

227-AR CONTROLLED SUBSTANCES/PARAPHERNALIAI. Classification and Implementation

A. Student Seeking Help

1. Every effort shall be made to gain the student's consent to notify the parents, or at least consent to referral for treatment.
2. The Pennsylvania Drug and Alcohol Abuse Control Act #63 (1690.112. Consent of minor) states: "notwithstanding any other provisions of law, a minor who suffers the use of a controlled or harmful substance may give consent to furnishing of medical care or counseling related to diagnosis or treatment. The consent of the parents or legal guardian of the minor shall not be necessary to authorize medical care or counseling related to such diagnosis or treatment. The consent of the minor shall be valid and binding as if the minor had achieved his majority. Such consent shall not be voidable nor subject to later disaffirmance because of minority. Any physician or any agency or organization operating a drug abuse program, who provides counseling to a minor who uses any controlled or harmful substance may, but shall not be obligated to inform the parents or legal guardian of any such minor as to the treatment given or needed." Thus, the Pennsylvania Drug and Alcohol Abuse Act protects the right of the school to refer consenting students for treatment without parental knowledge or consent. It should be remembered, however, that the School Board recommends that all reasonable attempts be made, with the consent of the students, to involve parents at the earliest practical time.
3. Parents of a minor student will be notified if it is necessary for student to receive emergency care (See Policy 210, Use of Medications).
4. Strict confidentiality shall be maintained and lines of communication between student and confidant must be kept open.
5. The student shall be advised that any future use, possession, or transfer of illegal drugs will not be condoned, and that information concerning any such future activity will not be treated confidentially.

B. Suspicion of Usage

1. When a student exhibiting unusual behavior is suspected of being under the influence of drugs or alcohol, an investigation shall take place immediately.
2. The school nurse will complete a confidential "Health Assessment When Questioning Substance Use" (Attachment A). This assessment will become part of the student's permanent school health record and information obtained may be used in the decision-making process for the student's disposition.
3. When the investigation warrants, parents of a child who is exhibiting unusual behavior shall be notified and asked to come to the school. Following a discussion with school personnel, parents will decide whether to take the child for further assessment or treatment.
4. If it has been ascertained that the student's behavior was the result of illegal drugs and/or alcohol, the parents and student will be notified of the sections of this policy which deal with disciplinary procedures and actions implemented by the district including but not limited to referral to Student Assistance Program (SAP), Policy 236.

C. Actual Usage

1. When there is reasonable evidence that a student is under the influence of, or is involved in the use of a drug or an alcoholic beverage, and this is his/her first offense, the parents shall be notified, and, following an informal hearing and conference, the student shall be given a one to ten day suspension from school depending upon the situation. The informal hearing and conference will be conducted in conjunction with Chapter XII of the regulations of the Pennsylvania State Board of Education. During this suspension, it is recommended that the student seek counseling and/or treatment from any one of the various licensed agencies or licensed individuals who offer help in this area.
2. At the second offense, the parents shall be notified and referral shall be made to the principal for a decision as to the length of suspension pending treatment. The principal will notify the Superintendent regarding his/her decision.
3. For habitual offenses, the penalty may be exclusion from school for a period of up to one calendar year or more unless recommendation of the principal provides an alternative. Application for readmission at the conclusion of this period will be reviewed by the Superintendent and/or his designated committee and a report with a recommendation forwarded to the Board of Education.
4. Law enforcement authorities may be contacted in any of the above situations.

D. Possession Without Actual Usage

1. When a student is found in possession of suspected drugs, referral must be made to law enforcement authorities, who will obtain an analysis of such suspected drugs and will determine whether an arrest or referral to a judiciary agency will be made.
2. If, except as to look-alike drugs, the result of the analysis is negative and no further legal action is taken, all records as to the identity of the student shall be destroyed.
3. If the result of the analysis is positive or look-alike drugs are involved, steps shall be taken as in Section C (Actual Usage).

