A recommended policy including sections pertaining to inhalant drugs and performance drugs.

Students

Alcohol Use, Drugs, and Tobacco (including Performance-Enhancing Substances)

Pursuant to the goal of the Board of Education to maintain a drug, tobacco and alcohol-free school district, schools shall take positive action through education, counseling, parental involvement, and medical and police referral in handling incidents in the schools involving possession, sale, and/or use of behavior affecting substances. These substances shall include but not be limited to alcohol and controlled substances as defined in the Penal Code of the State of Connecticut.

Alcohol, stimulants, street drugs, including but not limited to marijuana, heroin and cocaine; anabolic steroids, hormones and analogues, diuretics and other performance-enhancing substances; including supplements and Creatine, are addressed by this policy and accompanying administrative regulations.

Privacy Rights

Personal privacy rights of students shall be protected as provided by law. School properties may be inspected by school authorities to maintain health and safety. Searches to locate drugs, narcotics, liquor, weapons, poisons, and missing properties are matters relating to health and safety and may be regarded as reasonable grounds for searches by school personnel. Privileged communication between a certified or paraprofessional employee and a student concerning drug abuse shall remain confidential between student and professional, except in cases where the employee is obtaining physical evidence of a controlled substance, and/or where there is an immediate threat to, or where students' health, safety, and welfare may be jeopardized.

Illegal Activities

Use, possession, sale or distribution of drugs, including prescription drugs, drug paraphernalia and/or alcoholic beverages in violation of state law or Board of Education policy is prohibited at any time on school premises or at any school-sponsored activity. If a student is under the influence of a drug or alcohol, or engaged in the illegal activity of possessing or selling drugs and/or alcohol, the police will be notified, his/her parent(s)/guardian will be contacted, he/she will be suspended from school, referred to a Student Support Team, and considered for expulsion. In cases of the illegal activity of possessing or selling drugs or alcohol, students will be referred to the appropriate law enforcement authorities. If a student is arrested and is awaiting trial for possession of, or possession of with intent to sell drugs in or on school property or at a school-sponsored event, the student will not be allowed to attend school without the permission of the Superintendent, per the guidelines set forth in Policy #5114.

Notification of Policy

Annually, students will be notified through the student handbook, or through other means, of disciplinary sanctions for violation of this policy.

Alcohol Use, Drugs, and Tobacco

Notification of Policy (continued)

Principals shall include statements, appropriate to student maturity, in school handbooks and on District/school websites to the effect that:

- 1. the unlawful manufacture, distribution, dispensing, possession or use of controlled substances, other illegal drugs or alcohol is prohibited in school, on school grounds, on school transportation and at school sponsored activities;
- 2. compliance with the standards of conduct stated in the handbook is mandatory;
- 3. a violation of its provisions will subject students to disciplinary action up to and including expulsion and referral for prosecution: and
- 4. CIAC controlled activities at the high school and middle school levels sponsored by the District/school are included in this policy and accompanying administrative regulations.
- 5. CIAC may impose sanctions beyond those applied by the District for the use of performance-enhancing substances, as defined in this policy, by athletes.

Disciplinary Action

Students who violate this policy will be subject to disciplinary action which includes, but is not limited to, suspension or expulsion, and/or a program recommended by the Student Support Team. Student athletes who violate this policy, participating in CIAC-controlled activities shall also be declared ineligible for such activities in accordance with CIAC policy and regulation. Any disciplinary actions imposed will ensure that similar violations will be treated consistently. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar violations are treated consistently.

The following guidelines for reporting alleged violations are to be followed:

- 1. If a certified or paraprofessional (non-certified) employee suspects student drug abuse, the employee shall refer the matter to the Student Support Team and administration for evaluation. Following the evaluation, disciplinary action may be imposed if the situation warrants.
- 2. If a certified or paraprofessional employee obtains physical evidence of controlled substances from a student in school, on school grounds, on school transportation or at a school sponsored event, the employee shall turn the student and the controlled substance over to the school principal or designee. The Principal will notify law enforcement personnel and shall surrender possession of the controlled substance to the proper authorities within the time period required by state law.

