Drawing The Line Between

Legal and Illegal

by Phyllis Schlafly October 24, 1996

Most people don't have any problem telling the difference between legal and illegal drugs. Why is it that public school administrators can't figure out where to draw the line?

The recent incidents of schoolgirls being suspended for Midol/Advil offenses are not just ten o'clock TV news trivia items. They are the result of school drug policies and drug education courses that do not distinguish between legal and illegal, or prescription and nonprescription, drugs.

In the Houston case, a junior high honor student, Brooke Olson, was suspended after a drug-sniffing dog, going through her belongings while she was in gym class, discovered Advil in her backpack. School Principal Steve Busch defended the suspension on the argument that Advil is "just the tip of a potentially lethal drug iceberg."

In the Dayton, Ohio case, a junior high school girl, Kimberly Smartt, was thrown out of school for four and a half months for giving a Midol tablet to a classmate, Erica Taylor (an honor student with a perfect attendance record), who was suspended for ten days and recommended for expulsion. The "student discipline referral" sent home to parents stated that the suspension was for "possession of a controlled substance."

Midol and Advil are over-the-counter, nonprescription painkillers sold to relieve headaches, cramps, and other symptoms related to menstrual periods.

Erica's penalty was reduced to three days when she agreed to go to a drug counseling and education session, but Kimberly was not given that option. Erica's father withdrew the agreement for her to attend the counseling sessions when he discovered that the first appointment would cost $100 and subsequent ones $90 each.

Kimberly, age 14 and black, has sued in federal court on grounds of race discrimination, since she was treated so much more severely than Erica, age 13 and white. Subsequently, the school board voted to reduce Kimberly's expulsion to time already served, which was 13 days.

I suggest that Kimberly amend her lawsuit to change the allegation of race discrimination to sex discrimination. The male supervisors in these cases unreasonably and heartlessly discriminated against 13-year-old girls who have a gender-specific need to take and share painkillers for menstrual cramps.

These are not isolated examples. Last year in Maryland, at least two students in unrelated cases were suspended for possession of dietary-supplement tablets, and earlier a 13-year-old girl was ordered to attend drug-abuse prevention sessions after she was found with an over-the-counter allergy medication in her purse.

In checking these news stories on the Internet, I found that they were filed under the heading "miscarriage of justice" in addition to the obvious categories. Conventional wisdom has decided that the schools' actions were lacking in common sense.

But the schools did not retreat in the face of near-unanimous public disapproval. They are sanctimoniously defending their decisions, just like the Lexington, NC school administrators who charged a first-grade boy with "sexual harassment" for kissing a classmate on the cheek, and the East Stroudsburg, PA school officials who inflicted 59 sixth-grade girls with unauthorized genital examinations.

Drug education courses for the last 15 years have blurred the lines between legal and illegal drugs. The typical drug curriculum teaches that "everybody takes drugs," and that it's up to the child to decide which kinds and amounts of drugs he will take. This is called "decision making," the follow-on word for the discredited technique called values clarification.

The drug course that was probably the most widely used curriculum 15 years ago, "Here's Looking at You Two," gave students a picture of what it called a "drug family tree." The branches all growing out of the same trunk included coffee, tobacco, Tums, Pepto-Bismol, alcohol, sleeping pills, glue, aspirin, cough syrup, marijuana, heroin, LSD, and cocaine. This gave the message that differences among drugs are minor.

In "Here's Looking," the social acceptability of drug use was promoted by presenting such examples as the use of wine at Communion in church and in spaghetti sauce, toasting the bride and groom at a wedding, anesthetics during surgery, drinking tea in honor of the Queen of England, and having hot chocolate at bedtime.

Fifth graders were told to do such assignments as rewriting the fairy tale of Goldie Locks and the Three Bears so that she samples pills instead of porridge, and writing "Dear Abby" letters voicing complaints such as Mom keeps a whiskey bottle in her closet. Children were never told that painkillers are okay and illegal drugs are just plain wrong for moral, legal, and health reasons.

We now have a generation of public school administrators who were taught this kind of drug education in school, as well as the falsehood that there isn't any difference between 13-year-old girls and boys.