E. Distribution, Selling or Buying

1. It is not the intent of these regulations to distinguish between a distributor, a seller and a buyer. However, individual situations may result in such a distinction being made.
2. Parents and the local police shall be contacted. The decision regarding those involved will be at the discretion of the law enforcement authorities.
3. When there is reasonable evidence that a student is guilty of buying or selling, those involved may be excluded from school for a period of up to one calendar year.
4. An individual case may be reviewed, and readmission before the complete calendar year has elapsed may be granted if sufficient evidence exists that rehabilitation has taken place, and that further exclusion is detrimental to the welfare of the student.
5. Application for readmission will be reviewed by the Superintendent and/or the designated committee.

F. Discovery of Drugs

1. Drugs found anywhere on the school premises shall be given promptly to law enforcement authorities.
2. A receipt for same shall be obtained from such authorities.

G. Apprehended by Police for Distributing Illegal Drugs, Contraband and/or Marijuana

1. If a Muhlenberg School District youth is apprehended by the police for activities involving suspicion of use, possession, or the buying or selling of illegal drugs, look-alike drugs, marijuana, or alcohol while the student is under the jurisdiction of the school district, and if the principal is notified by law enforcement officials, the student will be subject to disciplinary measures of Section II, subsections B, C, D, E, and F of this policy and Section III.

H. Discovery of Drugs by Staff Members

1. If a staff member discovers the use or sale of drugs, look-alike drugs, controlled substances, alcohol, or contraband during the performance of duties, he/she should attempt to identify the students, isolate and detain the students, and seek immediate assistance in an investigation of the matters. (See I.F.)

II. Procedural Guidelines

Suspension Action	Procedure	Disciplinary Response
Suspicion of Using Marijuana, Illegal Drugs, Look-alike Drugs, Contraband, and/or Alcohol	<ol style="list-style-type: none"> 1. Staff member reports observation of student actions and behavior to principal/asst. principal. 2. Principal/Asst. Principal notes report of observation and initiates an investigation. 3. School nurse conducts a Health Assessment. (Attachment A) 4. Principal/Asst. Principal confers with student. 5. When the investigation warrants, Principal/Asst. Principal notifies parents. 	<ol style="list-style-type: none"> 1. Student is sent home with a parent. 2. Referral to guidance. 3. Referral to SAP and/or outside agency for drug counseling/treatment.
Use of Marijuana, Illegal Drugs, Look-alike Drugs, Contraband and/or Alcohol	<ol style="list-style-type: none"> 1. Staff member will attempt to detain and isolate the individual and summon the Principal/Asst. Principal. 2. Principal/asst. principal notes report of observation and initiates an investigation. 	<p>Suspension or expulsion dependent upon the severity. (See II.C.1, 2, 3 on p. 3.4C)</p> <ol style="list-style-type: none"> 1. One to ten days out of school suspension. 2. Activity restriction as per Code of Responsibility.