Alcohol Use, Drugs, and Tobacco (continued)

Drug-Free Awareness Program

The Superintendent shall assure that the school District provides a drug-free awareness program for students including the following topics:

- health and safety-related dangers of drug abuse;
- review of the Board of Education's policy of maintaining drug-free schools;
- notification of the availability of drug counseling and rehabilitation programs; and
- official penalties for drug abuse violations in schools.

Inhalant Abuse

In addition to the prohibitions pertaining to alcohol, drugs and tobacco contained in this policy, no student shall inhale, ingest, apply, use or possess an abusable glue, aerosol paint or substance containing a volatile chemical with intent to inhale, ingest, apply or use any of these in a manner:

- 1. Contrary to directions for use, cautions or warnings appearing on a label of a container of the glue, paint aerosol or substance; and
- 2. Designed to affect the central nervous system, create or induce a condition of intoxication, hallucination or elation, or change, distort, or disturb the person's eyesight, thinking process, balance or coordination.

For purposes of this policy, inhalants are defined as follows, but not limited to:

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Nitrous Oxide – Laughing Gas, Whippets, C02 Cartridge
Amyl Nitrite – "Locker Room," "Rush," "Poppers," "Snappers"
Butyl Nitrite – "Bullet," "Climax"
Chlorohydrocarbons – Aerosol Paint Cans, Cleaning Fluids
Hydrocarbons – Aerosol Propellants, Gasoline, Glue, Butane
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Further, no student, 18 years of age or older, shall intentionally, knowingly or recklessly deliver or sell potentially abusable inhalant materials as listed above to a minor student.

No person shall intentionally use or possess with intent to use inhalant paraphernalia to inhale, ingest, or otherwise introduce into the body an abusable glue, aerosol paint or substance or other substance that contains a volatile chemical.

Alcohol Use, Drugs, and Tobacco

Inhalant Abuse (continued)

Students who violate this policy shall be subject to disciplinary action as outlined in this policy, up to and including suspension and a recommendation for expulsion. Violators of this policy may also be required to complete an appropriate rehabilitation program. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar violations are treated consistently.

The Board of Education shall incorporate into the curriculum at all levels education pertaining to potential inhalant abuse which is appropriate for students given their age, maturity, and grade level. Inhalant abuse educational programs/information for parents/guardians will be offered in a manner convenient to parents/guardians.

Performance-Enhancing Drugs (including food supplements)

In addition to the prohibition pertaining to alcohol, drugs, tobacco and inhalants, the Board of Education prohibits the use of performance-enhancing drugs, including anabolic steroids and food supplements, including Creatine, by students involved in school-related athletics or any co-curricular or extracurricular school activity/program, other than use for a valid medical purpose as documented by a physician. Bodybuilding and enhancement of athletic ability and performance are not considered valid medical purposes.

School personnel and coaches will not dispense any drugs, medication or food supplements except as in compliance with Connecticut State law, District policy and as prescribed by a student's physician, dentist, physician assistant or advanced practice registered nurse.

Students shall be made aware of the dangers of steroid abuse and that such abuse, unauthorized possession, purchase, or sale will subject them to disciplinary action and CIAC sanctions.

Students who violate this policy will be subject to disciplinary action. The Superintendent shall propose, and the Board of Education shall approve procedures and regulations to ensure that any student violating this section is subjected to disciplinary action, and that any disciplinary actions imposed for similar violations are treated consistently.

It is the expectation of the Board that District schools, as members of the Connecticut Interscholastic Athletic Association (CIAC), require all athletes playing in CIAC-controlled sports to be chemical free.

Alcohol Use, Drugs, and Tobacco

Tobacco Use by Students

There shall be no smoking or any other unauthorized use or possession of tobacco by students in any school building or school vehicle at any time or on any school grounds during the school day, or at any time when the student is subject to the supervision of designated school personnel. Such as when the student is at any school function, extracurricular event, field trip, or school related activity such as a work-study program. An ongoing program of student support and counseling will be offered to provide support for students who wish to break the smoking habit.

