

COMPREHENSIVE POLICY FOR ALCOHOL, TOBACCO AND SUBSTANCE ABUSE

The Board of Education of the Patchogue-Medford School District is committed to the prevention of alcohol, tobacco and other substance use or abuse. This policy describes the philosophy of the district and the program elements the district will use to promote healthy lifestyles for its students and staff.

No person may use tobacco and use, possess, sell or distribute alcohol or other substances, nor may any person use or possess drug paraphernalia, on school grounds or at school-sponsored events, except drugs as prescribed by a physician. The terms "alcohol and other substances" shall be construed throughout this policy to refer to the use of all substances including alcohol, inhalants, vaporizers and attendant paraphernalia, electronic cigarettes, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alikes and any of those substances commonly referred to as "designer drugs." The inappropriate use of prescription and over-the-counter drugs shall also be prohibited.

Additionally, the following persons shall be prohibited from entering school grounds or school-sponsored events; any person exhibiting behavior, conduct or personal or physical characteristics indicative of having used or consumed alcohol and or other substances or any person who school personnel have reasonable grounds to suspect has used alcohol and/or other substances.

PHILOSOPHY

The district will use the following principles as guides for the development of its substance prevention efforts and for any disciplinary measures related to substance abuse:

- * Alcohol, tobacco and other substance abuse is preventable and treatable.
- * Alcohol and other substance abuse inhibits the district from carrying out its central mission of educating students.
- * The behavior of the Board of Education, the administration and all school staff should model the behavior asked for students.
- * While the district must assume a leadership role in alcohol, tobacco and other substance abuse prevention, this goal will be accomplished only through coordinated, collaborative efforts with parents, students, staff and the community as a whole.

Comprehensive Policy for Alcohol, Tobacco and Substance Abuse (Continued)**PRIMARY PREVENTION**

The intent of primary prevention programming is to prevent or delay the onset of alcohol, tobacco and other substance abuse by students. The components of this programming shall include:

- A. A sequential K-12 prevention curriculum that provides for:
 - * Accurate and age-appropriate information about alcohol, tobacco and other substances, including the physical, psychological and social consequences of their abuse.
 - * Information about the relationship of alcohol and other substance use or abuse to other health-compromising issues such as AIDS, teenage pregnancy, eating disorders, child abuse, suicide and dropping out of school.
 - * Helping students develop appropriate life skills to resist the use of alcohol and other substances and to promote healthy lifestyles.
 - * Helping students identify personal risk factors of alcohol, tobacco and other substance abuse and the steps needed for risk reduction.
 - * Helping students develop a positive self-concept.
 - * Helping students identify when they are under stress and how to manage or reduce stress through non-chemical means.
- B. Training school staff, parents and guardians to use the information and skills necessary to reinforce the components of this policy in the home, school and community.
- C. Community education about the issues of alcohol, tobacco and other substance abuse as a basis for providing a consistent message to district youth.
- D. Positive alternatives to alcohol and other substance abuse such as peer leadership programs, service projects and recreational and extracurricular activities. Such activities will be planned collaboratively by students, school staff, parents, community members and agencies.

Comprehensive Policy for Alcohol, Tobacco and Substance Abuse (Continued)**INTERVENTION**

The intent of intervention programming is to eliminate any existing abuse of alcohol, tobacco and other substances and to identify and provide supportive services to kindergarten through twelfth grade students at high risk for such abuse. The components of such programming shall include:

- A. Providing alcohol, tobacco and other substance abuse assessment and counseling services for students.
- B. Developing a referral process between district schools and community providers.
- C. Identifying and referring students to appropriate agencies when their abuse of alcohol, tobacco or other substances requires counseling and/or treatment.
- D. Providing aftercare services to students in or returning from treatment to assure that the school environment supports the process of recovery initiated in the treatment program.
- E. Providing individual, group and family counseling targeted at students at high risk for alcohol, tobacco or other substance abuse.
- F. Educating parents on when and how to access the district's intervention services.
- G. Confidentiality -- ensuring confidentiality as required by federal or state law.

STAFF DEVELOPMENT

The Board recognizes that if the administrative, instructional and non-instructional staff are to be responsible for understanding, implementing and modeling this policy, they must be trained about the components of an effective alcohol and other substance prevention program.

