
SUBSTANCE ABUSE

Possible Drug and Alcohol Related Situations

Whenever it shall appear to any teaching staff member, school nurse or other education personnel that a student may be under the influence of alcohol or other drugs, they shall report the matter as soon as possible to the school nurse, ~~or school physician or a substance student assistance coordinator, awareness coordinator~~ and the principal.

- A. In the absence of the principal, his or her designee shall be notified.
- B. In instances where the school nurse, ~~school physician, substance awareness coordinator~~ student assistance coordinator, and the principal are not in attendance, the staff member responsible for the school function shall be immediately notified.
- C. The student shall be removed and escorted to the nurse's office by the student assistance coordinator and/or principal to a protective environment for observation and care by the school nurse ~~or school physician~~ until his or her parent(s) or guardian(s) can be contacted. This shall not be construed to limit or condition the right of the Board of Education to seek emergency medical assistance for a student when acting in loco parentis, and as an agent of the parent(s) or guardian(s) and for the welfare of the student.
- D. The student's parent(s) or guardian(s) and the Superintendent of Schools or his/her designee shall be immediately notified of the incident and shall be provided a description of the situation and symptoms.
- E. The principal or his or her designee shall arrange for an immediate examination of the student within five (5) hours of identification. The examination may be performed by a physician selected by the parent or guardian or by the school physician and must include a chain-of-custody urine screen for chemical substance abuse and a physical examination by a licensed physician. If the chosen physician is not immediately available, the examination shall be conducted by the school physician, or if the school physician is not available, the student shall be accompanied by a member of the school staff, designated by the principal, to the emergency room of the nearest hospital for examination. If available, a parent or guardian should also accompany the student. ~~The student shall be examined as soon as possible for the purpose of diagnosing whether or not the student is under the influence of alcohol or other drugs. Refusal to be examined under the provisions of this regulation or examinations which are not conducted within the parameters of this regulation shall result in the same pupil consequences as a positive examination.~~

SUBSTANCE ABUSE (continued)

F. If the examination results indicate that the urine specimen validity testing is not in the acceptable range due to either dilution or the use of oxidants, the pupil may be subject to the same consequences under this regulation as a positive test result.

G. If the pupil acknowledges in writing the use of a controlled dangerous substance as defined by this policy and regulation, the pupil shall automatically be subject to the same provisions outlined in paragraph E above and shall be ~~consequences~~ subject to the same disciplinary consequences ~~the same~~ as a positive test result regardless of whether or not the examinations yields a positive test result.

H. If a pupil is found in the possession of drug paraphernalia, the pupil ~~shall~~ automatically be subject to the same provisions outlined in paragraph E above and ~~consequences~~ receive consequences according to the provisions of this regulation regarding possession of drug paraphernalia.

I. If at the request of the parent or guardian, the medical examination is conducted by a physician other than the school physician, such examination shall ~~not be at the expense of the Board of Education~~ be at the expense of the student's parent(s) or guardian(s).

GJ. Provisions shall be made for the appropriate care of the student while awaiting the results of the medical examination.

HK. Upon receipt of a written report by either the parent or the school district from the examining physician, either party shall share a written copy of the report with the other party within twenty-four (24) hours.

L. When the medical examination is performed by a physician other than the school physician or a physician at the emergency room of the nearest hospital, the school district shall require the parent to verify within 24 hours of the notification that the student is suspected of alcohol or other drug use that a medical examination was performed. The verification shall include, at a minimum, the signature, printed name, address, and phone number of the examining physician, the date and time of the medical examination, and the date by which the "report" required in section K immediately above will be provided. Refusal or failure by a parent to comply with this requirement shall be treated as a policy violation and subject the student to the same disciplinary consequences set forth herein as if he had tested positive.

~~A written report of the medical examination shall be furnished to the parent or guardian of the student, the principal, and the Superintendent of Schools by the examining physician within twenty-four (24) hours.~~

~~ML.~~ If the written report of the medical examination, which includes the chain of custody urine screen, is not submitted to the parent or guardian, the principal and/or Superintendent of Schools within 24 hours of the examination, the student shall be allowed to return to school until such time as a positive diagnosis of alcohol or other drug use is received.