Students who violate this policy will be subject to disciplinary action. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar actions are treated consistently.

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(cf. 5114 – Suspension/Expulsion)
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(cf. 5131 – Conduct)

(cf. 5131.61 – Inhalant Abuse)

(cf. 5131.62 – Steroid Use)

(cf. 5131.612 – Surrender of Physical Evidence Obtained from Students)

(cf. 5131.8 – Out of School Grounds Misconduct)

(cf. 5131.92 – Corporal Punishment)

(cf. 5144 – Discipline/Punishment)

(cf. 5145.12 – Search and Seizure)

(cf. 5145.121 – Vehicle Searches on School Grounds)

(cf. 5145.122 – Use of Dogs to Search School Property)

(cf. 5145.124 – Breathalyzer Testing)

(cf. 5145.125 – Drug Testing-Extracurricular Activities)

(cf. 6164.11 – Drugs, Alcohol, Tobacco)

Legal Reference: Connecticut General Statutes

1-21b Smoking prohibited in certain places

10-19 Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome. Training of personnel.

10-154a Professional communications between teacher or nurse and student. Surrender or physical evidence obtained from students.

10-220b Policy statement on drugs

10-221(d) Boards of education to prescribe rules, policies and procedures re sale or possession of alcohol or controlled drugs

Alcohol Use, Drugs, and Tobacco

Legal Reference: Connecticut General Statutes (continued)

21a-240 Definitions dependency producing drugs.

21a -240(8) Definitions "Controlled Drugs," dependency producing drugs

21a-240(9) Definitions "controlled substance"

21a-243 Regulation re schedules of controlled substances.

53-198 Smoking in motor buses, railroad cars and school buses

Federal Regulation 34 CFR art 85 Drug-free Schools & Communities Act

20 U.S.C. Section 7181 et. seq., No Child Left Behind Act

New Jersey v. T.L.O, 469 U.S. 325 (1985)

Veronia School District 47J v. Acton, 515 U.S. 646

(1995)

Board of Education of Independent School District No 92 of Pottawatomie

County v. Earls 01-332 U.S. (2002)

A sample regulation to consider/modify to fit the local situation.

Students

Alcohol Use, Drugs, and Tobacco

The implementation of the Board of Education policy #5131.6, "Alcohol Use, Drugs and Tobacco" is subject to the following guidelines, including disciplinary consequences.

Definitions

Controlled Substances includes any alcohol or malt beverage, any drug listed as a controlled substance, chemical abuse substance or medication for which a prescription is required under the law, and/or any substance which is intended to alter mood. This includes controlled drugs as defined in C.G.S. 21a-240(8) and would not include any drug for which a student has a prescription. Examples of the above include, but are not limited to, cocaine, cocaine derivatives, "crack," "ice," beer, wine, liquor, marijuana, hashish, chemical solvents, glue, look-alike substances and ANY capsules or pills not registered with the school nurse, annotated within the student's health record and given in accordance with the District's policy for the administration of medication to students in school.

Performance-Enhancing Substances include any performance-enhancing drug, including anabolic agents or steroids, used for the intent of bodybuilding and muscle enhancement of physical ability and not for a valid medical purpose as defined by a physician; includes, but is not limited to, those performance-enhancing drugs/substances identified on the CIAC comprehensive list reflected below.

- 1. Pharmacological agents (prescription or nonprescription) taken in doses that exceed the recommended therapeutic dose or taken when the therapeutic indicators are not present;
- 2. Agents used for weight control, including stimulants, diet pills, diuretics, and laxatives, when the user is in a sport that has weight classifications or that rewards leanness;
- 3. Agents used for weight gain, including over-the-counter products advertised as promoting increased muscle mass;
- 4. Physiologic agents or other strategies used to enhance oxygen-carrying capacity, including erythropoietin and red blood cell transfusions (blood doping);
- 5. Any substance that is used for reasons other than to treat a documented disease state or deficiency;
- 6. Any substance that is known to mask adverse effects or detect ability of another performance-enhancing substance; and

Alcohol Use, Drugs, and Tobacco

Definitions (continued)

7. Nutritional supplements, including Creatine, taken at "supraphysiologic" doses or at levels greater than required or to replace deficits created by a disease state, training program and/or participation in sports.