Comprehensive Policy for Alcohol, Tobacco and Substance Abuse (Continued)
Staff Development (Continued)

Staff training will be an ongoing process including the following:

- A. For all staff: (a) an understanding of why individuals use and abuse alcohol, tobacco and other substances; (b) their role in implementing this policy, including how to identify students who exhibit high-risk behaviors or who are using or abusing alcohol, tobacco and other substances and how to refer these students to the appropriate services established by this policy; (c) awareness of personal risk factors for alcohol and other substance use so that they may identify personal problems and seek assistance; and (d) awareness of the special needs of students returning from treatment (aftercare).
- B. Additionally for teachers: the knowledge and skills necessary to implement the district's K-12 alcohol and other substance prevention curriculum.
- C. For intervention staff: appropriate staff training for those identified to carry out the intervention function to assure that their assessment, individual, group and family counseling and referral skills support the needs of high-risk youth.
- D. For prevention staff: appropriate staff training to assure that they have the necessary knowledge and skills to support the application of prevention concepts through programming targeted at the school, home and community.

IMPLEMENTATION, DISSEMINATION AND MONITORING

The Board of Education charges the superintendent of schools to collaborate with district staff, parents, students, community members, organizations and agencies, including alcohol and other substance abuse service providers, in developing the specific programs and strategies necessary to implement this policy.

The superintendent of schools is responsible for providing the Board with an annual review of this policy, the programs and strategies implementing it and recommendations for revisions in the policy.

Comprehensive Policy for Alcohol, Tobacco and Substance Abuse (Continued)**DISCIPLINARY MEASURES****Suspension of Students for Drug and Alcohol Abuse**
Subsection 5145.1

While on school district property or while otherwise under the jurisdiction of the school district, students enrolled in the Patchogue-Medford School District who are under the influence of drugs or alcohol or possess, use, dispense or sell drugs or alcohol or possess any drug paraphernalia or electronic cigarettes or vaporizing paraphernalia will upon evidence that is satisfactory to the school principal, and consistent with the due process procedures set forth in Education Law, Section 3214, be immediately suspended by the school principal for a period of five (5) days duration and will be referred to the superintendent of schools for a hearing pursuant to Education Law, Section 3214 for consideration of an appropriate period of suspension which may be more than five (5) days in duration . During the suspension period, a plan of action to deal with the student's problem will be developed. Persons acting in parental authority and the student will be invited to participate with school personnel in the formulation of an effective intervention plan.

During the period of suspension, any student appearing on school property without the express permission of school district personnel shall be subject to arrest for trespassing.

Administrators are to observe the due process procedures set forth in Education Law, Section 3214. Students and parents have a right to appeal decisions in writing to the superintendent of schools and/or the Board of Education.

Students who are disciplined for any of these infractions will be referred to the intervention services established by this policy, or in the case of district staff, will be referred to the Employee Assistance Program.

Comprehensive Policy for Alcohol, Tobacco and Substance Abuse (Continued)**Policy Publication**
Subsection 5145.2

A copy of Subsection 5145.1 of this policy will be printed in all student and parent handbooks. The principal of each school will undertake a comprehensive program annually to communicate this policy effectively to the students, their parents and the faculty.

Policy Adopted:
August 28, 1973
Policy Revised:
November 18, 1974
Policy Revised:
May 20, 1985
Policy Revised:
September 17, 1990
Policy Revised:
December 16, 1991
Policy Revised:
November 20, 2000
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May 20, 2002
Policy Revised:
January 28, 2019

Administrative Regulation**COMPREHENSIVE POLICY FOR ALCOHOL,
TOBACCO AND SUBSTANCE ABUSE**

The State Education Department, Special Unit on Health and Drug Education, established guidelines for school programs in Prevention of Drug Abuse in the fall of 1970, which read in part:

"Schools are an integral part of the community, and school staff should share with others the responsibility for understanding the size and nature of the problem, and public schools in New York state have no legal authority for treatment but must accept the fact that some students are, or may become, drug abusers. Administrators, teachers and other staff should make earnest efforts to assist students to develop effective means of their own for dealing with the drug problem. We believe that the breakdown of communications between students and adults contributes greatly to the drug abuse problems and inhibits our ability as a society to work effectively toward its resolution. There should be efforts to assist students to acquire those skills and leadership capabilities which will permit them to make effective use of adult support.

"For students who are abusers in various stages of drug dependency, schools should accept responsibility for advice to families, referrals to appropriate health and social agencies, and cooperation with professional and lay persons who are interested and qualified to help such students." (Responsibility to law enforcement agencies is set forth in 3C below.)

