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Purpose

The Board recognizes that the misuse of drugs and alcohol is a serious problem with legal, physical and social implications for the whole school community. This policy and its associated guidelines are intended to protect the health, safety and welfare of all students.

In keeping with the mission of the district, the role of this drug and alcohol abuse prevention policy and programs is to build partnerships between faculty, administrators, coaches, parents/guardians and students in order to reduce alcohol and other drug-related barriers to academic, athletic and personal development. Cumberland Valley School District provides a multifaceted approach to drug and alcohol prevention. This approach focuses on the establishment of strong partnerships between faculty, administrators, coaches, parents/guardians, students and the community. Therefore, it is the Board's intent to promote nonuse behavior and provide policies that emphasize that the use of alcohol and drugs will not be tolerated.

In the "Communities That Care" Cumberland Valley School District Youth Survey Report administered to a sampling of Cumberland Valley High School students in May 2005, the following results were highlighted:

- Cumberland Valley High School students recorded the highest prevalence-of-use rates for alcohol (70.7%), cigarettes (35.3%), and marijuana (30.8%), while 13.7% of students surveyed reported using illicit drugs other than marijuana at least once in their lifetime.
- Cumberland Valley High School students reported the highest past-30-day prevalence-of-use rates for alcohol (40.7%), marijuana (16.1%), and cigarettes (14.4%), while overall 4.5% of students surveyed reported the use of any illicit drug other than marijuana at least once in the past 30 days.

Furthermore, Cumberland Valley School District in recent years has experienced an upsurge of incidents involving students using, possessing, or being under the influence of drugs or alcohol in violation of Policy Nos. 122 and 227. For example, during the 2004-05 school year, there were 25 reported violations of Policy No. 227, of which 16 cases involved students using, possessing, or being under the influence of drugs or alcohol while at school. The following year, during the 2005-06 school year, there were 41 reported violations of Policy No. 227, of which 28 cases involved students using, possessing, or being under the influence of drugs or alcohol while at school. In addition, during the 2005-06 school year, there were 45 reported violations of Policy No. 122, of which 31 cases involved students using, possessing, or being under the influence of drugs or alcohol either while at school or off of school property.[1]

The increase in violations of Policy Nos. 122 and 227 is commensurate with the reported increase of students being referred for drug and alcohol assessments through the Student Assistance Program. For example, during the 2004-05 school year, 120 students were referred to the Student Assistance Program, of which 54 students were referred for drug and alcohol assessments. The following year, during the 2005-06 school year, 152 students were referred to the Student Assistance Program, of which 89 students were referred for drug and alcohol assessments.[1]

Based upon the results of the "Communities That Care" Cumberland Valley School District Youth Survey Report, student discipline statistics, as well as statistics from the Student Assistance Program, it is evident that drug and alcohol use at Cumberland Valley School District exists across the entire student body. It is in the best interest of our students, and the community at large, to take appropriate steps to deter and prevent drug and alcohol use by students.

Through the use of curriculum and classroom activities, community resources, administrative and faculty efforts, rehabilitative and disciplinary procedures, the district will work to educate and prevent the use and abuse of all drugs and alcohol by students.

The purpose of this policy is to establish rules and regulations intended to prevent the use of drugs and alcohol as follows:

1. To prevent student participants in athletics, extracurricular and/or cocurricular activities, and students receiving driving privileges to and from school from using drugs or alcohol.
2. To protect the health and safety of all students.

3. To prevent accidents and injuries resulting from the use of drugs or alcohol.
4. To provide an effective Student Assistance Program for students who are using drugs or alcohol.
5. To empower students to make responsible choices relating to the use of drugs or alcohol.

Definitions

For purposes of this policy, the following terms shall be defined as follows: [\[8\]](#)[\[9\]](#)[\[10\]](#)

Alcohol - Alcoholic beverages including, but not limited to, beer, wine, liquor and any beverage subject to the control and jurisdiction of the Pennsylvania Liquor Control Board and any substance containing ethyl alcohol to the extent that it can impair judgment or function if taken in sufficient quantities.

Drugs - shall include all of the following:

1. Controlled substances as defined in the Controlled Substance, Drug, Device and Cosmetic Act, as otherwise prohibited by federal and state law.
2. Prescription or patent drugs (over-the-counter drugs), except those for which permission for use or possession in school has been granted pursuant to Board policy.
3. Anabolic and nonanabolic steroids.
4. Look-alike drugs.
5. Drug paraphernalia.
6. Any solvents or inhalants, such as but not limited to glue and aerosol products.

