

Urban Pathways K-5 College Charter School

Board of Trustees Policy

CONTROLLED SUBSTANCES, OTHER DRUGS, ALCOHOL AND DEVICES POLICY

The Urban Pathways K-5 College Charter School (“Charter School”) Board of Trustees (“Board”) recognizes that the abuse of controlled substances, other drugs, alcohol and devices as defined by federal and state law, is a serious problem with legal, physical and social implications for the Charter School community. As an educational institution, the Charter School strives to prevent such abuse by its students while on school property and/or during the school day, on school transportation or at school sponsored activities or functions, including testing sites off-school campus.

The sale, possession, transport, distribution and use of and/or condition of being under the influence of controlled substances, other drugs, and/or alcohol and devices are defined by federal and state laws and are prohibited by this Policy. This also includes all substances which constitute “designer drugs” or counterfeit drugs as defined below.

Definitions

For purposes of this policy, the following terms are defined in accordance with “The PA Controlled Substance, Drug, Device and Cosmetic Act”, (35 P.S. 780-101 et seq.). “Controlled Substances” shall mean for purposes of this policy:

1. Controlled substances prohibited by federal and state law.
2. Counterfeit/Look-alike drugs.
3. Alcoholic beverages.
4. Anabolic steroids.
5. Drug devices/paraphernalia.
6. Any volatile solvents or inhalants, such as but not limited to glue and aerosol products.
7. Prescription or patent drugs, except those for which permission for use in school has been granted pursuant to Board policy.
8. Designer Drugs.

“Under the Influence” means noticeable impairment of ability to ambulate, converse, comprehend or perform motor tasks as a result of consumption of prohibited items.

"*Designer drug*" means a substance other than a controlled substance that is intended for human consumption and that either has a chemical structure substantially similar to that of a controlled substance in Schedules I, II or III of this act or that produces an effect substantially similar to that of a controlled substance in Schedules I, II or III. Examples of chemical classes in which designer drugs are found include, but are not limited to, the following: Phenethylamines, N-substituted piperidines, morphinans, ecgonines, quinazolinones, substituted indoles and arylcylalkylamines.

"*Counterfeit*" means a controlled substance, other drug, device or cosmetic which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number, or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person or persons who in fact manufactured, distributed, or dispensed such substance and which thereby is falsely purported or represented to be the product of, or to have been distributed by a manufacturer, distributor, or dispenser.

"*Look-Alike Drugs*" are defined as substances from ordinary daily use that may be used to feign or mimic the appearance, actual use, or effects of substances that alter behavior or judgment.

"*Drug devices/paraphernalia*" means all equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance in violation of this act. It includes, but is not limited to:

- Blenders, bowls, containers, spoons and mixing devices used, intended for use or designed for use in compounding controlled substances.
- Capsules, balloons, envelopes and other containers used, intended for use or designed for use in packaging small quantities of controlled substances.
- Containers and other objects used, intended for use or designed for use in storing or concealing controlled substances.
- Hypodermic syringes, needles and other objects used, intended for use, or designed for use in parenterally injected controlled substances into the human body.
- Objects used, intended for use or designed for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish or hashish oil into the human body, including but not limited to:

- Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls.
- Water pipes.
- Roach clips; meaning objects used to hold burning material such as a marijuana cigarette, that has become too small or too short to be held in the hand.
- Miniature cocaine spoons and cocaine vials.
- Electric pipes.
- Bongs.
- Ice pipes or chillers.
- Vaping devices.

In furtherance of its attempts to prohibit and prevent sale, possession, transport, distribution and use of controlled substances by its students, the Board supports the establishment and maintenance of a Student Assistance Program (“SAP”) and may require student’s participation in drug counseling, rehabilitation, testing or other programs as a condition of reinstatement into Charter School’s educational, extracurricular, or athletic programs. This testing will be at the sole expense of the student’s parent(s) and/or legal guardian(s). The SAP will:

1. Identify students who are having problems because of controlled substance use or due to mental health problems.
2. Intervene when appropriate either by personal contact or through support groups.
3. Refer those students for appropriate help.

SAP is not a treatment program. It seeks to improve identification of students who exhibit forms of “at risk” behavior, such as suicidal intent, depression, controlled substance use and abuse. It also provides for intervention by making referrals to outside agencies.

