# POLICY

2026 5630

**Business Operations**

**SUBJECT: *NICOTINE/*TOBACCO FREE, SMOKE FREE ENVIRONMENT POLICY**

a. For purposes of this policy, ***nicotine/***tobacco is defined to include any lit or unlit cigarette, cigar, cigarillo, pipe, bidi, clove cigarette and any other smoking product, as well as smokeless ***nicotine/***tobacco ~~*(spit, dip, chew, snus and/or snuff)*~~ in any form and electronic cigarettes.

b. No person shall use ***nicotine/***tobacco at any time anywhere on school grounds (owned or leased), in any vehicles used to transport children or school personnel, or at any off-campus school sponsored events. For the purposes of this policy, "school grounds" means any building, structure, and surrounding outdoor grounds of a school contained within the District's legally defined property boundaries as registered in the county clerk's office. [*]

c. The following are prohibited on school grounds and at school sanctioned events on and off campus.

- Distribution or sale of ***nicotine/***tobacco (On school property; grounds, at any school sponsored event or activity off campus).
- ***Nicotine/t~~T~~obacco*** advertising is prohibited on school property; grounds, at any school sponsored event or activity off campus, and in all school sponsored publications. School acceptance of gifts, funding, or parent/classroom educational materials from the tobacco industry is prohibited.

d. The school administrator shall notify students, families, employees, contract workers and school visitors of the tobacco-free policy in handbooks and newsletters, on posted notices or signs, or by other means of communication. School personnel in charge of an on-campus school sponsored event or any off-campus school sponsored event shall be responsible for the enforcement of this policy.

f. Students and employees in violation of this policy will be subject to administrative action and may be subject to disciplinary action according to the necessary regulation(s) and/or statutes (See Board Policy 7400.1, 7400.2, 7400.3). Other individuals in violation of this policy will be asked to refrain or leave the premises.

g. When possible, school libraries shall order periodicals with a request for school editions which exclude ***nicotine/***tobacco advertising.

h. ***Nicotine/t~~T~~obacco*** use prevention education shall be integrated within the elementary and secondary school curriculum.

**[*] New York State Education Law Article 9, Section 409**
**Goals 2000 Education America Act, Section 1043**
**The Clean Indoor Air Act**
**The New York State Public Health Law Section 1399-0**

**Revised: 1/19/95; 6/21/07; 12/17/09; *Second Reading: 6/17/26***

**SUBJECT: DRUGS/CONTROLLED SUBSTANCES AND ALCOHOL (STAFF AND THE PUBLIC)**

The Board of Education of the Wallkill Central School District is committed to the prevention of alcohol, *nicotine,* tobacco, drugs and other substance use/abuse. This policy describes the philosophy of the School District and the program elements that the District will use to promote healthy lifestyles for its staff to inhibit the use/abuse of alcohol, *nicotine,* tobacco and other substances.

No person may use, possess, sell, or distribute alcohol or other substances, nor may 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, but not limited to, alcohol, *nicotine,* tobacco, vaporizers, e-cigarettes, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, opioids, heroin, steroids, herbs, substances, look-alikes, and any of those substances commonly referred to as "designer drugs." Additionally, the Board prohibits the misuse and/or unprescribed use of prescription and over-the-counter drugs in the workplace or when the effects of these actions may impair job performance.

In accordance with law, regulation, and District policy, smoking and vaping are prohibited on school grounds; within 100 feet of the entrances, exits or outdoor areas of any of the District's schools; and/or at any school-sponsored event or activity that occurs off school grounds.

**Philosophy**

The District will use the following principles as guides for the development of its substance use/abuse prevention efforts and for any disciplinary measures related to alcohol and other substances:

a) Alcohol, *nicotine,* tobacco, and other substance use/abuse is both preventable and treatable.

b) Abuse of alcohol and other substances inhibits the District from accomplishing its primary purpose of educating children.

c) Individuals connected with the school system (Board of Education, administration, faculty, staff) are expected to model the behavior asked of students.

d) The School District will work cooperatively with the community in preventing alcohol, *nicotine,* tobacco, and other substance use/abuse.

**<u>Information on Substance Use Related Services</u>**

The Superintendent has designated one or more individuals to provide information regarding where and how to find available substance use related services to students, parents, and staff.

Any information provided by a student, parent, or staff member to the designated individuals will not be used in any school disciplinary proceeding and will, in addition to any other applicable privilege, be considered confidential in accordance with law.