	<ol style="list-style-type: none"> 3. School nurse conducts a Health Assessment. (Attachment A) 4. Law enforcement officials are notified. 5. Parents are notified and student is detained until police arrive. 6. In the event of expulsion, the student is given a full due process hearing before the Board. 	<ol style="list-style-type: none"> 3. Referral to SAP and/or agency for drug counseling/treatment. 4. Expulsion up to 1 calendar year depending on severity. 5. Alternative Educational Placement
Suspension Action	Procedure	Disciplinary Response
Possession of Marijuana, Illegal Drugs, Look-alike Drugs, Contraband, and/or Alcohol	<ol style="list-style-type: none"> 1. School authorities have the right to search the locker of any student whom they suspect of possessing any unlawful substance 2. Staff member reports all pertinent information to the Principal/Asst. Principal and attempts to detain and isolate the individual. 3. Principal/Asst. Principal initiates an investigation. 4. When the investigation warrants: <ul style="list-style-type: none"> • Law enforcement officials will be contacted. • Parents are notified. 5. Before returning to school, a hearing will be conducted with the parent, student, Principal, Asst. Principal (1st offense). 	<p>Suspension or expulsion dependent upon the severity. (See II.C.1, 2, 3 on p. 3.4C)</p> <ol style="list-style-type: none"> 1. One to ten day out of school suspension. 2. Activity restriction as per Code of Responsibility. 3. Referral to SAP and/or agency for drug counseling/treatment. 4. Expulsion up to 1 calendar year depending on severity. 5. Alternative Educational Placement
Suspicion of distributing, selling, or buying Marijuana, Illegal Drugs, Look-alike Drugs, Contraband, and/or Alcohol	<ol style="list-style-type: none"> 1. Staff member reports all pertinent information to the principal/asst. principal. 2. Administration attempts to substantiate information. 	<ol style="list-style-type: none"> 1. Close surveillance of student's activities during the school day. 2. Referral to SAP and/or agency for drug counseling/treatment.
Distributing, selling or buying Marijuana, Illegal Drugs, Look-alike Drugs, Contraband, and/or Alcohol	<ol style="list-style-type: none"> 1. Staff member who observes distribution will attempt to detain and isolate individual and summon the principal/asst. principal. 	<ol style="list-style-type: none"> 1. Suspension and/or expulsion dependent upon severity. 2. Alternative Educational Placement

	<p>2. Law enforcement officials will be notified.</p> <p>3. Parents are notified, and student is detained until police arrive.</p> <p>4. Student is given a full due process hearing before the Board.</p>	<p>3. Referral to SAP and/or agency for drug counseling/treatment.</p>
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IV. Qualifications

- A. In establishing guidelines for action, it is acknowledged that generalizations may be invoked in writing procedures such as those outlined above.
- B. It must be understood that concerns for the well-being of the individual involved in any of the actions described herein must be weighed against concerns for the well-being of the student body at large.
- C. Therefore, it must be recognized that appropriate discretionary action on the part of those charged with carrying out the punitive process must not be prohibited by these guidelines.
- D. It is suggested, however, that such diversions from the established procedures should be the exception rather than the rule.

Established: 4/13/2011

Attachment A

HEALTH ASSESSMENT WHEN QUESTIONING SUBSTANCE USE

DATE: _____

TIME: _____

NAME: _____

GRADE: _____

EMERGENCY ASSESSMENT

BP _____

HR _____

Regular Irregular

RR _____

Regular Irregular

TEMP _____

Level of Orientation
(time, place, person)

Alert & Oriented

Confused

Coordination
(Walk a straight line, Finger to nose, Touch toes, Romberg)

Normal

Impaired

Eyes

Pupils	Normal	Constricted	Dilated
Reaction to light	Reactive	Slowed	Non-reactive
Sclera	Normal	Reddened	Glossy
PERRL	EOM		

Chief Complaint: _____

Chest pain	No	Yes
Other symptoms	No	Yes

Other observations (vomiting, incontinence, other)? _____

Name of Drugs(s): _____

Route: _____ Amount: _____

Time used: _____

Any other substances? _____

IMPAIRMENT ASSESSMENT

Circle all that are appropriate

Behavior

Activity Level	Normal	Hyperactive	Irritable
		Belligerent	Silly
		Restless	Slow
		Dazed	

Anxiety Level
(Determined on a 1 - 10 with 10 being the highest) _____

Speech	Normal	Rambling	Slurred
Thought Process	Remains focused	Wandering Delusions	Paranoia

Hallucinations

Physical Appearance

Balance	Steady	Unsteady	
Odor	None	Alcohol	Marijuana

Other: _____

Other physical findings: _____

Tremors	No	Yes
Runny Nose	No	Yes

ASSESSMENT: Not Impaired Unable to Determine Impaired

Additional comments _____

Nurse's Signature