Distribution or Sale of Controlled Substances means to deliver, sell, pass, share or give any alcohol, drug or mood altering controlled substance, as defined by this regulation, from one person to another or to aid in its use.

Possession of Controlled Substances means to possess or hold, any alcohol, drug, or mood altering substance determined to be illegal, or as defined by this regulation, on one's person, in one's personal belongings, one's locker, car, backpack, etc.

Drug paraphernalia includes any instrument, utensil or item, which in the school administrator's judgment can be associated with the use of drugs, alcohol, or mood altering substances. Examples include, but are not limited to, roach clips, pipes, and bowls. Reference should be made to C.G.S. 21a-240.

Substance-Abuse Assessment is an evaluation conducted by a professional to determine the student's overall health and condition in relation to use of a controlled substance or drug.

Student Support Team is a designated and specifically trained team of school staff members typically including, but not limited to, an administrator, school nurse, guidance counselor, school psychologist, social worker, and teacher(s).

Controlled Substances: Use or Possession (Drugs, Alcohol, Inhalants)

It is the policy of the Board of Education to prevent and prohibit the possession and/or use of any drug (except as duly authorized through the school nurse), or drug paraphernalia at any time on school property, at school-sponsored events or on school-provided transportation. Therefore, the District maintains a zero tolerance policy regarding controlled substances and alcohol possession and use on school grounds and at school-sponsored events. The school provides (1) a supportive environment for recovering chemically dependent students during and/or after their involvement in a treatment program for chemical dependency; and will provide (2) assistance to those students who are affected by drug/alcohol possession or use of others.

Alcohol Use, Drugs, and Tobacco

Controlled Substances: Use or Possession (Drugs, Alcohol, and Inhalants) (continued)

Any student in District schools found to be using or in possession of or under the influence of intoxicants, mood altering drugs or substances, or look-alike drugs, or in possession of any related drug paraphernalia during a school session, on school premises, or anywhere at a school-sponsored activity or trip, on school-provided transportation, or otherwise off school grounds when such student's conduct violates the substance abuse policy and is seriously disruptive of the educational process shall be subject to consequences. These consequences apply to all students, including all student athletes, and those students involved in co-curricular and extracurricular activities.

Pursuant to the goal of the Board of Education to maintain a drug and alcohol-free school district, the school shall take positive action through education, counseling, parental involvement, and medical and police referral in handling incidents in the schools involving possession or use of behavior affecting substances. These substances shall include, but not be limited to, alcohol and controlled substances as defined in the Penal Code of the State of Connecticut School properties may be inspected by school authorities to maintain health and safety. Searches to locate drugs, alcohol, and drug paraphernalia are matters relating to health and safety and may be regarded as reasonable grounds for searches by school personnel.

The Board of Education has approved the use of a breath alcohol tester as an option for students at the middle school and the high school and for all high school dances, proms, and other such events/activities. The breath alcohol tester will be considered for use where, in the judgment of the school administrator, there exists reasonable suspicion that a student has consumed an alcoholic beverage and then, only under the following circumstances:

- The student denies to an administrator that he/she has consumed alcoholic beverages and wishes to establish his/her innocence. Should the student register a positive reading on the breath alcohol tester, consequences will be administered as outlined in the discipline/behavior regulations in the student handbook.
- The student denies to an administrator that he/she has consumed alcoholic beverages and elects not to utilize the breath alcohol tester to establish his/her innocence. The judgment of the administrator will then be utilized to determine if the student has consumed an alcoholic beverage. In this instance, consequences will be administered as outlined in the discipline/behavior regulations in the student handbook.