**SUBJECT: DRUGS/CONTROLLED SUBSTANCES AND ALCOHOL (STAFF AND THE PUBLIC) [continued]**

**Employee Assistance Program**

The School District has in place an employee assistance program which offers confidential counseling to help cope with problems stemming from alcohol and other substance use/abuse. An employee assistance program has been set up on a cooperative basis with School District administration and collective bargaining units.

**Disciplinary Measures**

Staff will be informed of the range of penalties or consequences, up to and including termination of employment that may be imposed for engaging in prohibited conduct in accordance with any applicable law, District policy, collective bargaining agreement and/or other similar document.

**Staff Development**

a) The School District continues to provide a comprehensive staff development program for all instructional staff. Programs are designed to enhance the working knowledge of individuals in the area of alcohol, ***nicotine,*** tobacco, and substance use/abuse, as well as assist in the development of strategies that can be utilized in the classrooms in conveying a positive prevention message to students.

b) The School District will make available to all non-instructional employees, staff development program offerings in the area of alcohol, ***nicotine,*** tobacco, and substance use/abuse.

**Implementation, Dissemination and Monitoring**

The Board of Education directs the Superintendent of Schools to develop and implement specific programs and strategies that are necessary to implement the above policy.

**NOTE: Refer also to Policy #7420 - Drugs/Controlled Substances and Alcohol (Students)**

**Adopted: 12/19/91; Revised 11/21/19; *Second Reading: 6/17/26***

## SUBJECT: *ADMISSION OF* NON-RESIDENT STUDENTS

~~*The only non-resident students that may be accepted into the Wallkill School District are foster students who are permitted to attend in accordance with state law. An annual tuition charge will be determined and the District from which the foster child originated will be billed accordingly.*~~

Students moving out of the District during the Spring semester may complete the year and may complete their Senior year if they move after the beginning of the Spring semester of the Junior year if approved by the Building Principal. In either case, the parent(s) is responsible for providing transportation.

~~***Education Law Sections 2405 and 3202***~~

**Adopted: 1987; Revised: 11/19/18; *Second Reading: 6/17/26***

**SUBJECT: ADMISSION OF NON-RESIDENT CHILDREN OF THE TEACHING AND ADMINISTRATIVE STAFF**

***Children of the Teaching and Administrative Staff***

*A non-resident child of a full-time certified staff member may be eligible to attend the District's schools upon payment of tuition as set forth below. Enrollment of a non-resident student under this policy is valid for a period of one school year and will be reviewed on an annual basis. If the child's enrollment continues to meet the guidelines set forth in this policy, the child may continue enrollment until:*

- *The child graduates from high school;*
- *The child transfers out of the District; or*
- *The staff members' full-time employment with the District ends; whichever occurs first.*

*The following guidelines will be followed in determining whether non-resident students will be admitted:*

*a) Parents/guardians must inform home school district for transfer and release of student records*

*b) There must be sufficient space to accommodate the non-resident student and the student's admission must not cause a classroom to exceed student capacity as defined by law, regulation or Board policy.*

- *See class size requirements below*

*c) That such students will be entitled to continue enrollment provided they maintain standards of behavior and academic performance deemed to be satisfactory by the District.*

*d) The needs of the student must not exceed the capabilities of resources of the District.*

- *(i.e. student needing placement in an out-of-district program, including BOCES; no increase in faculty or staff can be necessitated to accommodate the student's attendance)*

*e) The admission of such non-resident student is and continues during the enrollment period to be in the best interests of the District, as determined by the Superintendent.*

*Non-resident students will be subject to the District's Code of Conduct and all applicable Board policies and regulations. However, the District reserves the right to remove a non-resident student from the District without the need for a hearing under Education Law §3214.*

**SUBJECT: ADMISSION OF NON-RESIDENT CHILDREN OF THE TEACHING AND ADMINISTRATIVE STAFF [continued]**

**Class Size Requirements:**

Class sizes will remain small and Non-Resident students will not be allowed unless they are as follows:

- Kindergarten – Grade 1 not to exceed 23
- Grades 2 – 6 not to exceed 28
- Secondary Schools not to exceed:
  - Academic Subjects – 28
  - Art – 23
  - Physical Education – 37
  - Science Labs – 23
  - Technology – 20
  - Vocational Education – 23

The District will not furnish or pay transportation between home and school for students not within its jurisdiction. However, students shall be permitted to ride a shuttle from one school in the District to another school in the District, provided that doing so requires no additional expenditure on the part of the District.

If the child is no longer eligible due to the separation of the parent's full-time employment with the District, the child will be dropped from the District's roll, effective the last day of the parent's full-time employment, unless an exception is made by the Superintendent, as appropriate.

