
DRUGS, ALCOHOL, TOBACCO and STEROIDS
(Substance Abuse)

Drugs, Alcohol, Tobacco, and Steroids

It is the responsibility of the Board of Education to safeguard the health, character, citizenship, and personality development of the students in its schools. ~~The Board of Education recognizes that the misuse of drugs, alcohol, anabolic steroids, electronic smoking devices, and tobacco threatens the positive development of students and the welfare of the entire school community.~~ We therefore, must maintain that the use of drugs and the unlawful possession and use of alcohol is wrong and harmful. ~~The Board of Education recognizes that the misuse of drugs, alcohol, tobacco or steroids threatens the positive development of that student and the welfare of the entire school community.~~ The Board of Education is committed to using wellness strategies that encourage the prevention, intervention, and cessation of drug, alcohol, tobacco and steroid abuse ~~and the rehabilitation of identified abusers.~~

~~The Board of Education recognizes that tobacco is a gateway drug and highly addictive and that the use of tobacco products is a health, safety, and environmental hazard for students, employees, visitors, and school facilities. The Board believes that the use of tobacco products on school grounds, in school buildings and facilities, on school property or at school-related or school-sponsored events is detrimental to the health and safety of students, faculty/staff and visitors. The board acknowledges that adult employees and visitors serve as role models for students. The board recognizes that it has an obligation to promote positive role models in schools and to promote a healthy learning and working environment, free from unwanted smoke and tobacco use for the students, employees, and visitors on the school campus. Finally, the Board recognizes that it has a legal authority and obligation pursuant to P.L. 2005, Chapter 383 New Jersey Smoke-Free Air Act as well as the federal Pro-Children's Act, Title X of Public Law 103-227 and the No Child Left Behind Act, Part C, Environmental Smoke, Section 4303.~~

Drugs, Alcohol, Steroids

A. Students Definitions

For the purpose of this policy and its corresponding regulation, "drug" includes all controlled dangerous substances set forth 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.

For the purpose of this policy and its corresponding regulation, "drug" shall also include "counterfeit controlled substances" which shall be defined as follows:

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1. Any drug that bears, or whose container or label bears a trademark, trade name, or identifying mark used without authorization of the owner of rights to such trademark, trade names or identifying mark;
2. Any unmarked or unlabeled substance that is represented to be a controlled substance manufactured, processed, packed, or distributed by a person other than the person that manufactured, processed, packed, or distributed it;
3. Any substance that is represented to be a controlled substance but is not a controlled substance or is a different controlled substance;
4. Any substance other than a controlled substance that a reasonable person would believe to be a controlled substance because of its similarity in shape, size and color, in its marking, labeling, packaging, distribution, or the price for which it sold, or offered for sale.
5. Any over the counter drugs and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupification, or dulling of the brain or nervous system.
6. Any substance, natural or synthetic, used for the recreational purpose of chemically inducing a feeling of intoxication, inebriation, excitement, stupification or dulling of the brain or nervous system.

B. Students

1. The Board of Education (Board) prohibits the use, possession and/or distribution of any drug, alcohol, ~~tobacco~~, or steroids on school premises, and at any event away from the school provided by the Board. Compliance with a drug-free standard of conduct at all school functions is mandatory for all students. Pupils, suspected of being under the influence of drugs, alcohol, ~~tobacco~~, or steroids will be identified, evaluated, and reported in accordance with the law. Assessment will be provided by individuals who are certified by the New Jersey State Board of Examiners as ~~substance awareness~~student assistance -coordinators or by individuals who are appropriately certified by the New Jersey Board of Examiners and trained in alcohol and other drug abuse prevention. A pupil who uses, possesses, or distributes drugs, alcohol, ~~tobacco~~ or steroids on school premises or while attending a school-sponsored activity will be subject to discipline, —that may include suspension or expulsion, and will be reported to appropriate law enforcement personnel. Pupils suspected of involvement with alcohol, drugs or steroids away from school premises will be ~~offered~~ advised of appropriate treatment and remediation. Treatment services for students who are affected by alcohol or other drug use will be provided by individuals who are certified as ~~substance awareness~~student assistance coordinators or who are otherwise appropriately trained in drug and alcohol prevention, intervention, and follow-up. Treatment will not be at the Board's expense.
2. The Board directs the establishment of a program designed to provide short-term counseling and support services for pupils who are in care or returning from care for alcohol and other drug dependencies. Pursuant to N.J.S.A. 18A:40A-16 the district shall identify substance abuse programs and resources to the parents/guardians of pupils