Examples of the above include, but are not limited to, anabolic steroids, nonanabolic steroids, marijuana, hashish, cocaine, chemical solvents, glue, look-alike substances, and any capsules or pills not registered with the nurse, annotated within the student's health record, and/or taken in accordance with Board policy for the administration of medication to students in school.

Drug Paraphernalia - Any utensil, device or item that in the school's judgment can be associated with the use of drugs. Examples may include, but are not limited to, cigarette-rolling papers, roach clips, pipes, and bowls.

Look-Alike Drugs - Any noncontrolled substance that in its overall finished dosage appears substantially similar in size, shape, color, marking or packaging to a specific drug.

Student Assistance Program ("SAP") Team - A multidisciplinary team composed of a building administrator, a guidance counselor, a school nurse, and at least one (1) teacher. A central office administrator, school psychologist, alternative education teacher, and student assistance coordinator may act as consultants to the team. 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 its attention through the procedures outlined in this policy and its guidelines. A drug and alcohol specialist from the Cumberland/ Perry Drug and Alcohol Commission and a TeenLine counselor from Holy Spirit Hospital will assist the Student Assistance Teams.

Student Assistance Coordinator - The coordinator is responsible for the development, implementation and administration of all policies and procedures related to the Student Assistance Program.

Outside Referral - Referral to an education or treatment agency not operated by the school district wherein students are evaluated in an effort to determine the extent of the drug/alcohol problem and appropriate intervention techniques to be applied. (Examples: Cumberland Perry Drug and Alcohol Services)

Student Athlete - This term shall include any student who is participating in, or may reasonably be expected to participate in, an interscholastic sport. The term also includes cheerleaders. For the purposes of this policy, students participating in any of the preceding activities shall be referred to as "athlete."

Cocurricular Activities - Those activities that are sponsored by the Board, are offered for credit toward graduation, and have required components of their programs that require attendance at and participation in activities scheduled during nonschool hours. A list of cocurricular activities is included in the student handbook and may be supplemented during the year as approved by the Superintendent and reported to the Board.

Extracurricular Activities - Those activities that are sponsored by the Board but are not offered for credit toward graduation. An activity shall be considered sponsored by the Board when it has been approved by the Superintendent and reported to the Board for their information. A list of extracurricular activities is included in the student handbook and may be supplemented during the year as approved by the Superintendent and reported to the Board.

School District Property - Buildings, facilities and grounds on any school or vocational-technical campus, school bus, school bus stop, school parking area, and any facility being used for a school function or school-sponsored trip. In addition, students shall be considered under the control of this policy while they are traveling to and from school.

Parking Privileges - The privilege of driving to and from school and parking a motor vehicle on school district property granted to students, after having been issued a parking permit from the building administration.

Medical Review Officer - An accredited physician selected by the district who receives the results of the drug tests, interprets the findings, notifies the student athlete, the student athlete's parents/guardians, and authorized school district personnel of positive findings, and makes the determination of whether the findings could have been altered by medical reasons.

Sports Season - During any single school year, the period of time established by the coach of any sport within the parameters established by the school and, as appropriate, by the Pennsylvania Interscholastic Athletic Association (P.I.A.A.), from the first scheduled practice date of that sport and the completion of the last competition scheduled for that sport, including playoff contests.

Authority

Section I. Conduct Prohibited - All Students

The Board prohibits any student from possessing, distributing, selling, using or being under the influence of any drug or alcohol while on school district property, while in school vehicles or vehicles leased by the district, including school district contracted or chartered buses, and while at school activities or at any school-sponsored function.[\[4\]](#)[\[5\]](#)[\[6\]](#)

REASONABLE SUSPICION DRUG AND ALCOHOL TESTING

If, based on observable behavior or symptoms, a school employee has a reasonable suspicion that a student is under the influence of a drug or alcohol, as defined herein, the employee shall report the matter to the building principal and the student shall be escorted to the school nurse's office for an examination that may include checking the student for abnormal vital signs.

If, based on the student's observable behavior, medical symptoms, vital signs or other factors, school administrators have a reasonable suspicion that the student is under the influence of a drug or alcohol, and if after being questioned by the school administrators the student denies using or consuming a drug or alcohol, the student shall 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.

