

SUBSTANCE ABUSE CONTROL
Subsection 4114.2

The Board of Education believes that substance abuse is, in the words of former United States Secretary of Education William J. Bennett, "in America today, the most serious threat to the health and well-being of our children" Mr. Bennett continues, "drug use impairs memory, alertness, and achievement. Drugs erode the capacity of students in school to think and act responsibly. The consequences of using drugs can last a lifetime....Drug use is found among students in the city and country, among the rich, poor, and the middle class." In the view of California Attorney General John Van DeKemp, "it is a sad and sobering reality that trying drugs is no longer the exception among the high school students. It is the norm." The 1986 Gallup Youth Polls stated that "when 13- to 18-year-olds were asked to name the biggest problems facing young people today, drugs led their list....No other issue approaches this level of concern."

On a national level, 65% of high school seniors had used alcohol at least once in the past 12 months, while 43.1% used alcohol in the past 30 days. Further the percentage of New York high school-age students who engage in the use of illicit substances far exceeds the national percentage.

Persons who work with students have come under close scrutiny as the Board of Education becomes keenly aware of the key issues which give rise to substance abuse among students. In the Patchogue-Medford School District, adults who work with students are highly educated and experienced and have shown a willingness to participate in educational reform and to enroll in training programs which are directed to meet the problems that beset modern life. Inasmuch as there is a consistent turnover in the work force of the district, there exists an excellent foundation for training new persons to meet the challenge of today's students and the conditions which lead to substance abuse. The Board of Education wishes the Patchogue-Medford School District to be in the forefront of the effort to strengthen educational programs, and part of this effort involves a significant devotion to fighting substance abuse. Recognizing the very positive achievements for improving the educational climate for its students, the Board of Education desires that elected officials and the work force having contact with students maintain beliefs and attitudes acknowledging that substance abuse is one of the leading causes of failure among students and, indeed, the most serious threat to a healthy life.

Substance Abuse Control (Continued)
Subsection 4114.2 (Continued)

The Board of Education, with direct encouragement and financial subsidies, has initiated the creation of a substance abuse education program which begins in the elementary schools and continues through Grade 12. Our school administrators and nurses are assigned to work exclusively with the issue, but more importantly, a critical mass of the work force has received extensive training to attack the problems associated with substance abuse. The training was promoted with the belief that those adults with whom students have contact must be effective in advancing the attitudes and the school climate which ultimately motivates students to shun controlled substances. Adults working with students in the Patchogue-Medford Schools must be beyond reproach when the issue of substance abuse arises; they must be models for the students, both on and off duty.

REASONABLE SUSPICION
Subsection 4114.2a

The New York State Court of Appeals instructs that grounds for administering medical tests for controlled substances to employees shall require reasonable suspicion on the part of the school authorities. The Board of Education interprets this to mean that the court desires more than general suspicion, curiosity, rumor, or hunch to justify the administration of the test. Factors producing reasonable suspicion include the observation of special and describable behavior or activity which leads to the belief that a person is engaging in or has engaged in the prohibited conduct of substance abuse.

The Board of Education will restrict controlled substance testing to those persons who create a reasonable suspicion that they have engaged in the use of a controlled substance and to others who are candidates for employment or candidates for assignment as a school volunteer. These restrictions are created to safeguard individual rights and to identify the standard to which persons subject to substance identification testing are to be held accountable. Reasonable suspicion may be founded on one or more of the following:

1. An investigation by the Board of Education or by the superintendent of schools that a person has used a controlled substance.
2. An observation by a school official that a person may be under the influence of a controlled substance or that a person exhibits the physical or psychological characteristics caused by the use of a controlled substance.
3. Some other factors which may lead the Board of Education or the superintendent of schools to reasonably conclude that a person used a controlled substance.

Substance Abuse Control (Continued)**INITIATING ACTION****Subsection 4114.2b**

A person who believes that another is engaged in the use of a controlled substance is encouraged to report it to the Board of Education or to the superintendent of schools. The person alleged to have used a controlled substance may request a meeting with the superintendent of schools or with the president or the vice president of the Board of Education. The person may be accompanied during the meeting by any other person who may wish to serve as an advisor or as spokesperson. If after an investigation, the Board of Education or the superintendent of schools reasonably suspects that a person has engaged in the use of a controlled substance, then a medical test for substance identification will be required. If the test results are negative, the issue will be closed with no further action. Positive results on an initial test will require the district to validate the test by offering a second opportunity for the person to be tested. If the final results confirm use, the district will be guided by the advice of medical authorities from that point onward, and the person will be encouraged to obtain immediate treatment.

Failure to comply with a directive to submit to a testing or failure to enter and successfully complete a prescribed program devised by medical authorities shall cause the Board of Education to invoke disciplinary procedures against such person.

TEST ADMINISTRATION**Subsection 4114.2c**

The superintendent of schools shall establish the conditions for conducting substance identification testing and select the professional personnel who are to administer the tests. The superintendent of schools shall be guided when making selections by the advice of the school district's legal counsel and by the advice of medical authorities who are recognized practitioners in the applicable field of medicine. Professional personnel administering the tests or the taking of specimens will not be regular employees of the school district.

SUBSTANCE ABUSE DEFINITION**Subsection 4114.2d**

Substance abuse shall mean the use of one or more of the controlled substances identified in Sections 3306 and certain hazardous inhalants identified in Section 3380 of the New York State Public Health Law.

Substance Abuse Control (Continued)**CANDIDATES FOR EMPLOYMENT****Subsection 4114.2e**

As the Board of Education is presented with candidates for employment, the candidates will possess varying backgrounds, and they will have been exposed to unknown environments where substance abuse may have been prevalent. It is in the best interest of the school district for the Board of Education to provide itself with assurances concerning a candidate's fitness to perform and to provide the necessary role model for the students. Candidates for employment and persons applying for volunteer assignments will undergo a medically supervised substance identification test in accordance with administrative regulations established by the superintendent of schools.

PERSONS AFFECTED BY POLICY**Subsection 4114.2f**

This policy shall apply to members of the Board of Education, employees, certified volunteers, and any other person who maintains regular contact with students enrolled in programs sponsored by the school district.

INDIVIDUAL RIGHTS**Subsection 4114.2g**

Nothing in this policy shall be construed to abridge the rights of the school district or an individual as stated in collective bargaining agreements and relevant laws.

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