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enrolled in the district.

3. Students may take advantage of a self-referral procedure to seek information, guidance, counseling and/or assessment in regard to his/her use of alcohol and/or other drugs. First time voluntary referrals DO NOT carry any punitive consequences. The following are guidelines for this procedure:

- i. Students are allowed to voluntarily refer themselves for help for a substance abuse problem during their high school or middle school participation.
- ii. Self-referrals may be made by the student or the student's family.
- iii. Self-referrals cannot be used as a way to avoid consequences once a policy, regulation, or rule of the Sayreville Board of Education or the school has been violated. This stipulation applies not only to violations of this policy, but also applies to any policy, regulation, or rule of the Sayreville Board of Education or the school.
- iv. Self-referrals will lead to a referral for an assessment at an approved agency or provider
- v. Self-referrals will remain confidential. However, proper release of information forms must be on file with the student assistance coordinator.

A.

C. Law Enforcement for Drugs and Alcohol

~~B. The Board will enforce the laws of New Jersey requiring a program of drug, alcohol, tobacco and steroid education. In order to properly educate students, a comprehensive curriculum for drug education, including tobacco and anabolic steroids, shall be incorporated at each grade level, K-6. The curriculum for grades 7-12 shall incorporate a minimum of 10 clock hours per school year of alcohol and other drug education in accordance with department of education chemical health guidelines, pursuant to N.J.S.A. 18A:40A-1 et seq. Drug, alcohol, tobacco and steroid education shall be integrated with the health curriculum. Additionally, the district will offer a special program designed to meet the needs of pupils with alcohol or other drug use problems.~~

~~C. All district personnel shall be alert to signs of alcohol, drug, tobacco and steroid use by pupils and shall respond to those signs in accordance with procedures established by the Superintendent of Schools. The Board of Education will provide in-service training to assist all district personnel in identifying the pupil who uses drugs, alcohol, tobacco and/or steroids, and in helping pupils with drug, alcohol, tobacco and steroid-related problems in a program of rehabilitation. The Board directs the establishment of a program designed to provide short-term counseling and support services for pupils and their parents who are in care or returning from care for alcohol and other drug dependencies. These services shall be offered at times and places convenient to the parents/guardians of the district on school premises or other facilities.~~

~~D. The Superintendent shall develop administrative regulations for all of the following:~~