If the student is required to submit to drug or alcohol testing, the testing will be done in the following manner:

1. The administration will attempt to contact the student's parent/guardian before the student is tested.
2. In the case of suspected drug use, testing will be done by a medical professional or clinic with appropriate testing facilities approved by the district, or in the case of suspected alcohol consumption, breathalyzer testing will be performed by any medical professional, law enforcement officer, or district employee certified to administer such test. Testing shall be completed within a one (1) hour time limit (or as soon as possible, if not practicable within the one (1) hour time limit). The parent/guardian of the student may exercise the right to choose a different qualified medical professional or clinic capable of administering the test within the one (1) hour time limit. If the parent/guardian exercises the right to choose another medical professional or clinic, the parent/guardian will pay for the cost of the testing. In addition, the parent/guardian shall consent to allowing the medical professional or clinic to disclose the results of the test to the administration.
3. The testing will be conducted in a reasonable manner using a method that takes into account the factors of the student's age, sex, and the degree of intrusiveness involved in collecting a sample for testing.
4. Disclosure of drug or alcohol testing results will be limited to the student, the student's parent/guardian, and appropriate district administrators for the purpose of providing counseling or taking appropriate disciplinary action.

The Board may require participation in drug and alcohol 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.

PENALTIES FOR VIOLATIONS OF SECTION I

Any student who violates this Section I shall be subject to disciplinary action in accordance with the procedures set forth in Policy No. 218.

Section II. Conduct Prohibited - Student Athletes, Students Involved in Extracurricular and Cocurricular Activities, and Students With Parking Privileges

The Board recognizes that drug and alcohol use by students poses a substantial and significant threat to the health, safety, and welfare of all students, teachers, and members of the community. In addition, the inherent risks associated with drug and alcohol use are heightened in many cases when students are playing, participating in, or engaging in their respective activities while under the influence of or experiencing the effects of certain drugs or alcohol. The Board desires to create and maintain a school environment which is free of the presence and effects of drugs and alcohol, and where student athletes, students involved in extracurricular and cocurricular activities, and students with parking privileges, can serve as role models to other students and participate in their respective activities free from peer pressure to use drugs and alcohol.

In furtherance of these goals, the Board prohibits any student athlete, whether in-season or out-of-season, any student participating in extracurricular or cocurricular activities, or any student with parking privileges from possessing, using, distributing or selling any drug or alcohol. This conduct is

prohibited at any time and at any place; whether during or after school hours, and whether on or off school property. Any student subject to this Section II who tests positive for illicit drug use through random drug testing shall be subject to the penalties set forth herein.

RANDOM DRUG TESTING

The Cumberland Valley School District considers participation in athletics, extracurricular and cocurricular activities, and driving to and from school to be a privilege and a voluntary activity available to every student. Students volunteering to participate are expected to accept the responsibilities granted to them by this privilege.

As a representative of the school district, students become role models for young children and their peers, and are viewed as special representatives of the community. The student athletes, those participating in extracurricular and cocurricular activities, and those having parking privileges have chosen to accept this role and, with it, the responsibility of a drug and alcohol free lifestyle.

Administrators, teachers, and coaches recognize that drugs and alcohol have a damaging effect on motivation, memory, judgment, reaction time, coordination, and performance. These concerns, in conjunction with the health and safety concerns for our student participants, and the recognition that drug and alcohol use and abuse exists throughout all facets of our student population, have compelled the development of this policy. To this degree, this policy is viewed as a viable drug and alcohol prevention program.

Requirements and Procedures

Every student participating in a Cumberland Valley School District athletic team (including managers and statisticians), those participating in extracurricular and cocurricular activities, and those with parking privileges must consent to random drug testing.

At the beginning of each school year and prior to engaging in any such activity, every student athlete, every student participating in an extracurricular or cocurricular activity, and every student granted parking privileges, and each student's parent/guardian will be required to sign a contract agreeing that the student shall submit to random drug testing at any time and without prior warning. Drug testing shall be performed by analyzing urine samples produced by randomly selected students. Samples will be collected by trained personnel in a manner that balances the values of privacy and confidentiality with the accuracy of the tests. In order to ensure the accuracy of the tests, samples will be collected in a designated area. Techniques will be adopted to prevent tampering. A certified laboratory will be used for the testing of the collected samples. All costs associated with the testing will be paid by the school district.

Students subject to random drug testing under this Section II shall be eligible for random selection for drug testing throughout the entire school year. In addition, students participating in an athletic program or extracurricular or cocurricular activity which engages in practice or competition before or after the school year (e.g. summer football practice or summer band camp) shall be eligible for random drug testing during that period as well. Individual students will be randomly selected to participate in the drug test. In addition, athletic teams, extracurricular and cocurricular groups, and the entire group of students with parking privileges, shall be subject to team-wide or group-wide, as the case may be, drug testing during the athletic season or while the extracurricular or cocurricular group is in session, whereby an athletic team, extracurricular group or cocurricular group (including the group of students with parking privileges) may be randomly selected, thereby requiring all students who are members of that team or group to submit to drug testing as set forth herein.