~~NMJ.~~ If there is a negative diagnosis, the student shall return to school immediately. If there is a positive diagnosis from the medical examination indicating that the student is under the

SUBSTANCE ABUSE (continued)

influence of alcohol or other drugs, the student shall be returned to the care of the parent or guardian as soon as possible. Attendance at school shall not resume until a written report has been submitted to the parent or guardian of the student, the principal, and the Superintendent of Schools, from a physician who examined the student, to diagnose alcohol or other drug use. The report shall certify that substance abuse no longer interferes with the student's physical and mental ability to perform in school.

ONK. In accordance with N.J.A.C. 6A:16-4.3(d), refusal or failure by a parent to comply with the provisions of N.J.S.A. 18A:40-12 shall be deemed a violation of the compulsory education N.J.S.A. 18A:38-25 and 18A:38-31) and/or child neglect (N.J.S.A. 9:6-1 et seq.) laws.

POL. While the student is home because of the medical examination or after his or her return to school, the school may require additional evaluation for the purpose of determining the extent of the student's alcohol or other drug use and its effect on his or her school performance.

In addition, if there is a positive diagnosis, the student shall be interviewed by a ~~substance awareness coordinator~~ student assistance coordinator or other appropriately trained teaching staff member for the purpose of determining the extent of the student's involvement with alcohol or other drugs and possible need for treatment. In order to make this determination, the ~~coordinator~~ counselor or other teaching staff member may conduct a reasonable investigation which may include interviews with the student's teachers and parents. The ~~coordinator~~ counselor or other teaching staff member may also consult with such experts in the field of alcohol or other drug abuse as may be necessary and appropriate. If it is determined that the student's involvement with and use of these substances represents a danger to the student's health and well-being, the ~~coordinator~~ counselor or other teaching staff member shall **initiate a referral of** the student to an appropriate treatment program which has been approved by the Commissioner of Education.

QPM. As required by law, the Board of Education shall provide for the evaluation and ~~—~~referral for treatment of students whose use of alcohol or other drugs has affected their school performance or who possess or consume alcohol or other drugs in school or at a school function, as required by the definitions of evaluation and treatment contained ~~at N.J.A. Cat~~ N.J.A.C. 6A:16-1.3. This shall include referral to the substance awareness coordinator. The Board of Education is not responsible for the cost of any evaluation or treatment provided by any outside agency and/or organizations.

NRQ. If a student is identified as having an alcohol or other drug abuse problem and there is reason to believe that his or her education appears to be affected by the alcohol or other drug use, a screening by the Child Study Team will be conducted.

QSR. While a student is receiving medical or therapeutic care for a diagnosed alcohol or other drug dependency problem, provisions for a program of intervention, curriculum and related services will be provided.

PTS. Students who are in care or returning from care for alcohol or other drug dependency will receive proper referral and support services by the ~~substance awareness coordinator~~ student assistance coordinator, guidance counselor, or child study team personnel.

QUI. If the student is found in possession or under the influence of alcohol or other drugs, or

SUBSTANCE ABUSE (continued)

has used or consumed, the student will be excluded from school and will only be readmitted at the end of the exclusion after the receipt of the required medical certification that the student is physically and mentally able to return to school and after a conference has been held between the principal, student assistance coordinator, and the parent(s) or guardian(s). A plan to address those specific needs which a student may have shall be developed during this conference. Appropriate police complaints will also be filed.

The disciplinary consequences for violations of the substance abuse policy are:

- 1.) First offense – Under the influence or in possession of alcohol or drugs as defined in N.J.S.A. 24:21-1 et seq, N.J.S.A. 2C:35-2 and all chemicals that release toxic vapors set forth in N.J.S.A. 2A:170-25.9 et seq 39:4-50.

- a) A minimum five (5) day suspension from school.
- b) A report filed with the Sayreville Police Department.