Alcohol Use, Drugs, and Tobacco

Controlled Substances: Use or Possession (Drugs, Alcohol, and Inhalants) (continued)

Student found to be in possession of or use of controlled substances (drugs, alcohol, inhalants) shall be subject to the following disciplinary actions:

First Offense:

- 10 days out-of-school suspension under supervision of his/her parent or guardian
- parent or guardian notification
- Superintendent notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension

Second and Subsequent Offenses:

- 10 days out-of-school suspension under the supervision of his/her parent or guardian, pending expulsion hearing
- parent or guardian notification
- Superintendent notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension
- must successfully complete substance abuse education and assessment program prescribed by the administration
- recommended to the Board of Education for expulsion of 30-180 days
- must attend alternative education program per Board expulsion decision
- excluded from all co-curricular and extracurricular activities concurrent with expulsion
- must participate, along with parent/guardian, in school-approved substance abuse counseling/family education program(s) prior to reentry to school
- police referral

Controlled Substances: Use or Possession of Performance-Enhancing Drugs or Substances

Performance-enhancing substances used by young people is a concern to our society at large because of the potential adverse health consequences and the effects such practices have on moral development of the individual and on fair athletic competition for all. Therefore, the Board of Education bans and prohibits the possession or use of any performance-enhancing substance, including dietary supplements, prescription medications, and illicit drugs not otherwise prescribed by a student's physician for a legitimate health issue.

Alcohol Use, Drugs, and Tobacco

Controlled Substances: Use or Possession of Performance-Enhancing Drugs or Substances (continued)

Any student in the District using or in possession of any kind of performance-enhancing drug or substance during a school session, on school premises, or anywhere at a school-sponsored activity or trip, on school-provided transportation, or otherwise off school grounds when such student's conduct violates this policy and is seriously disruptive of the educational process shall be subject to consequences. These consequences apply to all students, including all student athletes, and all students involved or not involved in co-curricular and extracurricular activities.

Student found to be in possession of or use of performance-enhancing drugs shall be subject to the following disciplinary actions:

First Offense:

- 10 days out-of-school suspension under the supervision of his/her parent or guardian
- parent or guardian notification
- Superintendent notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension
- must successfully complete substance abuse education and assessment program prescribed by administration
- excluded from athletic programs for one hundred eighty (180) school days until the documented anniversary date of the first offense (Note: Reinstatement of the athlete may be requested by the school to the CIAC Board of Control for extenuating circumstances. Such consideration shall be determined in part, by a medically validated drug test which validates that the student-athlete is chemical free. Such test must have been completed within the last 30 days.)
- police referral

Second and Subsequent Offenses:

- 10 days out-of-school suspension under the supervision of his/her parent or guardian, pending expulsion hearing
- parent or guardian notification
- Superintendent notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension

Alcohol Use, Drugs, and Tobacco

Controlled Substances: Use or Possession of Performance-Enhancing Drugs or Substances (continued)

Second and Subsequent Offenses: (continued)

- recommended to Board of Education for expulsion of 30-180 school days
- excluded from all co-curricular and extracurricular activities concurrent with expulsion
- attend alternative education program(s) per Board policy and expulsion requirement
- excluded from athletic programs for one hundred eighty (180) school days until the documented anniversary date of the second or subsequent offense. (Note: Reinstatement of the athlete may be requested by the school to the CIAC Board of Control for extenuating circumstances. Such consideration shall be determined in part, by a medically validated drug test which validates that the student-athlete is chemical free. Such test must have been completed within the last 30 days.)
- must participate, along with parent or guardian, in school-approved substance abuse counseling/family education program(s) prior to re-entry to school
- police referral

Sale and Distribution: Sale or Distribution of Controlled Substances (Drugs, Alcohol, Inhalants, Performance-Enhancing Drugs)

It is the policy of the Board to prevent and prohibit the sale and/or distribution of any drug, alcohol, or controlled substance at any time on school property, at school-sponsored events or on school-provided transportation. Therefore, the Board of Education maintains a zero tolerance policy regarding controlled substances and alcohol sale or distribution on school grounds and at school-sponsored events.