Should a student athlete, a student participating in an extracurricular or cocurricular activity, or a student granted parking privileges at any time refuse to produce a sample for testing or give an altered sample for testing, this action will be treated as a violation of this Section II, and shall be considered a first, second or third offense, as set forth below, depending upon whether prior violations have occurred. Student samples will be screened for the illegal use of drugs. The results of

the tests will be disclosed only to the student, the student's parents/guardians, and of the following school personnel: the Athletic Director, the principal, the Student Assistance Team, the coach or activity director, and any other school district officials or employees who have a legitimate need to know. It is the responsibility of the school representatives to protect the confidentiality of the test results.

If the student tests positive for drugs, the following responses will be activated:

1. A confirmation test (second test) will be conducted utilizing the original sample. If the result of the confirmation test (second test) is negative, no further action will be taken. If the results of the confirmation test (second test) are positive, the Medical Review Officer will contact the student's parent/guardian to discuss the results seeking to determine if there is a valid medical reason why the detected drug should be present. After considering the information obtained, the Medical Review Officer will issue a final report to the district.
2. The laboratory performing the drug screening services and the Medical Review Officer will report the results of the drug screen to the student, the student's parent/guardian, and the district in accordance with the provisions set forth herein.
3. The administration will provide the student and parent/guardian with written confirmation of the positive results. Said correspondence will outline the imposed penalties and the effective beginning and end dates of the penalties.
4. The student should participate in a drug assessment program through one (1) of the following programs:
 - a. A Prevention/Intervention Specialist from Cumberland/Perry Drug and Alcohol Commission or TeenLine Counselor assigned to the Cumberland Valley School District through the Student Assistance Team. This service is free to the student and to his/her family.
 - b. A licensed Drug and Alcohol Treatment facility to be evaluated by a Licensed Treatment Specialist or a Certified Addictions Counselor (CAC). This service is not free. All fees are the responsibility of the parent/guardian of the student.

Failure to participate in one (1) of these programs will result in dismissal from all athletic, extracurricular and/or cocurricular participation. Student drivers will have their driving privileges revoked for failure to participate.

5. The student will be assigned a mentor from the Student Assistance Team. The student must meet with this mentor at least weekly to discuss the student's progress toward fulfilling his/her responsibilities to the school.
6. A positive drug test, i.e. a drug test indicating the presence of drugs in the student's body, resulting from a random drug test administered under this Section II will not result in suspension or expulsion from school.
7. No student will be penalized academically for testing positive to the illegal use of drugs. This includes students who are suspended from participation in the nonschool hour components of cocurricular activities. The results of positive drug tests will not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process, which the district will not solicit.

PENALTIES FOR VIOLATION OF SECTION II

The Board prohibits any student athlete, whether in-season or out-of-season, any student participating in extracurricular or cocurricular activities, or any student with parking privileges from possessing, using, distributing or selling any drug or alcohol. This conduct is prohibited at any time

and at any place – whether during or after school hours, and whether on or off school property. Any student athlete, any student participating in extracurricular or cocurricular activities, or any student with parking privileges who tests positive for illicit drug use pursuant to the random drug testing policy set forth herein, shall not be subject to student discipline under the Code of Student Conduct in Policy 218, but shall be subject to the following penalties:[1][7]

1. **First Violation** - For a first offense of this Section II, the principal shall suspend the student from all extracurricular activities, cocurricular activities, athletic competition, and parking privileges for a period of sixty (60) calendar days beginning with the date the Medical Review Officer notifies the School District. The sixty (60) day suspension may be reduced to a thirty (30) day suspension beginning with the date the Medical Review Officer notifies the School District if the student immediately begins and continues through the Student Assistance Program. During this suspension period, the student may not attend or participate in any athletic events, extracurricular activities, and cocurricular activities, including performances and competitions.
2. **Second Violation** - For a second offense of this Section II, the principal shall suspend the student from attending and participating in all athletic, extracurricular, and cocurricular activities, and shall rescind parking privileges for a period of one (1) year (365 days) beginning with the date the Medical Officer notifies the School District.
3. **Third Violation** - For a third offense of this Section II, the principal shall permanently suspend the student from attending and participating in all athletic, extracurricular, and cocurricular activities, and shall rescind parking privileges for the remainder of the student's years while attending Cumberland Valley School District beginning with the date the Medical Officer notifies the School District.