- 2.) Second offense within student's entire educational career in the Sayreville School District - Under the influence or in possession of alcohol or drugs as defined in N.J.S.A. 24:21-1 et seq, N.J.S.A. 2C:35-2 and all chemicals that release toxic vapors set forth in N.J.S.A. 39:4-50~~Under the influence or in possession of alcohol or drugs as defined in N.J.S.A. 24:21-1 et seq, and all chemicals that release toxic vapors set forth in N.J.S.A. 2A:170-25.9 et seq.~~

- a) Suspension from school pending a Board of Education hearing. The Board of Education will determine whether the expulsion or additional suspension is in order. Board consideration will take into account the recommendation of the Superintendent of Schools. Such a recommendation shall only be made after appropriate consultation with the principal, the Child Study Team, if appropriate, and relevant others, i.e., student, parents/guardians, teaching staff members, medical and law enforcement authorities.
- b) Formal charges and a complaint filed with the Sayreville Police —Department.

~~R/V/U.~~ Any student involved in the sale, purchase, transfer, distribution of drugs, drug paraphernalia or alcohol on school property or at school functions, will be suspended from school pending an ~~expulsion-Board~~ hearing. The Board of Education decision on ~~expulsion~~ long term suspension or alternative disciplinary measures will take into account the recommendation of the Superintendent of Schools. Such a recommendation shall only be made after appropriate consultation with ~~the~~ principal, the student assistance coordinator, the Child Study Team, if appropriate, and relevant others, i.e., student, parents/guardians, teaching staff members, medical and law enforcement authorities. A report will be filed with the Sayreville Police. The school will initiate formal charges and a complaint.

~~S/W/V.~~ In all instances involving the use of alcohol or other drugs, a Violence, Vandalism and Substance Abuse Incident Report shall be completed by the principal or his/her designee pursuant to N.J.A.C. 6A:16-5.3.

~~T/X/W.~~ —Staff members implementing this policy will be indemnified under N.J.S.A. 18A:40A-13

SUBSTANCE ABUSE (continued)

and 18A:40A-14, ~~a copy of which is attached hereto.~~

~~UYX.~~ Students possessing for distribution, or providing alcohol and/or administering other drugs (at any time on school grounds), as defined in this policy to others in school, at a school sponsored activity, or out of school, shall be immediately referred to the principal. The principal shall immediately notify the police and the parents and transfer the student to home instruction and will make the appropriate recommendations to the Board of Education concerning the ~~expulsion-discipline~~ of the student.

~~VZY.~~ When it becomes necessary to implement these procedures, a full written report of the incident will be immediately submitted to the Superintendent of Schools ~~who will forward the same to the Board of Education at its next regularly scheduled meeting.~~

Recordkeeping Regarding Self-Discipline vs. Discovery of Student Substance Abuse Concerns

- A. In all cases involving drugs, alcohol, or steroids, where the disclosure is voluntary and the student agrees to participate in an appropriate treatment or counseling program, voluntary student disclosures will be kept confidential and exchange of information will be kept between student, ~~substance awareness coordinator~~ student assistance coordinator, and ~~CORE Team~~ and the Supervisor of Guidance. Records will be confidential and kept separate and apart from general student files. These files will be kept locked. Feedback to referral sources will be limited to status of student progress only. For the purposes of this section, an admission by a student or staff member in response to questioning initiated by the principal or teaching staff member, or following the discovery of a controlled dangerous substance, including alcohol or anabolic steroids, or drug paraphernalia, by the principal or teaching staff member shall not constitute a voluntary, self-initiated request of counseling and treatment.
- B. Disciplinary referrals, or cases which involve discovery of student chemical use by students, teachers, administrators, and other staff persons, will be recorded in student disciplinary files. ~~Only the content of student disclosures made thereafter to a substance awareness coordinator~~ student assistance coordinator or CORE Team member will be kept as a part of the confidential substance awareness treatment program records. It must be noted that even under the strictest of confidentiality laws, a counselor is required to report a student whom they believe to:
1. Be suicidal;
 2. Be assaultive (murder, rape, armed robbery intent);
 3. Have been abused;
 4. Be under the influence of drugs;
 5. Be in need of emergency medical treatment.