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- ~~1. A comprehensive program of drug, alcohol, tobacco and steroid education. Such a program is provided for all K-12 students as noted in B above.~~
- ~~2. The identification and remediation of pupils involved with drugs, alcohol, tobacco and steroids;
 - ~~i. Whenever it shall appear to any certificated or non-certificated staff member of any public school in the district, that a pupil in the district or at an out-of-district school activity may have used, consumed, inhaled or abused any substance defined by the Regulations, that staff member shall report the matter, as soon as possible, to the school nurse, or to a substance awareness counselor, and to the principal or his/her designee.~~
 - ~~ii. The principal or designee shall immediately notify the parent or guardian and the Superintendent of Schools and shall arrange for an immediate examination of the pupil by a doctor selected by the parent or guardian, or if such a doctor is not immediately available, by the school's physician designated for this purpose. If such doctor or the school's physician is not immediately available, the pupil, accompanied by a member of the school staff designated by the principal and a parent or guardian, if available, should be taken to the emergency room of the nearest hospital for an examination.~~~~
- ~~3. The examination and treatment of pupils suspected of being under the influence of drugs, alcohol, tobacco or steroids to determine the extent of the pupil's drug or alcohol use or dependency;
 - ~~i. The examination must include a chain-of-custody urine screen for chemical substance abuse and a physical examination by a licensed physician. A written report of this examination shall be furnished within 24 hours by the examining physician to the parent or guardian of the pupil, the principal, and the Superintendent.~~
 - ~~ii. If such diagnosis is positive, the pupil shall be returned to the custody of his/her parent or guardian as soon as possible and shall not resume attendance at school until he/she submits to the principal a written note from the pupil's personal physician, the school's physician or the physician that examined the pupil, certifying that the pupil is physically and mentally able to return to school.~~
 - ~~iii. If the medical report is not provided within 24 hours, the pupil shall be allowed to return to school until such time as a positive diagnosis of the presence of alcohol or a prohibited chemical substance is received.~~~~
~~— The treatment and discipline of pupils who use, possess or distribute drugs, alcohol, tobacco and steroids in violation of law or this policy through referral to an appropriate drug/alcohol abuse program as recommended by the department _____ of _____ health; _____ and~~

Treatment

- ~~iv. The pupil shall also be interviewed by a substance awareness counselor or other appropriately trained teaching staff member for the purpose of determining the extent of the pupil's involvement with these substances and the possible need for treatment. In order to make this determination, the~~

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~~substance awareness coordinator or other teaching staff member may conduct a reasonable investigation which may include interviews with the pupil's teachers and parents.~~

- ~~v. The substance awareness coordinator or other teaching staff member may also consult with such experts in the field of substance abuse as may be necessary and appropriate. If it is determined that the pupil's involvement with and use of these substances represents a danger to the pupil's health and well-being, the coordinator or other teaching staff member shall refer the pupil to an appropriate treatment program which has been approved by the Commissioner of Health.~~
- ~~vi. The school system shall, within the framework of the law, work with the parents/guardians, physicians and community agencies to provide necessary help to those students needing assistance as a result of their use of alcohol, drug, tobacco, steroid, and/or inhalent use.~~

Discipline

~~Disciplinary action for the use, possession, and/or distribution of tobacco, alcohol, drugs as defined in Regulations and code, inhalants and/or anabolic steroids are provided in the Regulations section of 5131.6.~~

- ~~5. The readmission to school and treatment of pupils who have been convicted of drug, alcohol, tobacco and/or steroid offenses.~~

~~The conditions for readmission to school and treatment of pupils convicted of drug, alcohol, tobacco, inhalent, and/or steroid offenses are covered in the Regulations section of 5131.6.~~

~~E. The Board of Education shall establish an annual process to review the effectiveness of its alcohol and other drug policies and procedures. The Board of Education shall solicit community input as well as consult with local agencies recommended by the state department of health in the review process. Alcohol and other drug policies and procedures for discipline, evaluation, and treatment of pupils shall be made available annually to all school staff, pupils, and parent/guardians. This policy shall be in each building, and notification of its availability shall appear annually in the parent's handbook.~~

~~F. Any staff member who reports a pupil to the principal or his/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 provided for under N.J.S.A. 18A:40A-1 et seq.~~

~~G. All policies and procedures must comply with the confidentiality requirements established in federal regulation found at 42 CFR Part II.~~

~~Substance abuse in the district is considered a health risk. It is the expressed position of the district that when school rules have been violated, and when a student's health is at risk, we must notify the student's parents/guardians and attempt to involve the family in the rehabilitation plan subject to the confidentiality restrictions of 43 CFR Part II.~~

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~~H. Refusal or failure by a parent/guardian 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.~~

1. Enforcement of Drug-free School Zones

The Board of Education recognizes its responsibility to ensure continuing cooperation between school staff and law enforcement authorities in all matters relating to the use, possession, and distribution of controlled dangerous substances and drug paraphernalia on school property. The Board further recognizes its responsibility to cooperate with law enforcement authorities in planning and conducting law enforcement activities and operations on school property. The Board shall, therefore, establish a formal Memorandum of Agreement with the appropriate law enforcement authorities and set forth the following policies and procedures after consultation with the county prosecutor and approval by the Executive Ceounty Superintendent of schools. The Memorandum of Agreement shall be consistent with the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials ~~(1999 Revisions)~~.

