

**Regulation**

SUBSTANCE ABUSE

**GENERAL STATEMENT**

In accordance with board policy, the following procedures are established for:

- A. The instruction of students in avoiding drug, alcohol, tobacco and steroid abuse;
- B. Reporting, assessing, intervening, referring for evaluation, and referring for treatment students suspect of being under the influence of alcohol, drug and/or steroids;
- C. Reporting requirements for students who are suspected or found in possession of or distributing drugs, alcohol, tobacco and/or steroids; and
- D. Cooperation with law enforcement officials regarding the use of illicit drugs in the district.

The purpose of this regulation is to clarify and support policy file code 5131.6, to specify the ways in which the district will address the needs of students who have become involved in the use of illicit drugs, including controlled dangerous substances (CDS), prescription or over-the-counter (OTC) medications, as well as alcohol, tobacco, steroids and other harmful substances. The district policy is far-reaching in its scope and extends to all students enrolled in the district. Services are also available to parents and guardians under appropriate circumstances. The district will consult with state and local agencies in developing and implementing procedures to reduce the use of illicit substances by district students.

**STAFF RESPONSIBLE**

The following chart lists the staff members responsible for the implementation of the regulation and summarizes their responsibilities:

<b>Position</b>	<b>Summary of Main Responsibilities</b>
Superintendent	<ul style="list-style-type: none"> <li>• General policy procedure oversight within the district,</li> <li>• Contacting and being the liaison with law enforcement, EMS</li> </ul>
Principal	<ul style="list-style-type: none"> <li>• General procedure oversight within the school</li> <li>• Notification of the superintendent</li> <li>• Primary contact for reported incidents</li> <li>• Contacting and being the liaison with law enforcement, EMS</li> <li>• EVVRS report</li> </ul>
Student assistance coordinator (SAC) <i>Core team member</i>	<ul style="list-style-type: none"> <li>• Lead the core team</li> <li>• Develop and maintain referral list for referral to community treatment programs</li> <li>• Coordinate school and/or community based assessment, treatment, intervention and referral</li> </ul>
School Nurse <i>Core team member</i>	<ul style="list-style-type: none"> <li>• Oversight of the student's physical wellbeing</li> <li>• Primary contact for reported incidents</li> <li>• Examination and direct care of the student pending treatment</li> </ul>

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	<ul style="list-style-type: none"> <li>• Review and evaluation of all medical reports and documentation</li> <li>• Maintain the school health records</li> </ul>
School guidance and child study team staff <i>Core team members</i>	<ul style="list-style-type: none"> <li>• Support services as required and assigned in consultation with the SAC</li> </ul>
Teaching and support staff	<ul style="list-style-type: none"> <li>• Incident reporting</li> <li>• Incident documentation</li> <li>• Student supervision</li> </ul>

**PROCEDURES**Procedures for Instruction

- A. The superintendent shall ensure that appropriate staff are designated to receive training sufficient to teach an educational program on drugs, alcohol, anabolic steroids, tobacco and controlled dangerous substances. Such training may include inservice programs from county or regional department of education offices or other educational organizations approved by the Commissioner of Education.
- B. The designated programs shall:
1. Prepare attendees in teaching methodologies and practices for teaching students the dangers associated with drugs, alcohol, anabolic steroids, tobacco and controlled dangerous substances as part of its curriculum.
  2. Include information on the history, pharmacology, physiology and psychosocial aspects of drugs, alcohol, anabolic steroids, tobacco and controlled dangerous substances, symptomatic behavior associated with substance abuse, the availability of rehabilitation and treatment programs, and
  3. Include information on the legal and criminal aspects of substance abuse.
- C. Each local board of education shall provide time for the inservice training during the usual school schedule in order to insure that appropriate teaching staff members are prepared to teach the educational program in each grade in each school district.
- D. The superintendent shall ensure that the district curriculum submitted to the board of education for annual approval includes instructional programs on the nature of drugs, alcohol, anabolic steroids, tobacco and controlled dangerous substances in each grade in the district.
- E. Teachers shall be guided by the drug, alcohol, tobacco and steroid program approved by the board of education as a part of the health education curriculum in accordance with the Department of Education curriculum guidelines established by the Commissioner of Education.
- F. Teachers and administrators will be requested to evaluate annually the effectiveness of the drug, alcohol, tobacco and steroid education programs.