**Tuition Requirements**

Tuition for non-resident children of full-time certified staff members shall be calculated based on the District's annual per-pupil cost, as determined each year by the District.

The tuition structure shall be as follows:

- ***First child enrolled:***
  Tuition shall be set at 10% of the District's per-pupil cost.
- ***Each additional child enrolled:***
  Tuition shall be set at 5% of the District's per-pupil cost per child.
- ***Family tuition cap:***
  Total tuition charged to any one family shall not exceed 20% of the District's per-pupil cost, regardless of the number of non-resident children enrolled.

Tuition shall be paid according to a schedule and method established by the District.

**First Reading: 6/17/26**

## SUBJECT: DRUGS/CONTROLLED SUBSTANCES AND ALCOHOL (STUDENTS)

The Board of Education of the Wallkill Central School District is committed to the prevention of alcohol, ***nicotine,*** tobacco, and other substance use/abuse. This policy describes the philosophy of the School District and the program elements that the District will use to promote healthy lifestyles for its students and to inhibit the use/abuse of alcohol, ***nicotine,*** tobacco and other substances.

No person may use, possess, sell, or distribute alcohol or other substances, nor may 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, but not limited to, alcohol, ***nicotine,*** tobacco, vaporizers, e-cigarettes, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, opioids, heroin, steroids, herbs, supplements, 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, any person who has consumed or used any of the aforementioned substances is prohibited from entering school grounds or school-sponsored events.

### Philosophy

The District will use the following principles as guides for the development of its substance use/abuse prevention efforts and for any disciplinary measures related to alcohol and other substances:

a) Alcohol, ***nicotine,*** tobacco, and other substance use/abuse is both preventable and treatable.

b) Abuse of alcohol and other substances inhibits the District from accomplishing its primary purpose of educating children.

c) Individuals connected with the school system (Board of Education, administration, faculty, staff) are expected to model the behavior asked of students.

d) The School District will work cooperatively with the community in preventing alcohol, ***nicotine,*** tobacco, and other substance use/abuse.

**SUBJECT: DRUGS/CONTROLLED SUBSTANCES AND ALCOHOL (STUDENTS) [continued]**

**Information on Substance Use Related Services**

The Superintendent has designated one or more individuals to provide information regarding where and how to find available substance use related services to students, parents, and staff.

Any information provided by a student, parent, or staff member to the designated individuals will not be used in any school disciplinary proceeding and will, in addition to any other applicable privilege, be considered confidential in accordance with law.

**Primary Intervention**

The goal for all instructional programs is to prevent or delay the onset of alcohol, ***nicotine,*** tobacco and other substance use by students. Components of this program shall include:

a) K-12 prevention curriculum that includes:

1. Accurate and age appropriate factual information about alcohol, ***nicotine,*** tobacco, and other substances, including the effect they have on a variety of health related topics.

2. Students will be given an opportunity to develop life and decision making skills which will assist them in resisting the use of alcohol, ***nicotine,*** tobacco, and other substances.

3. Students will have an opportunity to develop good self-esteem.

4. Students will learn how to cope with stress, and how to deal with problems.

Instructional program consists of K-6 - support and assistance provided the classroom teachers. Other components include:

Grade 5 - D.A.R.E. Program.
Grade 6 - Too Good For Drugs Program
Middle School - Grade 7 - Health Education Course and Home and Careers.
High School - Grade 10/11 - Health Education Course.

b) Community Education - provide educational programs to parents and other members of the community.

**SUBJECT: DRUGS/CONTROLLED SUBSTANCES AND ALCOHOL (STUDENTS) [continued]**

c) Provide students with a wide variety of extracurricular activities that foster the healthy use of leisure time.

**Intervention**

The School District will take the following steps in eliminating any existing use/abuse of alcohol and other substances:

a) Provide counseling services for all students.

b) Work cooperatively with community agencies in seeking placement for treatment/assistance.

c) Continue to offer at-risk students additional support and assistance.

**Disciplinary Measures**

Disciplinary measures for students found to be in possession of, or using, alcohol, ***nicotine,*** tobacco, or other substances are outlined in the School District's Code of Conduct for all buildings and the athletic code.

**Implementation, Dissemination and Monitoring**

a) The Board of Education directs the Superintendent of Schools to develop and implement specific programs and strategies that are necessary to implement the above policy.

b) The Superintendent of Schools directs the Building Administrators to provide leadership and direction in the development and implementation of comprehensive Health Education programs K-12. Included in this will be formal classroom learning in the prevention of alcohol, ***nicotine,*** tobacco, and other substances use/abuse, staff development, and community education programs.

c) This comprehensive policy will be reviewed annually along with other School District policies and discipline codes. At such time, appropriate recommendations for revision in the policy will be discussed and brought to the Board of Education.