Subchapter 6 Drug and Alcohol

SUBSTANCE ABUSE (continued)

~~6A:16-a.3 Definition~~

~~The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:~~

~~“Evaluation” includes, but is not limited to, the following:~~

- ~~A. Procedures used to determine a student’s need for an educational program which extends beyond the regular school program by virtue of the use of alcohol or other drugs by the student or the student’s family.~~
- ~~B. Examination by a physician for the purpose of diagnosing whether the student is under the influence of alcohol or other drugs.~~
- ~~C. Evaluation by the Child Study Team to determine a student’s eligibility or need for a special education program and/or related serviced due to involvement or consumption of alcohol or other drugs by the student or his/her family.~~
- ~~D. Assessment by a teaching staff member or district Board of Education service provider appropriately certified by the New Jersey State Board of Examiners and trained in alcoholism or other drug abuse to determine the extent of alcohol or other drug use and dependency by the student or his/her family. Such assessment may be made through the use of trained service providers, certified alcoholism or substance awareness coordinators who are acting as resource person(s) or in conjunction with a certified teacher or guidance counselor.~~

~~“Intervention and Treatment Referral System”~~

~~Intervention and treatment referral shall be provided by individuals who are certified by the New Jersey State Board of Examiners as substance awareness coordinators or by individuals who are appropriately certified by the New Jersey State Board of Examiners and trained in alcohol and other drug abuse prevention. These programs and services shall include any of the following:~~

- ~~A. Provisions for a program of instruction, counseling and related services provided by the district Board of Education while a student is receiving medical or therapeutic care for a diagnosed alcohol or other drug dependency problem;~~
- ~~B. Referral to a community agency approved by the County Local Advisory Council on Alcoholism and Drug Abuse or the State Department of Health;~~
- ~~C. Providing support services for students who are in care or returning from care for alcohol and other drug dependency, and/or;~~
- ~~D. A special class or course designed to meet the needs of students with alcohol or other drug use problems.~~

~~18A:40A-13. Immunity for educational and medical personnel, officers, or agents because of actions taken by virtue of act.~~

~~No action of any kind in any court of competent jurisdiction shall lie against any teaching staff~~

SUBSTANCE ABUSE (continued)

~~member, including a substance awareness coordinator, any school nurse or other educational personnel, medical inspector, examining physician or any other officer or agent of the Board of Education or personnel of the emergency room of a hospital because of any action taken by virtue of the provisions of this act, provided the skill and care given is that ordinarily required and exercised by other such teaching staff members, nurses, educational personnel, medical inspectors, physicians or emergency room personnel.~~

~~L. 1987, c. 387 § 6. eff. Jan. 13, 1988.~~

~~18A:40A-14 Civil immunity for educational personnel reporting students.~~

~~Any teacher, guidance counselor, school psychologist, school nurse, substance awareness coordinator or other educational personnel, employed by or in any of the public or private schools of this State, who in good faith reports a student to the principal or his/her designee to the medical inspector or school physician or school nurse in an attempt to help such student cure his/her alcohol or other drug abuse as defined in Section 2 of this Act, shall not be liable in civil damages as a result of making any such report.~~

~~Nothing in this section is intended to preclude the protections provided in Section 2 of P.L. 1981, c. 414 (C.2A:62A-4) or otherwise provided by law.~~

~~L. 1987, c. 387 § 7 eff. Jan. 13, 1985.~~

Administrative Procedures

~~A. Students suspected of being under the influence of alcohol or other drugs in school shall be immediately referred to the school nurse, student assistance counselor and the principal. Students suspected of being under the influence of alcohol or other drugs at a school related activity shall be immediately referred to the principal, if available, or to the certificated staff member supervising students at that activity.~~

~~B. Whether or not the parent consents to a drug screening and examination, the principal or his/her designee shall arrange for an immediate examination of the student. The examination may be performed by a physician selected by the parent or guardian or by the school physician. If the chosen physician is not immediately available, the examination shall be conducted by the school physician, or, if the school physician is not available, the student shall be accompanied by a member of the school staff, designated by the principal, to the emergency room of the nearest hospital for examination. If available, a parent or guardian should also accompany the student. The student shall be examined as soon as possible for the purpose of diagnosing whether or not the student is under the influence of alcohol or other drugs.~~

~~C. If at the request of the parent or guardian, the medical examination is conducted by a physician other than the school physician, such examination shall not be at the expense of the Board of Education.~~

~~H. In accordance with N.J.A.C. 6A:16-4.3(d), refusal or failure by a parent to comply with the provisions of N.J.S.A. 18A:40A-12 shall be deemed a violation of the compulsory education (N.J.S.A. 18A:38-25 and 18A:38-31) and/or child neglect (N.J.S.A. 9:6-1 et seq.) laws. A~~

