



SECTION: STUDENTS

POLICY: 227

TITLE: CONTROLLED SUBSTANCES

ORIGINAL: September 8, 2003

CURRENT REVISION:

LAST REVIEWED BY THE

COMMITTEE: March 23, 2021

I. PURPOSE

This policy and the Wissahickon School District K-12 Code of Student Discipline (Policy #218) represent a coordinated effort by the Wissahickon School District to openly and effectively respond to the potential and current uses and abuses of controlled substances by members of its entire student population.

II. DEFINITIONS

- A. **Controlled Substance** - shall include, but not be limited to alcoholic or malt beverage, controlled substances under federal or state law, look-alike drugs, any volatile solvents or inhalants, substances that when ingested cause a physiological effect that is similar to the effect of a controlled substance as defined by federal or state law, chemical abuse substance, anabolic steroids, potentially health endangering substance, prescription or non-prescription medications that have not been approved for a particular student's use pursuant to Board policy, and/or any substance which is intended to alter mood.
- B. **Student Assistance Team** – is a multi-disciplinary team composed of school personnel (teachers, staff, administrators, nurses, and counselors) and designated mental health specialists. This team has been trained to understand and work on the issues of adolescent chemical use, abuse, and dependency and will play a primary role in the identification and referral process of students coming to their attention through the procedures outlined in this policy.
- C. **Distributing** – (a) to deliver, sell, pass, share, offer, give, transfer, or solicit any controlled substance, (b) to attempt to deliver, sell, pass, share, offer, give, transfer, or solicit any controlled substance, or (c) to assist another person in doing (a) or (b). It shall also include: (1) possession in sufficient quantity of a controlled substance to indicate intent to do (a) or (b); (2) possession of a controlled substance in quantity, sizes, or packages to indicate intent to do (a) or (b); and (3) possession of Drug Paraphernalia including, but not limited to, scale(s) or bag(s), to indicate an intent to do (a) or (b).
- D. **Possession** – possess or hold, without any attempt to distribute any controlled substance determined to be illegal or as defined by this policy. A person who has consumed a controlled substance is presumed to be in possession.
- E. **Cooperative Behavior** – shall be defined as the willingness of a student to work with non-school and school personnel in a reasonable and helpful manner, complying with requests and recommendations of the members of the Student Assistance Team.

- F. **Uncooperative Behavior** – is resistance or refusal, either verbal, physical or passive, on the part of the student to comply with the reasonable request 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 the recommendations of the Student Assistance Team.
- G. **Drug Paraphernalia** – includes any utensil or item which in the judgment of school personnel can be associated with the use of a controlled substance. Examples include, but are not limited to, roach clips, pipes, bowls, bottles, flasks, syringes, and rolling papers.
- H. **Look-Alike** - any substance which by dosage, unit, appearance, or presentation would lead a reasonable person to believe the substance is a controlled substance.

III. POLICY

- A. Through the curriculum and classroom activities, community support, and resources, a strong and consistent administrative and faculty effort, and rehabilitative and disciplinary procedures, the Wissahickon School District will work to educate, prevent, and intervene in the use and abuse of all drug, alcohol, and mood-altering substances by the entire student population.
- B. The Board of Directors of Wissahickon School District prohibits students from using, possessing, distributing, and being under the influence of any controlled substances during school hours, at any time while on District property, at any school-sponsored activity, and during the time spent traveling to and from school and to and from school-sponsored activities.
- C. A student who on school grounds, during a school session, or at a school-sponsored activity on or off-campus is under the influence of a controlled substance or possesses, uses, dispenses, sells, or aids in the procurement of controlled substances including drug paraphernalia shall be subject to discipline pursuant to the established administrative guidelines.
- D. 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.
- E. 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.
- F. It is recognized that elementary school grades contain a population of students who, because of their age and experience, may not be able to fully understand the implications and consequences of their conduct as it relates to the District's Drug and Alcohol policy. An application of this policy to the District's elementary school students, therefore, may not be justified in certain circumstances. Accordingly, the Board authorizes the School District administration to use its discretion when addressing a potential violation of the School District's Drug and Alcohol policy by an elementary school student. In exercising its discretion, the administration shall consider all facts surrounding the circumstances involved, on a case-by-case basis, and shall consider the health, safety, and welfare of the entire student population, as well as the health, safety, and welfare of the specific student or students involved. In the event that the administration, in the exercise of its discretion, determines that discipline of the elementary school student should not fall within this policy, the administration shall nevertheless notify the parents/guardians of the student of the incident and shall make a notation of the incident in the student's file.

- G. The administration is also authorized to utilize any disciplinary method designed to protect the health, safety, and welfare of the student involved and of the other students in the School District, including but not limited to, the utilization of a drug and alcohol assessment and a referral to an appropriate professional for consultation or treatment.
- H. Prohibition of Anabolic Steroids
- a. The use of steroids by students involved in athletics is prohibited. In addition to the prohibition of use, the Board directs the administration to develop educational plans regarding the use of anabolic steroids
 - b. The Superintendent or designee shall prescribe, implement and enforce rules and regulations to prohibit the use of anabolic steroids, except for a valid medical purpose, by any student involved in school-related athletics. Bodybuilding and muscle enhancement, increasing muscle bulk or strength, or the enhancement of athletic ability are not valid medical purposes. In accordance with state law, Human Growth Hormone (HGH) prescribed by a physician shall not be included as an anabolic steroid under the provisions of this policy
 - c. No student shall be eligible to resume participation in school athletics unless there has been a medical determination that no residual evidence of steroids exists. The Board may require participation in a drug counseling, rehabilitation, testing or other programs as a condition of reinstatement into a school athletic program.
 - d. The following minimum penalties are prescribed for any student found in violation of the rules and regulations as related to anabolic steroids:
 - i. For a first violation, suspension from school athletics for the remainder of the season.
 - ii. For a second violation, suspension from school athletics for the remainder of the season and for the following season.
 - iii. For a third violation, permanent suspension from school athletics.
 - e. No student shall be eligible to resume participation in school athletics unless there has been a medical determination that no residual evidence of steroids exists. The Board may require participation in a drug counseling, rehabilitation, testing or other programs as a condition of reinstatement into a school athletic program.
 - f. Students should be made aware that anabolic steroids are classified as controlled substances and that the use, unauthorized possession, purchasing, or selling could, in addition to the penalties described above, subject them to suspension, expulsion and/or criminal prosecution.

IV. DELEGATION OF AUTHORITY

- A. 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 and the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.
- B. The Superintendent or his/her designee shall develop administrative guidelines regulating drugs and alcohol and insuring the District's compliance with law.

V. REFERENCES

24 P.S. 510
24 P.S. 511
22 PA Code 12.3
20 U.S.C. 1400 et seq
22 PA Code 10.23
35 P.S. 780-102
21 U.S.C. 812
24 P.S. 1302.1-A
24 P.S. 1303-A
22 PA Code 10.2
22 PA Code 10.21
22 PA Code 10.22
35 P.S. 807.1
35 P.S. 807.2
35 P.S. 807.3
35 P.S. 780-101 et seq
35 P.S. 807.1 et seq
42 Pa. C.S.A. 8337
22 PA Code 10.25
20 U.S.C. 7114
20 U.S.C. 7161
21 U.S.C. 801 et seq
34 CFR Part 300