**NOTE: Refer also to Policy #6130 - Drugs/Controlled Substances and Alcohol (Staff and the Public)**

**Adopted: 12/19/91; Revised: 7/20/06; 3/15/18; 11/21/19; *Second Reading: 6/17/26***

## SUBJECT: DRUG DETECTING CANINES

### 1. PURPOSE AND PHILOSOPHY

To establish a school climate conducive to learning and the prevention of student drug use and abuse.

### 2. POLICY

2.1 The Board of Education recognizes the responsibility of the Superintendent of Schools and District Administration to establish a school climate conducive to preventing and combating students' drug, alcohol and *nicotine/*tobacco use and abuse.

2.2 Within this expectation, the Superintendent of Schools and District Administration have a responsibility to be fair and to protect students from excessive and unreasonable intrusion of their individual rights.

2.3 The invasion of individual privacy should be minimized (see policy 7440).

2.4 Students do not have an exclusive right to possession of individual school lockers and no reasonable expectation of privacy.

2.5 The use of drug detecting canines on lockers, desks and other such equipment will be permitted because the District has control of lockers, desks and other such equipment and a student shall have no reasonable expectation of privacy in these spaces.

2.6 If a searched locker, desk or other such equipment contains drugs, alcohol or *nicotine/*tobacco or other contraband, students assigned to the locker and the owner of such contraband shall be subject to school disciplinary action. Information about such prohibited materials may be referred to law enforcement officials for appropriate action.

### 3. ADMINISTRATIVE GUIDELINES

3.1 The Superintendent of Schools or Assistant Superintendent for Support Services shall have the primary responsibility to determine when, and if, a drug detecting canine shall be used in the school. No drug detecting canine shall be used in the school without the permission of the Superintendent of Schools or Assistant Superintendent for Support Services.

**SUBJECT: DRUG DETECTING CANINES [continued]**

3.2 When drug detecting canines are in the school, law enforcement officials shall be present only to handle the canines. Pursuant to the District Code of Conduct, for school disciplinary purposes, the school official will retain authority and responsibility to conduct any investigations, search of lockers, questioning of students and notification of parents. A positive response from a drug detecting canine to a particular locker, desk or other such equipment shall be interpreted by the school official as reasonable suspicion that a search may be conducted without a search warrant.

3.3 If upon the search of a particular locker, desk or other such equipment a controlled substance is not in plain view, then the school official shall speak with the student responsible for the locker, desk or other such item for the district to inspect. If consent is not granted, a drug detecting canine may inspect each item in the locker, desk or other such equipment and a positive response from a drug detecting canine to any individual item shall be interpreted by the school official as reasonable suspicion to conduct a search of such item without a search warrant. Alternatively, the school official may also contact the student's parent or guardian for consent to search any closed book bag, back pack, purse or other such property.

3.4 As a part of a school drug prevention and education program, drug detecting canines may be used for demonstration purposes in the school.

3.5 Drug detecting canines will not be permitted to be used directly on any student. Students shall not be in immediate vicinity or the area where drug detecting canines are conducting searches and the area where searches are being conducted will be secure from students.

3.6 Drug detecting canines may be used to sniff vehicles in the school parking lot under the same guidelines pertaining to the sniffing of school lockers.

**Definitions:**

"Drug Detecting Canines" means police trained and controlled dogs used to investigate the possible presence of controlled substances.

"Controlled Substance" means a substance as defined in 220 of the New York State Penal Law or defined in 812 of Title 21 of the United State Code.

**Cross Reference Policies:**
Policy 7420 - Drugs/Controlled Substances and Alcohol (Students), Policy 7440 - Search by School Personnel, Policy 7441 - Law Enforcement Officials and Policy 7442 – Interrogations.

