school for violations of drug/alcohol laws that have occurred while the student is on his/her own time and/or not on school property.

The school is concerned with both the health and welfare of the individual student as well as the overall good and welfare of the entire student body. Therefore, the circumstances involved with each drug/controlled substance case will be carefully evaluated, and how it is handled will reflect both concerns.