SUBSTANCE ABUSE (continued)

~~presumption of guilt (i.e., the student will be considered to have used, consumed or abused alcohol and/or drug) will be made if the student does not comply and the student will be suspended from school for ten (10) days.~~

- ~~I. Provisions shall be made for the appropriate care of the student while awaiting the results of the medical examination.~~
- ~~J. A written report of the medical examination shall be furnished to the parent or guardian of the student, the principal, and the Superintendent of Schools by the examining physician within twenty-four (24) hours.~~
- ~~K. If the written report of the medical examination is not submitted to the parent or guardian, principal, and Superintendent of Schools within twenty-four (24) hours, the student shall be allowed to return to school until such time as a positive diagnosis of alcohol or other drug use is received.~~
- ~~L. If there is a positive diagnosis from the medical examination indicating that the student is under the influence of alcohol or other drugs, the student shall be returned to the care of the parent or guardian as soon as possible. Attendance at school shall not resume until a written report has been submitted to the parent or guardian of the student, the principal, and the Superintendent of Schools, from a physician who examined the student, to diagnose alcohol or other drug use. The report shall certify that substance abuse no longer interferes with the student's physical and mental ability to perform in school.~~
- ~~M. All students who are found to be in violation of the Substance Policy will receive proper instruction and counseling services.~~

Anabolic Steroid Use

Instances Involving Anabolic Steroid Use

- ~~A. Whenever any teaching staff member, school nurse or other educational personnel of any public school shall have reason to believe that a student has used or may be using anabolic steroids, that teaching staff member, school nurse or other educational personnel shall report the matter as soon as possible to the school nurse or school physician, as the case may be, or to a substance awareness coordinator, and to the principal or, in his/her absence, to his/her designee.~~
- ~~B. The principal or his/her designee shall immediately notify the parent or guardian and the superintendent of schools, if there be one, or the administrative principal and shall arrange for an examination of the student by a doctor selected by the parent or guardian or by the school physician. The student shall be examined as soon as possible for the purpose of diagnosing whether or not the student has been using anabolic steroids.~~
- ~~C. A written report of that examination shall be furnished by the examining physician to the parent or guardian of the student and to the superintendent of schools or administrative principal.~~
- ~~D. If it is determined that the student has been using anabolic steroids, the student shall be~~

SUBSTANCE ABUSE (continued)

~~interviewed by a substance awareness coordinator or another appropriately trained teaching staff member for the purpose of determining the extent of the student's involvement with these substances and possible need for treatment. In order to make this determination, the coordinator or other teaching staff member may conduct a reasonable investigation which may include interviews with the student's teachers and parents. The coordinator or other teaching staff member may also consult with such experts in the field of substance abuse as may be necessary and appropriate.~~

~~E. If it is determined that the student's involvement with and use of these substances represents a danger to the student's health and well-being, the coordinator or other teaching staff member shall refer the student to an appropriate treatment program which has been approved by the Commissioner of Health.~~

~~F. Any staff member who reports a student to the principal or his or her designee in compliance with the provisions of this subsection shall not be liable in civil damages as a result of making such a report as specified in N.J.S.A. 18A:40A-13 and N.J.S.A. 18A:40A-14.~~

SUBSTANCE ABUSE (continued)

Possible

<u>Cross References:</u>	1330	Use of school facilities
	1410	Local units
	4131.1	Inservice education/visitations/conferences
	4231.1	Inservice education/visitations/conferences
	5114	Suspension and expulsion
	5124	Reporting to parents/guardians
	5125	Student records
	5131	Conduct/discipline
	5131.6	Substance Abuse
	5131.7	Weapons and dangerous instruments
	5141.3	Health examinations and immunizations
	5141.21	Administering medication
	5145.12	Search and seizure
	6145.1/6145.2	Intramural competition; interscholastic competition
	6154	Homework/makeup work
	6172	Alternative educational programs
	6173	Home instruction

Key Words

Drugs, Alcohol, Tobacco, Steroids, Substance Abuse, Smoking, Drinking, Drug Testing

Date Adopted: 08/23/2005

Date Revised: 11/20/2007