**Adopted: 6/15/17; Revised: 3/15/18; *Second Reading: 6/17/26***

# POLICY

2026 7602

Students

## SUBJECT: PRESCRIPTIVE MEDICATION

~~Under certain unusual circumstances, w~~When it is necessary for ~~a~~ students to take medication during school hours *and at school sponsored activities*, the ~~school~~ nurse may administer the medication if the parent or guardian submits ~~a written request accompanied by a written request from a physician~~ *an order by a licensed health care provider with the ability to prescribe medication* indicating the *diagnosis, name of medication,* frequency and dosage of ~~prescribed medication~~ *administration*. The parent or guardian must ~~assume responsibility to have the medication delivered directly to the health office in a properly labeled original container.~~ *also give permission for the nurse or other licensed health care practitioner or individual that has been delegated to administer the medication. All medications must be dropped off at the health office by the parent or guardian and must be in the original prescription bottle with its original label showing the student name and medication information. Over the counter medication must be in the original packaging and sealed.*

Procedures for taking medications off school grounds or after school hours while participating in a school-sponsored activity will be in accordance with State Education Department Guidelines. *In some circumstances, the Athletic Trainer or a person delegated to administer medication may administer certain medications*

~~**New York State Bureau of Health Service**~~

~~***The Use Of Inhalers In Schools***~~

~~*The School District permits students who have been diagnosed by a physician as having a severe asthmatic condition to carry and use a prescribed inhaler during the school day. Prior to permitting such use, the school health office must receive the written permission of the prescribing physician, and parental consent, based on such physician's determination that the student is subject to sudden asthmatic attacks severe enough to debilitate that student.*~~

*Students are permitted to self-administer and/or self-carry medication under certain circumstances if the licensed health care provider and parents agree that the student is capable and responsible for self-carrying and/or self-administering medication. A note from a licensed health are provider stating the above must be submitted to the health office, along with the parents' written permission. This includes all over the counter medication.* A record of such ~~physician/parental~~ permission shall be maintained in the ~~school~~ *health* office.

~~*Health office personnel will maintain regular parental contact in order to monitor the effectiveness of such self medication procedures and to clarify parental responsibility as to the daily monitoring of their child to ensure that the medication is being utilized in accordance with the physician's instructions. Additionally, the student will be required to report to the health office on a periodic basis as determined by health office personnel so as to maintain an ongoing evaluation of the student's management of such self medication techniques, and to work cooperatively with the parents and the student regarding such self care management.*~~

**SUBJECT: PRESCRIPTIVE MEDICATION [continued]**

Students ~~*who self-administer*~~ ***in possession of*** medication without ~~*proper authorization, under any circumstances,*~~ ***a licensed health care provider's orders*** will be referred ~~*for counseling by school nursing personnel*~~ ***to the health office for medication identification and potential monitoring if ingested.*** ~~*Additionally,*~~ ~~s~~School administration and parents will be notified of ~~*such*~~ unauthorized ***possession and/or*** use of medication by the student.~~*, and s*~~School administration may ~~*also*~~ be involved in determining the proper resolution of such student behavior.

***The district will comply with applicable state laws, regulations and guidelines governing the district's receipt, storage, and disposal of medication.***

~~**Education Law Section 916**~~

*Ref: 8 NYCRR 136.7*
*N.Y. Ed. Law 916*
*N.Y. Ed. Law 6908*
*8 NYCRR 136.7*

**Revised: 1/20/00; *Second Reading 6/17/26***

## SUBJECT: PREVENTION INSTRUCTION

### AIDS Instruction In Health Education

The Board of Education shall provide a health education program that will include appropriate instruction for all students concerning Acquired Immune Deficiency Syndrome (AIDS). Accurate information concerning the nature of the disease, methods of transmission, and means of prevention shall be provided in an age-appropriate manner and shall be consistent with community values and will stress that abstinence is the most appropriate and effective premarital protection against AIDS.

A representative community advisory group consisting of appropriate school personnel, School Board members, parents, religious representatives, and other community members shall be established in order to make recommendations for curriculum content, implementation, and evaluation of an AIDS instructional program. Appropriate training will be provided for instructional staff.

Parents/legal guardians shall have the right to exclude their children from those portions of a school's health education program that address AIDS prevention instruction. A form must be completed and filed with the District declaring that the parent/legal guardian will be responsible for seeing that the student receives prevention instruction outside of the classroom.

### Substance Abuse-Prevention Instruction

The Board of Education recognizes the need to educate students on the hazards of alcohol, *nicotine,* tobacco and/or drug abuse. A prevention program will be developed to inform students of:

a) Causes for substance abuse;

b) Physical and psychological damage associated with substance abuse;

c) Avoidance of alcohol, *nicotine,* tobacco and drugs.

d) Dangers of driving while under the influence of alcohol or drugs.

**Substance Abuse: Education Law Section 804**
**Commissioner's Regulations Section 135.3(a)**
**AIDS Instruction: Commissioner's Regulations Section 135.3(b)(c)**

**Revised: 5/19/94; *Second Reading: 6/17/26***