

# POLICY

BAYONNE

## BOARD OF EDUCATION

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Random Drug Testing

5531 Random Drug Testing

It is the responsibility of the Board of Education to safeguard the health, character, citizenship, and personality development of the pupils in its schools. We, therefore, must maintain that the use of drugs and the unlawful possession and use of alcohol is wrong and harmful. The Board recognizes that the misuse of drugs, alcohol or steroids threatens the positive development of pupils and the welfare of the entire school community. The Board of Education is committed to the prevention of drug, alcohol and steroid abuse and the rehabilitation of identified abusers.

The Board of Education recognizes that the problem of illegal drugs and alcohol use presents a continuing challenge in its schools and a clear danger to the pupil population as a whole. The district's commitment to maintaining athletics, co-curricular and extra-curricular programs in a safe, healthy and secure educational environment requires a clear policy and supportive programs relating to the detection and prevention of substance use by pupils involved in athletics and co-curricular activities.

Participation in athletics and co-curricular, extra-curricular activities is a privilege. Pupil participants, by virtue of their voluntary decision to participate in these co-curricular, extra-curricular and athletic activities and because of their position as school leaders and role models in the school community, have a heightened responsibility to be drug and alcohol free. The district is committed to being proactive in ensuring the safety of all pupils participating in athletics, co-curricular and extra-curricular activities.

Consistent with the U.S. Supreme Court Ruling, Board of Education of Independent School District No. 92 of Pottawatomie County et al v. Earls et al., 536 U.S. 822 (2002) and the New Jersey Supreme Court Ruling in Joye v. Hunterdon Central Regional High School Board of Education, 176 N.J. 568 (2003), it is the policy



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of the Board of Education to direct the Chief School Administrator to implement and conduct a program of random drug testing in Bayonne High School of pupil participants in athletics, co-curricular and extra-curricular activities, school clubs, pupils who have violated the district substance abuse policy, and pupils who elect to participate in the program with parental consent. Eligibility shall apply until a student completes high school or submits a drop form, according to board regulation. The principal or his/her designee shall oversee the Policy and Procedure.

Primary emphasis in administering this program should be directed toward deterrence and remediation rather than punishment of pupils who test positive for alcohol, non-prescribed medications, illegal drugs or their metabolites. Consequences for a pupil who tests positive for illegal drugs or their metabolites will be followed according to board regulation. This policy is NOT intended to be disciplinary or punitive in nature. No pupil shall be expelled or suspended from school as a sole result of any verified positive test conducted by the school under the Random Drug Testing Program.

This policy and its implementing regulations will supplement our existing comprehensive program of drug, alcohol and steroid education, prevention and intervention. This program will expand our existing programs aimed at the identification and remediation of pupils involved with drugs, alcohol and steroids. This program will be therapeutic in nature allowing for the opportunity to refer identified users of drugs, alcohol or steroids to an appropriate substance abuse program as recommended by the department of health.

The policy will comply with the confidentiality requirements established in federal regulation found at 42 CFR Part II. The policy and procedures set forth will comply with the provisions of N.J.S.A. 18A: 40A-12 addressing reporting pupils suspected of being under the influence in school.



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The policy and its implementing regulations will apply to all pupils in Bayonne High School who participate in athletics, co-curricular activities, extra-curricular activities, school clubs, or pupils who have violated the district substance abuse policy and pupils who elect to participate in the program with parental consent.

This policy and its implementing regulations will be made available to all staff, pupils, and parents/guardians on an annual basis.

**Definitions:**

**Drug:** For the purpose of this policy "drug" shall include all controlled dangerous substances set forth 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. and all medications taken not pursuant to a legal prescription.

**Alcohol:** For the purpose of this policy "alcohol" includes beer, wine, distilled liquors and any other liquid containing alcohol.

**Co-curricular Activity:** For the purpose of this policy "co-curricular activity" shall be those activities which are sponsored or approved by the Board but are not offered for credit toward graduation.

Adopted: 26 June 2006



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