Section III. Conduct Prohibited - All Students Attending School-Related Functions

As previously discussed in this policy, the Board recognizes that drug and alcohol use by students poses a substantial and significant threat to the health, safety, and welfare of all students, teachers and members of the community. Consistent with state and national reports of an increase in the use of drugs and alcohol among high school students, the Cumberland Valley School District has experienced substantial documented cases of students possessing, consuming, or being under the influence of drugs or alcohol, particularly with respect to students attending school dances, including but not limited to the homecoming dance, "Winter Gala," the prom, etc., after having consumed or being under the influence of alcohol.

The Cumberland Valley School District considers student attendance at and participation in school dances to be a privilege and a voluntary activity available to every student. Students electing to participate in such school dances are expected to accept the responsibilities granted to them by this privilege, including the responsibility of refraining from possessing, consuming, or being under the influence of alcohol.

Random Breathalyzer Testing

As yet another tool in the district's overall program to educate students on the harms of substance abuse and to deter and prevent alcohol abuse by its students, the Board has approved the implementation of random breathalyzer testing of students attending school dances, which includes: the homecoming dance, "Winter Gala", "Spring Fling", the prom, and any other student dance approved by the high school administration (hereinafter referred to collectively as "school dances" or individually as "school dance"). The Board authorizes the district administration to conduct random breathalyzer testing of students attending school dances, on such occasions and at such times as deemed appropriate by the Superintendent. Random breathalyzer testing shall occur only at school dances and may not be expanded to apply to other school-related activities beyond school dances, unless first approved by the Board. Random breathalyzer testing is not intended to replace, nor does it replace, breathalyzer testing which may be administered based upon reasonable suspicion pursuant to Section I above.

Every student attending any school dance must consent in advance to participate in random breathalyzer testing. At the beginning of each school year, every student and his/her parent/guardian will be asked to sign a consent form, to be developed by the administration, agreeing to submit to breathalyzer testing if randomly selected while attending any school dance and consenting in advance to such test. In order for any student to enjoy the privilege of attending any school dance, the student and the student's parent/guardian must submit the signed consent form to the district in advance of the school dance. If the student and student's parent/guardian fail to submit a valid consent form signed by the student and student's parent/guardian, the student will be denied the privilege of attending the school dance.

Breathalyzer testing shall be performed upon students selected at random and shall be tested prior to allowing the student to enter the school dance. The Superintendent shall designate one (1) or more administrators to oversee and implement random breathalyzer testing at each school dance at which the Superintendent has determined to conduct such testing. The administration, with the approval of the Superintendent, shall devise a method by which students attending school dances will be randomly selected for breathalyzer testing. In all cases, administrators are encouraged to randomly test between five percent (5%) and fifteen percent (15%) of all students attending such school dance, taking into account such practical considerations as the number of students attending such function and the number of persons available to administer and assist with the administration of breathalyzer tests, etc.

Breathalyzer testing shall be performed in a respectful and dignified manner. In all cases, breathalyzer tests shall be administered to students in a location offering privacy and separated from other students. An administrator or district employee shall accompany the student at all times during the breathalyzer testing process.

Breathalyzer testing shall be administered by an individual properly trained or certified in the use of such breathalyzer testing devices and administration of such tests. Persons administering breathalyzer tests shall use breathalyzer testing devices which are properly calibrated and are of the type commonly utilized by law enforcement agencies for field sobriety testing, such as portable breath testers.

In the event a student tests positive for alcohol, the student shall be denied entry into the school dance, and the administrator in charge of overseeing the random breathalyzer testing shall contact the student's parent/guardian regarding the positive test result. Furthermore, the administrator shall arrange for the student to be transported home by the parent/guardian, or, if exigent circumstances dictate, seek medical attention for the child.

PENALTIES FOR VIOLATION OF SECTION III

Any student who tests positive in a randomly-administered breathalyzer test shall not be subjected to student discipline under the Code of Student Conduct. However, a student who tests positive in a randomly-administered breathalyzer test may be subjected to other consequences, including, but not limited to penalties arising from violations of the "good citizen standards" set forth in Policy 122, which may result in the student being suspended from participating in extracurricular activities for a period of time. In addition, any student who tests positive in a randomly-administered breathalyzer test shall be prohibited, after administrative consultation with the Superintendent or designee, from attending any school dances for a maximum period of one (1) year from the date of infraction.[1]