2. Law Enforcement Liaison

In order to ensure that such cooperation continues, the Board directs the Superintendent to designate a school district liaison(s) to law enforcement agencies and to prescribe the roles and responsibilities the school liaison(s). Such assignment shall be in accordance with the district's bargaining agreement, if applicable.

3. Undercover Operations

The Board hereby recognizes that the Superintendent may request that law enforcement authorities conduct an undercover operation in the school if he/she has reason to believe that drug use and/or drug trafficking is occurring in the school and that a less intrusive means of law enforcement intervention would be ineffective. The Board hereby authorizes the Superintendent to request such intervention under these circumstances. The Board— recognizes that the Superintendent is not permitted to ask the Board 'sBoard's approval for his/her action and is not permitted to discuss any aspect of the undercover operation until authorized to do so by law enforcement authorities.

The Board recognizes that law enforcement authorities may contact the Superintendent to request that an undercover operation be established in a district school. The Board recognizesBoard recognizes that the Superintendent is prohibited from discussing the request with the Board. The Board hereby authorizes the Superintendent to act upon any such request in the manner that he/she determines is in conformity with the law and the Attorney General's Executive Directive 1988-1 and that is in the best interests of the students and the school district.

The Board directs the Superintendent and school principal to cooperate with law enforcement authorities in the planning and conduct of undercover school operations.

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The Superintendent, principal, or any other school staff or district Board member who may have been informed about the undercover operation is required to immediately communicate information to the county prosecutor or designee if the integrity of the undercover school operation has been compromised in any way.

At the completion of an undercover operation in a school, and with the consent of the appropriate law enforcement authority, the Superintendent shall report to the Board regarding the nature of the operation, the result of the operation, and any serious problems encountered during the operation.

4. Summoning Law Enforcement Authorities onto School Property for the Purpose of Conducting Investigations, Searches, Seizures, and Arrests

Any school employee who has reason to believe a student(s) or a staff member(s) is using or distributing controlled dangerous substances, including anabolic steroids, or drug paraphernalia on school premises shall bring that information to the school principal who, in turn, shall report same to the Superintendent. The Superintendent shall immediately report that information to the appropriate law enforcement agency. If, after consultation with law enforcement official, it is determined that further investigation is necessary, the Superintendent will cooperate with the law enforcement authorities in accordance with the law and administrative code. He/she will provide the officials with a room in an area away from the general student population in which to conduct their law enforcement duties. If law enforcement officials do not choose to investigate the incident, the Superintendent may continue the investigation to determine if any school rules have been broken and whether any school discipline is appropriate.

If an arrest is necessary, and no exigent circumstances exist, the Superintendent and staff will cooperate with the law enforcement officials and provide them access to the office of a school administrator or some other area away from the general student population. Every effort shall be made to enable law enforcement personnel to carry out the arrest in a manner that is least disruptive to the educational environment. The Superintendent or the principal shall immediately notify the student's parent/guardian whenever a pupil is arrested for violating any laws prohibiting the possession, use, sale, or distribution of any controlled substance or drug paraphernalia.

Whenever the police have been summoned to a school building by the Superintendent, the Superintendent shall report the reason the police were summoned and any pertinent information to the Board ~~at its next regular meeting~~. If confidentiality is required, the report shall be made in executive session.

