

# FERNDALE AREA SCHOOL DISTRICT

SECTION: PUPILS  
 TITLE: CONTROLLED SUBSTANCES/  
 PARAPHERNALIA  
 ADOPTED: MARCH 21, 1990  
 REVISED: DECEMBER 3, 2003  
 MAY 9, 2007  
 OCTOBER 17, 2007  
 AUGUST 18, 2010

227. CONTROLLED SUBSTANCES/PARAPHERNALIA	
<p>1. Purpose</p>	<p>The Board recognizes that the abuse of controlled substances is a serious problem with legal, physical and social implications for the whole school community. As an educational institution, the schools shall strive to prevent abuse of controlled substances.</p>
<p>2. Definitions                      35 P.S.                      780-101 et seq                      42 P.S. 8337                      21 U.S.C.                      Sec. 812</p> <p>Pol. 210</p>	<p>For purposes of this policy, controlled substances shall include all:</p> <ol style="list-style-type: none"> <li>1. Controlled substances prohibited by federal and state law.</li> <li>2. Look-alike drugs.</li> <li>3. Alcoholic beverages.</li> <li>4. Anabolic steroids.</li> <li>5. Drug paraphernalia.</li> <li>6. Any volatile solvents or inhalants, such as but not limited to glue and aerosol products.</li> <li>7. Prescription or patent drugs, except those for which permission for use in school has been granted pursuant to Board policy.</li> </ol> <p>For purposes of this policy, under the influence shall include any consumption or ingestion of controlled substances by a student.</p>
<p>3. Authority                      SC 510, 511                      Title 22                      Sec. 12.3</p>	<p>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 school-sponsored activities.</p>



**First Offense, compliant**

**A violation of this section for the first time will result in a 5 day school suspension, mandatory parent conferencing, a 30 day ban from participation in all school and extra-curricular activities, police notification, Student Assistance Program referral, referral for drug and alcohol evaluation, and compliance with the recommendations from the drug and alcohol evaluation.**

**If a student response in this violation is non-compliant and the student and/or parent(s)/guardian refuse to conference and/or be drug tested and/or follow the suggested drug and alcohol treatment plan, the student will be automatically removed to an alternative education setting for a minimum of 45 days, with an accompanying ban from school and extra-curricular activities. The board may place reasonable conditions upon his/her return to school including, but not limited to successful completion of the drug and alcohol treatment plan and a clean drug screen test.**

**Second Offense, compliant**

**A violation of this section for the second time will result in a 10 day school suspension, mandatory parent conferencing, a 60 day ban from participation in all school and extra-curricular activities, police notification, Student Assistance Program referral, required drug and alcohol evaluation, and compliance with the recommendations from the drug and alcohol evaluation.**

**If a student response in this violation is non-compliant and the student and/or parent(s)/guardian refuse to conference and/or be drug tested and/or follow the suggested drug and alcohol treatment plan, the student will be automatically removed to an alternative education setting for a minimum of 45 days, with an accompanying ban from school and extra-curricular activities. The board may place reasonable conditions upon his/her return to school including, but not limited to successful completion of the drug and alcohol treatment plan and a clean drug screen test.**

**Third/Subsequent Offense**

**Subsequent violation will result in placement to an alternative education setting for a minimum of 45 days and may result in expulsion, mandatory parent conferencing, a one year ban from participation in all school and extra-curricular activities, police notification, Student Assistance Program referral, required drug and alcohol evaluation, and compliance with the recommendations from the drug and alcohol evaluation.**

**The board may place reasonable conditions upon his/her return to school including, but not limited to successful completion of a D&A treatment plan and a clean drug screen test.**

	<p><b>Exceptions: The district superintendent may recommend a discipline shorter or longer in duration when taking into account the following factors: the type and quantity of drug involved; whether or not the violation involved possession as opposed to delivery or sale; whether evidence indicates the violation may have been an ongoing course of conduct or a single occurrence; whether the violation involved violence or threat of violence; relevant prior record of the student; age of the student; whether the student and his/her parents have cooperated in drug treatment and rehabilitation programs recommended by the district; and, other relevant and material facts existing on a case-by-case basis.</b></p> <p><u>Anabolic Steroids</u></p> <p>35 P.S. Sec. 807.1</p> <p>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 Pol. 233</p> <p>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.</p> <p>35 P.S. Sec. 807.3</p> <p>The following minimum penalties are prescribed for any student athlete found in violation of the prohibited use of anabolic steroids:</p> <ol style="list-style-type: none"> <li>1. For a first violation, suspension from school athletics for the remainder of the season.</li> <li>2. For a second violation, suspension from school athletics for the remainder of the season and for the following season.</li> <li>3. For a third violation, permanent suspension from school athletics.</li> </ol> <p>No student shall be eligible to resume participation in school athletics unless a medical determination has been submitted, verifying that no residual evidence of steroids exists.</p> <p>References:</p> <p>Controlled Substances Act – 21 U.S.C. Sec. 801 et seq</p> <p>PA Controlled Substance, Drug, Device and Cosmetic Act – 35 P.S. 780-101 et seq</p>
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	<p>PA Civil Immunity of School Officers/Employees Relating to Drug or Alcohol Abuse – 42 Pa. C.S.A. 8337</p> <p>Steroids – 35 P.S. Sec. 807.2</p> <p>School Code – 24 P.S. Sec. 510, 511, 1303-A</p> <p>State Board of Education Regulations – 22 PA Code Sec. 12.3; 22 PA Code Sec. 403.1</p> <p>No Child Left Behind Act of 2001 – 20 U.S.C. Sec. 7114, 7161</p> <p>Board Policy – 122, 123, 210, 218, 233</p>
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