

**MONTGOMERY  
COUNTY  
INTERMEDIATE  
UNIT #23**

SECTION: PUPILS  
TITLE: CONTROLLED  
SUBSTANCES/PARAPHERNALIA  
ADOPTED: JANUARY 27, 2010  
REVISED:

<p>1. Purpose</p> <p>2. Definitions 35 P.S. Sec. 780-102 20 U.S.C. Sec. 1415 21 U.S.C. Sec. 812</p> <p>Pol. 210</p> <p>3. Authority SC 964 Title 22 Sec. 12.3</p>	<p style="text-align: center;">227. CONTROLLED SUBSTANCES/PARAPHERNALIA</p> <p>The Board recognizes that the abuse of controlled substances is a serious problem with legal, physical and social implications for the school community. As an educational institution, the Intermediate Unit shall strive to prevent abuse of controlled substances.</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>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 Intermediate Unit property, at any program or activity sponsored by the Intermediate Unit, and during the time spent traveling to and from programs and activities sponsored by the Intermediate Unit.</p> <p>When the district where the Intermediate Unit program is located has an adopted policy on controlled substances, Intermediate Unit employees shall follow the district's policy. Intermediate Unit employees working in districts that do not have such policy shall comply with this Board policy. Intermediate Unit employees shall comply with this Board policy for situations not governed by the district policy.</p>
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<p>Pol. 218</p>	<p><u>Off-Campus Activities</u></p> <p>This policy shall also apply to student conduct that occurs off Intermediate Unit or school property and would violate the Code of Student Conduct if:</p> <ol style="list-style-type: none"> <li>1. There is a nexus between the proximity or timing of the conduct in relation to the student’s attendance at an educational program or activity sponsored by the Intermediate Unit.</li> <li>2. Student expression or conduct materially and substantially disrupts the operations of the Intermediate Unit programs, or the administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of the Intermediate Unit programs.</li> <li>3. The conduct has a direct nexus to attendance at an educational program or activity sponsored by the Intermediate Unit, such as an agreement to complete a transaction outside of the program or activity that would violate the Code of Student Conduct.</li> <li>4. Conduct involves the theft or vandalism of Intermediate Unit or school property.</li> </ol>
<p>4. Delegation of Responsibility</p> <p>42 Pa. C.S.A. Sec. 8337 Pol. 218, 233</p>	<p>The Executive Director or designee shall develop administrative regulations to identify and control substance abuse in the Intermediate Unit programs which:</p> <ol style="list-style-type: none"> <li>1. Establish procedures to deal with students suspected of using, possessing, being under the influence, or distributing controlled substances in Intermediate Unit programs, up to and including a recommendation for expulsion and referral for prosecution.</li> <li>2. Disseminate to students, parent/guardians and staff the Board policy and administrative regulations governing student abuse of controlled substances.</li> </ol>
<p>SC 1303-A</p>	<p>Incidents of possession, use and sale of controlled substances by any person on Intermediate Unit property shall be reported to the Office of Safe Schools on the required form at least once each year.</p>
<p>5. Guidelines</p>	<p>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.</p> <p><u>Reasonable Suspicion/Testing</u></p> <p>If based on the student’s behavior, medical symptoms, vital signs or other observable factors, the program supervisor or building administrator has reasonable suspicion that the student is under the influence of alcohol or a controlled substance, the student may be required to submit to drug or alcohol testing. The testing may include but is not limited to the analysis of blood, urine, saliva, or the administration of a Breathalyzer test.</p>

References:

School Code – 24 P.S. Sec. 964, 1303-A

State Board of Education Regulations – 22 PA Code Sec. 12.3

PA Controlled Substance, Drug, Device and Cosmetic Act – 35 P.S.  
Sec. 780-101 et seq.

Steroids – 35 P.S. Sec. 807.1 et seq.

PA Civil Immunity of School Officers/Employees Relating to Drug or Alcohol Abuse –  
42 Pa. C.S.A. Sec. 8337

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1415

Controlled Substances Act – 21 U.S.C. Sec. 801 et seq.

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