Any student in District schools found to be selling or distributing any controlled substance, including drugs, alcohol, and performance-enhancing substances during a school session, on school premises, or anywhere at a school-sponsored activity or trip, on school-provided transportation, or otherwise off school grounds shall be subject to severe disciplinary consequences including mandatory expulsion from school and referral to law enforcement officials. These consequences apply to all students, including all student athletes, and those students involved or not involved in co-curricular and extracurricular activities.

School properties are allowed to be inspected by school authorities to preserve the health and safety of students. Searches to locate drugs, alcohol, and drug paraphernalia are matters relating to health and safety and may be regarded as reasonable grounds for searches by school personnel. Students who violate this policy will be subject to disciplinary consequences.

Alcohol Use, Drugs, and Tobacco

Sale and Distribution: Sale or Distribution of Controlled Substances (Drugs, Alcohol, Inhalants, Performance-Enhancing Drugs) (continued)

Student found to be involved in the sale or distribution of controlled substances (drugs, alcohol, inhalants, and performance-enhancing drugs) shall be subject to the following disciplinary actions:

First and Subsequent Offenses:

- 10 days out-of-school suspension under the supervision of his/her parent or guardian
- parent or guardian notification
- Superintendent notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension
- mandatory expulsion, with administrative recommendation to the Board of Education for 30-180 school days
- attend alternative educational program per Board policy and the expulsion requirement
- excluded from all co-curricular and extracurricular activities concurrent with the expulsion and may be further excluded from any or all co-curricular and extracurricular activities beyond the academic expulsion period per action of the Board of Education
- must participate, along with parent or guardian, in school-approved substance abuse counseling/family education program(s) prior to reentry to school
- police referral

In addition to the above, any student found to be selling or distributing performance-enhancing substances who wants to participate in interscholastic athletics, after the period of suspension/expulsion imposed by the school district, if less than 180 school days, must submit a medically update drug test, approved by CIAC, which confirms the student to be chemical free. Such test must be completed within thirty days prior to a request for participation. All costs for testing will be incurred by the student, parent or guardian.

Possession of Tobacco, Smoking Paraphernalia

Student found to be in possession of tobacco or smoking paraphernalia shall be subject to the following disciplinary actions:

First Offense:

- Assigned 4 hours of detention by school administrator
- Parent or guardian notification
- Recommended cessation program

Alcohol Use, Drugs, and Tobacco

Possession of Tobacco, Smoking Paraphernalia (continued)

Second Offense:

- 2 day in-school suspension
- parent or guardian notification
- recommended cessation program
- excluded from all co-curricular and extracurricular activities concurrent with suspension

Third and Subsequent Offenses:

- 4 day out-of-school suspension under the supervision of his/her parent(s)/guardian(s)
- excluded from all co-curricular and extracurricular activities concurrent with suspension
- required cessation program

Smoking, Chewing Tobacco or Using Tobacco Paraphernalia

Student found to be smoking, chewing tobacco or using tobacco paraphernalia shall be subject to the following disciplinary actions:

First Offense:

- 2 days in-school suspension
- parent or guardian notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension

Second Offense:

- 4 days in-school suspension
- parent or guardian notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension

Third and Subsequent Offenses:

- 5 days out-of-school suspension
- parent or guardian notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension
- potential police referral

Alcohol Use, Drugs, and Tobacco (continued)

(cf. 5114 – Suspension/Expulsion)

(cf. 5131 – Conduct)

(cf. 5131.61 – Inhalant Abuse)

(cf. 5131.62 – Steroid Use)

(cf. 5131.612 – Surrender of Physical Evidence Obtained from Students)

(cf. 5131.8 – Out of School Grounds Misconduct)

(cf. 5131.92 – Corporal Punishment)

(cf. 5144 – Discipline/Punishment)

(cf. 5145.12 – Search and Seizure)

(cf. 5145.121 – Vehicle Searches on School Grounds)

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(cf. 5145.125 – Drug Testing-Extracurricular Activities)

(cf. 6164.11 – Drugs, Alcohol, Tobacco)

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Board of Education of Independent School District No 92 of

Pottawatomie County v. Earls 01-332 U.S. (2002)

Regulation approved: