

Dear Hopewell School District Parents and Students,

During the last several school years, the Hopewell Area School District's Safe and Drug Free Schools Committee has met to develop strategies and procedures to address potential drug use by students in our school district. This committee is composed of students, parents, teachers, and administrators. One of the "hot topics" frequently discussed with this committee was the implementation of drug testing procedures as was being done in other school districts.

In response to these discussions, the high school principals administered a survey of all high school students. Overwhelmingly, high school students and faculty indicated great support for the drug testing of students who indicated symptoms of use, possession of drugs and/or possession of paraphernalia. Three primary findings of the survey are:

1. 77% of high school students believe drug testing would have an impact on making our school drug free.
2. 70% of high school students support mandatory testing of students who are demonstrating signs of being under the influence of drugs/alcohol.
3. 82% of high school students support drug testing of students with drugs or alcohol in their possession.

The high school administrators reviewed drug testing policies from other districts; court decisions supporting the use of drug testing in public schools; and consulted with the school district solicitor to develop a comprehensive policy that meets the needs of our school community. **As a result of these meetings, the survey and the research conducted a "Reasonable Suspicion Drug Testing Policy" was adopted by the Hopewell Area School District Board of School Directors at their April 2005 business meeting and will be implemented throughout the district with the start of the new school year.**

Two primary goals of the Hopewell Area School District are to provide a comprehensive and high-quality education and to promote and secure the healthful and productive maturation of the District's school-aged populace. One important way in which the District accomplishes these goals is by encouraging students to choose appropriate behaviors that promote their own physical and mental well-being. Another way by which the District advances these goals is by ensuring that a safe, healthy and secure environment for students and personnel is preserved in the District's classrooms, schools and during extracurricular activities. The ability of District students to receive a sound and rigorous education and the District's ability to secure a safe and productive educational environment are significantly hampered by the presence or use of illegal drugs and alcohol by District students. Therein, the District will take an active and preventative role in discouraging and addressing student drug use, providing education concerning the dangers of drug use and offering referrals and other services to both treat and prevent drug use and abuse.

The District's intent in undertaking reasonable suspicion drug testing is not a punitive one. At present, the District has elected not to implement a testing policy targeted at those students who are participants in extracurricular activities or who enjoy other benefits. Rather, the District has decided to test those students in whom a reasonable suspicion is held by the District's representatives that said student is engaged in drug or alcohol use.

If you have any questions or concerns relative to the contents or implementation of this policy, please contact the junior high or high school office. **Please remember our goal is a safe, orderly learning environment focused on meeting the educational needs of your child.**

Sincerely,

Michael E. Allison, High School Principal

## Drug and Alcohol Policy & Procedures

Situational Category	Immediate Action	Parent Notification	Police Notification	Testing Procedure	Substance Disposition	Discipline/ Rehabilitation
A student contacts a staff member in regard to the drug or alcohol use of another student.	Limited to staff member contacting the counselor, nurse or building administrator for assistance. Counselor/ building administrator will investigate.	Not applicable	Not applicable	Drug testing not required	Not applicable	None. Referral to the Student Assistance Team (SAP). The student who contacts a staff member is encouraged to get the student with a problem to personally seek assistance.
A student volunteers personal information of drug alcohol use and asks for help.	A staff member may request advice from the SAP Team, counselor, nurse, or building administrator.	Only with consent of the student unless there is clear and imminent danger.	Not applicable	Drug testing not required	Not applicable	None. Referral to Student Assistance Team (SAP). The student is informed of available help and encouraged to seek assistance.
A student is suspected of possible drug or alcohol use. There is no violation or physical evidence.	Building administration is notified to establish reasonable suspicion. The student is referred to nurse and/or counselor and/or building administration and informed of available help and encouraged to seek assistance. Building administration conducts investigation.	Limited to behavioral problems.	Not applicable	Drug testing not required	Not applicable	Referral to the Student Assistance Team (SAP)
A student is suspected of possible drug or alcohol use. Reasonable Suspicion is established as per policy.	Building administration is notified to establish reasonable suspicion. Building administration conducts investigation to include a search of the student, his/her locker, and possessions.	Yes, immediate notification of the incident.	Yes, the student will be referred to the appropriate law enforcement agency for criminal prosecution.	Reasonable Suspicion exists, drug testing is mandatory	Analysis will be made for possible use in further proceedings.	Informal hearing. Up to Ten days out-of-school suspension. Possible formal hearing with School Board for expulsion from school. Required participation in a chemical abuse program. Referral to the SAP Team.
A student has a drug or alcohol related medical emergency.	Nurse will be summoned immediately. Building administration is notified Student will be transported to medical facility. Building administration conducts investigation to include a search of the student, his/her locker, and possessions.	Yes, immediate notification of the incident.	Yes, the student will be referred to the appropriate law enforcement agency for criminal prosecution.	Reasonable Suspicion exists, drug testing is mandatory	Analysis will be made for possible use in further proceedings.	Informal hearing. Up to Ten days out-of-school suspension. Possible formal hearing with School Board for expulsion from school. Required participation in a chemical abuse program. Referral to the SAP Team.
The student possesses drug-related paraphernalia. No evidence of use.	Building administration is notified. Paraphernalia is confiscated. Staff member writes an anecdotal report of the incident. Building administration conducts investigation to include a search of the student, his/her locker, and possessions.	Yes, parent/guardian requested to come to the school as soon as possible.	Yes, the student will be referred to the appropriate law enforcement agency for criminal prosecution.	Reasonable Suspicion exists, drug testing is mandatory	Analysis will be made for possible use in further proceedings.	Informal hearing. Up to Ten days out-of-school suspension. Possible formal hearing with School Board for expulsion from school. Required participation in a chemical abuse program. Referral to the SAP Team.
A student possesses uses or is under influence of drugs/alcohol. <i>First Offense. Cooperative behavior.</i>	Building administration is notified. Confiscation of item(s) and/or substance(s). Staff member writes an anecdotal report of the incident. Building administration conducts investigation to include a search of the student, his/her locker, and possessions.	Yes, parent/guardian requested to come to the school as soon as possible.	Yes, the student will be referred to the appropriate law enforcement agency for criminal prosecution.	Reasonable Suspicion exists, drug testing is mandatory	Analysis will be made for possible use in further proceedings.	Informal hearing. Up to Ten days out-of-school suspension. Possible formal hearing with School Board for expulsion from school. Required participation in a chemical abuse program. Referral to the SAP Team.
A student possesses uses or is under influence of drugs/alcohol. <i>First Offense. Uncooperative behavior.</i>	Building administration is notified. Confiscation of item(s) and/or substance(s). Staff member writes an anecdotal report of the incident. Building administration conducts investigation to include a search of the student, his/her locker, and possessions.	Yes, parent/guardian requested to come to the school as soon as possible.	Yes, the student will be referred to the appropriate law enforcement agency for criminal prosecution.	Reasonable Suspicion exists, drug testing is mandatory	Analysis will be made for possible use in further proceedings.	Informal hearing. Ten day out-of-school suspension. Possible formal hearing with School Board for expulsion from school. Required participation in a chemical abuse program. Referral to the SAP Team.
A student possesses uses or is under the influence of drugs or alcohol and/or drug-related	Chaperone will contact the group advisor and/or building administration. A building / district administrator is notified ASAP. Confiscation of item(s) and/or substance(s). Staff	Yes, parent/guardian requested to come to the school as soon as possible.	Yes, the student will be referred to the appropriate law enforcement agency for criminal prosecution.	Reasonable Suspicion exists, drug testing is mandatory	Analysis will be made for possible use in further proceedings.	The student will be sent home immediately at parental expense or detained until parent can accompany the student. Further discipline as provided by the appropriate situational category will

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paraphernalia at a school related activity on or off school property.	member and/or chaperone write an anecdotal report of the incident. Building administration conducts investigation to include a search of the student, his/her locker, and possessions.					be administered following building administration's investigation. Referral to the SAP Team.
A student is caught again in possession, use, or under the influence of drugs, alcohol and/or drug-related paraphernalia.	Building administration is notified. Building administrator writes an anecdotal report of this incident. Building administration conducts investigation to include a search of the student, his/her locker, and possessions.	Yes, parent/guardian requested to come to the school as soon as possible.	Yes, the student will be referred to the appropriate law enforcement agency for criminal prosecution.	Reasonable Suspicion exists, drug testing is mandatory	Analysis will be made for possible use in further proceedings.	Informal hearing. Ten day out-of-school suspension. Formal School Board hearing for expulsion. Conditions for the return to school following expulsion include an assessment by a licensed drug and alcohol facility and compliance with the recommendation of the facility. Referral to the SAP Team.
A student is distributing a drug or controlled substance and/or drug related paraphernalia.	Building administration is notified. Staff member writes an anecdotal report of the incident. Building administration conducts investigation to include a search of the student, his/her locker, and possessions.	Yes, parent/guardian requested to come to the school as soon as possible.	Yes, the student will be referred to the appropriate law enforcement agency for criminal prosecution.	Reasonable Suspicion exists, drug testing is mandatory	Analysis will be made for possible use in further proceedings.	Informal hearing. Ten day out-of-school suspension. Possible formal hearing with School Board for expulsion from school. Required participation in a chemical abuse program. Referral to the SAP Team.