A. Definitions

Drugs - A drug is any chemical agent which has an affect on the "usual" functioning of the mind or the body, such that perception and behavior are altered, e.g. alcohol, narcotics, barbiturates and other sedatives, amphetamines and other stimulant drugs, marijuana and other hallucinogens.

Drug Abuse - Every drug can be harmful when taken in excess. Drug abuse is the taking of a drug as an effort by individuals to feel psychologically different than they do.

B. Legal Requirements

1. The immediate concern is with the drug abuse -- either using or "pushing" drugs. Does the student's conduct or the student's physical or mental condition provide disruptive to the educative process or endanger the health, safety or

Administrative Regulations (Continued)**Comprehensive Policy for Alcohol, Tobacco and Substance Abuse (Continued)****B. Legal Requirements (Continued)****1. (Continued)**

morals of the student or of others? (New York State Education Law, Section 3214.) Whether discipline is meted out to such students, and the measure and extent of such discipline, is within the discretion of the local school authorities.

2. School officials will assume no authority to waive legal rights of students. Due process procedures must be followed.

C. Personnel Status

1. If a police officer seeks to arrest or question a student on school grounds, the school officials should immediately notify a parent of the student of the facts so that the parent may react to the developments. When efforts to reach parent(s) or guardians are unsuccessful, the school must assume the role of the parent, i.e., locus parentis.
2. Parents who surrender their children to the school environment have a right to expect certain safeguards. It is the affirmative obligation of the school authorities, i.e., the superintendent of schools' delegates, to investigate any charge that a student is using or possessing narcotics and to take appropriate steps if the charge is substantiated.
3. School officials are faced constantly with the pressing and serious obligation to the individual student, the student body, the school and the community. The Laws of the State of New York provide no statutory protection for the confidential communications made to school employees such as psychologists (unless certified) social workers, guidance counselors or others.
 - a. All pupil personnel records are confidential as far as third parties are concerning, with the school and the parent being the first and second parties.
 - b. School employees may find it necessary, for the protection of the student and the student's family, to keep information obtained by or about the student in confidence.

Administrative Regulations (Continued)**Comprehensive Policy for Alcohol, Tobacco and Substance Abuse (Continued)****C. Personnel Status (Continued)****3. (Continued)**

- c. It may be essential for the protection of the school and its staff to disclose information with care, discretion and tact.
- d. School authorities should cooperate with local law enforcement agencies. However, police or other investigators have no right to question students at school or remove students from the school premises without a warrant or Court Order and unless a crime has actually been committed on the school property.
- e. Information about drug use and abuse obtained from pupils and parents should be considered privileged with right to disclosure belonging to the pupil and the pupil's family.
- f. Student records shall be managed in accordance with the principles of Family Educational Rights and Privacy Act (FERPA) and 42 CFR Part II.

D. Operational Procedures

Regulations set forth herein are primarily concerned with a reasonable exercise of the power and discretion vested in the school authorities.

Any school personnel being apprised of patterned misuse and abuse of drugs by students must assume responsibility to encourage those students toward communicating this misuse or abuse with parents or available school drug personnel or guidance counselors.

- 1. Referrals to appropriate school staff should be made as quickly as possible when needed.
- 2. The earliest possible discretionary notification should be made to parents.
- 3. School staff contacted by students who misuse or abuse drugs will maintain confidential working informal files. Informal confidential working files are not part of permanent pupil personnel records.

Administrative Regulations (Continued)**Comprehensive Policy for Alcohol, Tobacco and Substance Abuse (Continued)****D. Operational Procedures (Continued)**

4. When a staff member counseling a student receives information from the student that the student (1) has committed a major crime and/or (2) is abusing alcohol, tobacco or other substances, and/or (3) is pregnant and/or (4) is contemplating self-destruction; that counselor must assume responsibility for the counselor's own, for the student's and for the school district's physical and legal protection by notifying appropriate personnel, i.e., the superintendent of schools' delegates, e.g., community counselor and/or building principal and parent or guardian. This step should be taken only after the facts have been clearly established.
5. The courts have upheld the right of school personnel to search students when it is determined that there is some basis to indicate that the student possesses illicit material. School authorities have the right to inspect school property such as lockers and desks. This prerogative must be exercised with extreme care, discretion and tact.

Regulations Adopted:
September 17, 1990

Regulations Revised:
December 16, 1991