5. Student Searches and Securing Physical Evidence

The principal or his/her designee may conduct a search of a student's person or belongings if the search is necessary to maintain discipline and order in the school, and the school official has a reasonable suspicion that the student is concealing contraband. All searches and seizures conducted by designated school staff shall comply with the standards prescribed by the United States Supreme Court in *New Jersey v. T.L.O.*, U.S. 325 (1985), and the New Jersey School Search Policy Manual.

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If, as a result of the search, a controlled dangerous substance or drug paraphernalia is found, or if a controlled dangerous substance or drug paraphernalia is by any means found on school property, the individual discovering the item or substance shall immediately notify the building principal; the principal shall immediately notify the Superintendent who shall immediately, in turn, notify the appropriate law enforcement agency. The principal shall ensure that the controlled or dangerous substance and/or drug paraphernalia is labeled and secured in a locked cabinet or desk until law enforcement officials pick it up. The principal shall then contact the student's parents/guardians to inform them of the occurrence.

Whenever law enforcement officials have been called into the school, and a search of a student's person or belongings is necessary, or an interrogation is to be conducted, the Superintendent shall request that the law enforcement officials conduct the search, seizure, or interrogation.

6. Police Presence at Extracurricular Activities

The Superintendent is hereby authorized to contact the appropriate law enforcement agency and arrange for the presence of an officer(s) in the event of an emergency or when the Superintendent believes that uniformed police presence is necessary to deter illegal drug use or trafficking or to maintain order or crowd or traffic control at a school function.

7. Resolving Disputes Concerning Law Enforcement Activities

The Board authorizes the Superintendent to contact the chief executive officer of the law enforcement agency involved with any dispute or objection to any proposed or ongoing law enforcement operation or activity on school property. If for any reason the dispute or objection is not satisfactorily resolved with the chief executive officer of the agency, the Superintendent shall work in conjunction with the county prosecutor and, where appropriate, the division of criminal justice to take appropriate steps to resolve the matter. Any dispute that cannot be resolved at the county level shall be reported to the ~~Board~~ and Board and shall be resolved by the attorney general whose decision will be binding.

8. Confidentiality of Pupil Involvement in Intervention and Treatment Programs

Nothing in this policy shall be construed in any way to authorize or require the transmittal of any information or records that are in the possession of a substance-abuse counseling or treatment program including, but not limited to, the school district's own substance abuse programs. All information concerning a pupil's or staff member's involvement in a school intervention or treatment program shall be kept strictly confidential. See 423 CFR Part 2, N.J.A.C. 6A:16-3.2 and N.J.A.C.N.J.S.A. 6A:16-5.5-18A:40A-7.1 and 7.2.

Inservice Training

~~The Superintendent will ensure that all district employees receive annual inservice training to make them aware of their responsibilities in accordance with Board policies and N.J.A.C. 6A:16-~~

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~~3.1.~~

Annual Review

~~The Board will review annually the effectiveness of these policies and the Memorandum of Agreement entered into with the appropriate law enforcement agency. As part of this review, the Board will consult with the county Superintendent, local community members, and the county prosecutor's office.~~

Tobacco

~~Tobacco use is now recognized as a chronic disease and public health hazard. Tobacco use is associated with conditions such as heart disease, emphysema, asthma, high blood pressure, diabetes, and many other chronic diseases. The most effective strategy for discouraging tobacco use by young people is a wellness strategy that supports prevention, intervention, and cessation.~~

~~Tobacco use and/or possession on school grounds is prohibited in accordance with Board Policy 3515.~~

~~In recognition that tobacco use is a public health issue and that tobacco is a gateway drug and highly addictive, the Board of Education recognizes that intervention is the most effective way to address violations of this Policy. Students who violate the school district's tobacco-use policy will be referred to the student assistance coordinators (SAC), guidance counselor, a school nurse, or other health or counseling services for all offenses for health information, counseling, and referral. Penalties regarding violations of this policy can be found in Board Regulation R5131 – Code of Student Conduct.~~