**Refusal of Testing:** *If a student refuses to give consent to taking of the saliva methodology sample, or if the test is otherwise obstructed, compromised or adulterated, a violation of this drug policy shall be presumed and the student shall be subjected to any and all of the appropriate disciplinary and non-disciplinary sanctions and procedures which accompany a positive test or other finding of drug or alcohol use.*

## DRUG & ALCOHOL POLICY AND PROCEDURES

### Purpose of Policy:

Two primary goals in the Hopewell Area School District are to provide a comprehensive and high-quality education and to promote and secure the healthful and productive maturation of the District's school-aged populace. One important way in which the District accomplishes these goals is by encouraging students to choose appropriate behaviors that promote their own physical and mental well-being. Another way by which the District advances these goals is by ensuring that a safe, healthy and secure environment for students and personnel is preserved in the District's classrooms, schools and during extracurricular activities. The ability of District students to receive a sound and rigorous education and District's ability to secure a safe and productive educational environment are significantly hampered by the presence or use of illegal drugs and alcohol by District students. Therein, the District will take an active and preventative role in discouraging and addressing student drug use, providing education concerning the dangers of drug use and offering referrals and other services to both treat and prevent drug use and abuse.

The District's intent in undertaking reasonable suspicion drug testing is not a punitive one. At present, the District has elected not to implement a testing policy targeted at those students who are participants in extracurricular activities or who enjoy other benefits. Rather, the District has decided to test those students in whom a reasonable suspicion is held by the District's representatives that said student is engaged in drug or alcohol use. To further this end, the District could implement the following Policy and Procedures for reasonable suspicion drug and alcohol testing.

### Definitions:

For the purpose of this Policy, the following definitions shall apply:

- A. "Distributing of Drugs and Alcohol" is defined as delivering, selling, passing, sharing, or giving any alcohol, drug or mood-altering substance, as defined by this policy, from one person to another or to aid therein in the process.
- B. "Drugs and Alcohol" shall include any alcohol or malt beverage, and any drug listed in Act 64 (1972) and Act 92 as a controlled substance, abused substance, look-alike drug or medication for which a prescription is required under the law.

Examples of the above include, but are not limited to, alcohol, alcoholic beverages, tranquilizers, amphetamines, synthetic opiates, beer, wine, liquor, marijuana, hashish, LSD and other hallucinogens, chemical solvents, glue solvent-containing substances, anabolic steroids, look-alike substances and any capsules, pills, liquids not registered with the nurse, annotated within the student's health record and given in accordance with the District Policy for the administration of medication to students in school.

A more specific and comprehensive list would include all substances identified in the following laws:

- o Drug, Device, and Cosmetic Act of 1971 (Commonwealth of Pennsylvania), as amended

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- Public Law 91-513 Comprehensive Drug Abuse Prevention and Control Act of 1970 (Federal Law), as amended
- The Controlled Substance Drug, Devise, and Cosmetic Act of April (P.L. 233 no. 64) as amended
- C. "Drug Paraphernalia" shall include any apparatus associated with the use of alcohol or other drugs such as, but not limited to, papers, bongs, clips, pipes, stones, needles or as may be further defined under the Pennsylvania Controlled Substance Drug, Device and Cosmetic Act.
- D. "Look -like Drugs" are any substances manufactured or designated to resemble drugs, narcotics, or other health endangering compounds.
- E. "Possession of Drug or Alcohol" is to have or hold, without any attempt to distribute drugs or alcohol as they are defined by this policy.
- F. "Reasonable Suspicion" is defined by the presence, observations or suspicion of one or more of the following factors:
  1. A student's behavior, in conjunction with physical appearance, indicates that possible use of alcohol, marijuana, or any controlled substance either through erratic or abnormal behavior or other signs of substance use.
  2. The possession by a student of drug paraphernalia.
  3. Direct observation of use, possession, sales or any outward signs of intoxication. Such drug or alcohol use or influence indicators can include, but not limited to mood swings, aggressive or lethargic behavior, risk-taking behavior, paranoia, bragging or talking to other students about drug or alcohol use.
  4. Reliable information communicated to an administrator by a teacher, parent, other adult or student indicating a student is using, possessing or under the influence of alcohol, marijuana, or any controlled substance. Any such report will be investigated by the building administrator and may be substantiated by other indicators, if deemed necessary by the building administrator.
  5. Any other factor or indicator identified by a court of competent jurisdiction to constitute reasonable suspicion for a drug-related search or test.
  6. Documentation: Reasons for the reasonable suspicion drug test will be reduced to writing by the administrator or his/her designee and will be provided to the student to be tested; to his/her parent/guardian; and to the Superintendent.