The CEO or designee shall prepare rules for the identification and control of abuse of controlled substances which shall: establish procedures dealing with students suspected, possession, use, transport, distribution, and/or sale of controlled substances on Charter School property, or at Charter School sponsored events/activities or at Charter School testing sites. These rules shall assist in discouraging student abuse of controlled substances, providing for disciplinary consequences in the Charter School Code of Conduct, up to and including expulsion and referral for prosecution; and

establish procedures for the education and readmission to Charter School of students convicted of offenses involving controlled substances. The prohibitions outlined in this policy shall be made a part of Charter School's Code of Conduct and shall be distributed annually to students and parents as part of the Charter School's Student/Parent Handbook which is also available on the School's website and in the Main Office.

Incidents of alleged violations by a student or any person on Charter School property, transport or at a school sponsored event/activity or testing site, shall be reported to the Office of Safe Schools or other agency established for reporting purposes on the required form at least once each year.

Implementation of Policy

1. Students bringing prescription and non-prescription medication to Charter School sponsored events for reasons of health must present to the School Nurse, at school and prior to the event, a note signed by the parent and one by the prescribing doctor with dosing and other applicable instructions in accordance with the Board approved Administration of Medication Policy. The School Nurse shall be responsible for administering the medication at the school, school-sponsored event, activity or testing site unless the Student's note from the prescribing doctor attests to the Student's ability to self-administer and the School Nurse has independently verified this ability, in accordance with the applicable Board approved self-administration requirements in the Administration of Medication policy.
2. It is the responsibility of each Charter School employee to notify the School Nurse of any student who appears to be in need of immediate medical attention.
3. It is the responsibility of each Charter School employee to also notify the CEO or designee of any students who appear to be in apparent need of immediate medical attention, due to the use, possession, transport, distribution, and/or sale of controlled substances.
4. Charter School personnel, including, but not limited to athletic coaches, shall not recommend, supply and/or dispense any controlled substances, including but not limited to any drug, medication or food supplement. In order to minimize health and safety risks to student athletes, maintain ethical standards, and reduce liability risks, Charter School personnel, including coaches, shall never condone, permit, encourage, supply, recommend, and/or dispense any drug, medication, or food supplement recommended by a manufacturer for performance-enhancing purposes.
5. Parents are to be informed of the concern for a student who, on school property or at a school-sponsored event, activity or testing site or on school

transport, has engaged in the use, possession, transport, distribution, and/or sale of controlled substances.

6. The CEO or designee is required to notify the local police of all incidents in which students are apprehended for the use, possession, transport, distribution, and/or sale of controlled substances on Charter School premises or at any Charter School sponsored event, activity or testing site or on school transport. Any physical evidence of violation of laws relating to drug use shall be turned over to police officials by the CEO or designee if requested. In the interim, all evidence of abuse of a controlled substance shall be kept in a secure place by the Charter School personnel confiscating it with the following information recorded and kept with the evidence:

- Date of confiscation;
- Name of student from whom confiscated;
- Name of Charter School personnel who confiscated and others present at time of search;
- Type of controlled substance confiscated;
- Amount of controlled substance confiscated;

Charter School will ask the police to cooperate and produce the physical evidence at any Charter School disciplinary hearing held in accordance with the Charter School Code of Conduct.

7. The CEO or designee shall be given immediate verbal notice by Charter School personnel of any/all controlled substance violations by students. Such notice shall be followed before the end of the day with a written report setting forth the pertinent details of the incident with all investigation of the incident and maintained in the student's records.

8. A student determined to have used, possessed, transported, distributed, or sold controlled substances on Charter School premises or at any Charter School sponsored event, activity or testing site or on school transport shall be subject to the following disciplinary procedures:

- a. The CEO or designee will immediately implement an out-of-school suspension in accordance with the Charter School Student Code of Conduct.
- b. The CEO or designee may recommend expulsion to the Board, on a case-by-case basis.
- c. Participation in extracurricular activities by the offender will be prohibited at least during the period of suspension and potentially longer as evaluated by the CEO or designee on a case by case basis.

d. The CEO or designee shall take all steps necessary to comply with the Individual with Disabilities Education Act and its amendments and implementing state regulations for students with disabilities.

9. All desks, clothing, backpacks, gym bags, and other personal possessions, and lockers used by students shall be subject to inspection by Charter School authorities when reasonable suspicion exists. If based on the student's behavior, medical symptoms, vital signs or other observable factors, the building principal has reasonable suspicion that the student is under the influence of 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. (See Board approved Searches of Students Policy).

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.