~~Parents/guardians will be notified of all violations and actions taken by the school. Schools may also use community service as part of the consequences. Ordinarily, and consistent with a wellness strategy, suspension will only be used after a student has three or more prior violations or has refused to participate in other outlined measures.~~

Ongoing Implementation of this Policy

~~A. The Board will enforce the laws of New Jersey requiring a program of drug, alcohol, steroid, and tobacco education. The Superintendent shall prepare and submit to the Board for its approval a comprehensive curriculum for such instruction, in grades sevenkindergarten through 12, of alcohol and other drug education in accordance with department of education chemical health guidelines, pursuant to N.J.S.A. 18A:40A-1 et seq.
Drug, alcohol, steroid, and tobacco education shall be integrated with the health curriculum~~

~~B. All district personnel shall be alert to signs of alcohol, drug, steroid, and tobacco use by pupils and shall respond to those signs in accordance with procedures established by the Superintendent. The Board of Education will provide in-service training to assist teaching staff members in identifying the pupil who uses drugs, alcohol, steroids, and/or tobacco and in helping pupils with drug-, alcohol-, steroid-, and tobacco-related problems in a program of rehabilitation. The Superintendent will ensure that all district employees receive annual in-service training to make them aware of their responsibilities in accordance with board policies~~

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and N.J.A.C. 6A:16-3.1.

- C. The Board will review annually the effectiveness of these policies and the Memorandum of Agreement entered into with the appropriate law enforcement agency. As part of this review, the Board will consult with the Executive County Superintendent, local community members, and the county prosecutor's office.
- D. In accordance with N.J.S.A. 18A:40A-10, copies of the policy statement shall be distributed to pupils and their parents/guardians at the beginning of each school year. Board policy and procedures shall be disseminated annually to all school staff, students and parents through the district website or other means (N.J.A.C. 6A:16-4.2).
- E. The Superintendent will annually submit a report utilizing the Electronic Violence and Vandalism Reporting system (EVVRS) accurately reporting on each incident of violence, vandalism including harassment, intimidation and bullying, and alcohol and other drug abuse within the school district. Any allegations of falsification of data will be reviewed by the Board of Education using the requirements and procedures set forth in N.J.A.C. 6A:16-5.3(g). Board action shall be based on a consideration of the nature of the conduct, the circumstances under which it occurred, and the employee's prior employment record. At an annual hearing the chief school administrator shall report to the board all acts of violence and vandalism and incidents of alcohol and other drug abuse that occurred during the previous school year. Any staff member who reports a pupil to the principal or his/her designee in compliance with the provisions of this policy shall not be liable in civil damages as a result of making such a report as provided for under N.J.S.A. 18A:40A-1 et seq.
- F. All policies and procedures must comply with the confidentiality requirements established in federal regulation found at 42 CFR Part II.
- G. Substance abuse in the district is considered a health risk. It is the expressed position of the district that when school rules have been violated, and when a student's health is at risk, we must notify the student's parents/guardians and attempt to involve the family in the rehabilitation plan subject to the confidentiality restrictions of 42 CFR Part II.
- H. Any staff member who reports a pupil to the principal or his/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 provided for under N.J.S.A. 18A:40A-1 et seq.

Availability of Policy

~~The policies and procedures contained herein shall be made available to all staff, pupils, and parents/guardians on an annual basis.~~

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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	Pupil records
	5131	Conduct/discipline
	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:

Rationale: Major policy overhaul to cover several areas:

- A. *Redundant sections deleted and any procedures have been removed from the policy and included in the corresponding regulation. Recapitulation of NJAC regarding this topic removed.*
- B. *New language added governing the possession of counterfeit substances*
- C. *Student assistant coordinators (formerly substance abuse coordinators) more closely integrated into the process*
- D. *References to the CORE team have been eliminated as the team no longer exists.*