### PROCEDURE FOR DETERMINING REASONABLE SUSPICION:

- A. The Hopewell Area school District reserves the right to conduct reasonable drug testing of its students upon a reasonable suspicion basis that a student is engaging in the use or abuse of drugs or alcohol. The building administrator, in his/her judgment, determine whether reasonable suspicion exists to recommend that a student be tested for drug or alcohol use. The reasonable suspicion criteria shall be applied and documented in accordance with the definition set forth in section F, "Reasonable Suspicion".
- B. If a building administrator determines that reasonable suspicion exists that a student is engaged in drug or alcohol use, the administrator will inform the student and his/her parent(s)/guardian(s) that drug testing will be or has been conducted.
- C. Parent(s)/guardian(s) will be notified of the test results.
- D. If a student's test sample demonstrates or indicates a positive test result, the building administrator will notify the student's parent(s)/guardian(s) and a meeting shall be scheduled with the administrator, the student and the parent(s)/guardian(s).
- E. At the above-described meeting, the administrator shall discuss with the student and his/her parent(s)/guardian(s) any disciplinary sanctions or treatment options available or pertaining to the student.

### TESTING PROCEDURES:

- A. If a building administrator determines that reasonable suspicion exists, the District will order a saliva methodology sample to be taken from the student in question.
- B. The saliva methodology sample will be obtained in the presence of at least one building administrator and designee and, in accordance with acceptable testing practice.
- C. If a student refuses to give consent to taking of the saliva methodology sample, or if the test is otherwise obstructed, compromised or adulterated, a violation of this drug policy shall be presumed and the student shall be subjected to any and all of the appropriate disciplinary and non-disciplinary sanctions and procedures which accompany a positive test or other finding of drug or alcohol use.
- D. If any student being tested is using prescription medication at the time said student is tested, the student must report the taking of said medication to the administrator present and/or the school nurse.
- E. Any administrator, teacher, staff member or other individual who may have knowledge of the results of a particular student's drug test shall not divulge to anyone the results of the test or disposition of the student involved, other than to the student of his/her parent(s)/guardian(s) or otherwise in the case of a legal subpoena being made upon the person in the course of a legal investigation.

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F. Any samples obtained from the student shall be screened for the presence of any or all of the following drugs:

Alcohol	Amphetamines	Barbiturates
Benzodiazepines	Cocaine	Marijuana
Methodone	Opiates	Phencyclidine
Propoxyphene		

G. Any student or parent(s)/guardian(s) may challenge the positive results of the drug test by submitting the required fee to cover a second test administered by the District. Further, students who were subjected to reasonable suspicion testing and who test positive may request to be re-tested provided that such request is received within 72 hours of the initial test result report. Any such re-testing requests must be made in writing and must be accompanied by a cashier's check or money order sufficient to cover the cost of the re-testing process. In cases involving suspected use without possession of a controlled substance or paraphernalia, disciplinary action may be delayed pending outcome of subsequent tests. Alternately, parent(s)/guardian(s) may wish to have the sample obtained re-tested by another certified laboratory. In those cases, parent(s)/guardian(s) must make their requests in writing and must provide the original copy of the results from the certified testing facility.

H. If a student or his parent(s)/guardian(s) claims that a positive test was caused by the student's taking of prescription or otherwise permissible medication, the student shall submit proof of such medication, either through showing that a prescription was registered with the District or otherwise that a medication was being taken. If the District is satisfied with said proof, the drug test result may be discarded or the test may be re-administered at a later date.