Reporting, Notification, and Examination Procedures for Students Suspected of Being Under the Influence

Teaching staff members will be alert to the signs of a student's involvement with drugs, alcohol, or steroids including:

- A. Impaired health or fatigue;
- B. Loss of physical coordination;
- C. Excessive truancy or tardiness;

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- D. Declining grades;
- E. Depressed appetite or loss of weight;
- F. Appetite extremes, such as loss of appetite;
- G. Eyes that are bloodshot, watery, extremely wide, or have extremely small pupils;
- H. An unusual body or breath odor; needle tracks;
- I. A change in attitude, personality, temperament, appearance, or peer groups; and
- J. Mental confusion.

A behavior checklist is provided for each referral that is made with reference to possible drug, alcohol or steroid use.

Concerns over student use of chemicals outside of school and away from school-related activities may be reported to the guidance counselor, student assistance coordinator, the school nurse or any administrator who can follow through on the process of investigating nonemergency cases of suspected drug, alcohol, or steroid involvement.

Procedures for Intervention – Students Under the influence

In instances involving intoxication either in school or at a school-sponsored activity by alcoholic beverages, controlled dangerous substances or any chemical or chemical compound as identified in N.J.A.C. 6A:16-4.1(c), the following shall apply:

- A. Any professional staff member to whom it appears that a student may be under the influence of alcoholic beverages or other drugs on school property or at a school function shall report the matter as soon as possible to the school nurse or medical inspector and the principal. In the absence of the principal, his/her designee shall be notified; and in instances where the school nurse, medical inspector or the principal are not in attendance, the staff member responsible for the school function shall be immediately notified;
- B. Any staff member who observes and suspects that a student is under the influence of alcohol, drugs or steroids shall remain with the student or otherwise ensure that the student is supervised by a qualified professional staff member. The student shall not be left alone;
- C. The principal or his/her designee shall immediately notify the parent/guardian and the superintendent and arrange for an immediate examination of the student by a physician. If a physician is not immediately available, the emergency medical services team shall be contacted or the student shall be accompanied by a member of the school staff, designated by the principal, to the emergency room of the nearest hospital for examination. If available, a parent/guardian should also accompany the student;
- D. If, at the request of the parent/legal guardian, the medical examination is conducted by a physician other than the school physician or school recommended health care facility, such examination shall not be at the expense of the district board of education;
- E. The school nurse or the principal shall arrange for the appropriate care of the student while awaiting the results of the medical examination;
- F. A written report of the medical examination shall be furnished to the parent/guardian of the student, the principal and the superintendent by the examining physician within 24 hours;

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- G. If the written report of the medical examination is not submitted to the parent/guardian, principal and superintendent within 24 hours, the student shall not be allowed to return to school until the medical examiner authorizes that the student is fit to return to school;
- H. If there is a positive diagnosis from the medical examination indicating that the student is under the influence of alcoholic beverages or other drugs, the student shall be returned to the care of a parent/guardian as soon as possible. Attendance at school shall not resume until a written report has been submitted to the parent/guardian of the student, the principal and superintendent from a physician who has examined the student to diagnose alcohol or other drug use. The report shall certify that substance abuse no longer interferes with the student's physical and mental ability to perform in school. In addition, the staff member shall complete the violence, vandalism and substance abuse incident report;
- I. A student will be disciplined in accordance with guidelines outlined in the discipline procedure manual when involved in drug-related activities while in school or involved in a school-sponsored activity;
- J. The student and parent/guardian will be advised by the student assistance coordinator (SAC) of available counseling and support services in the community. Individual referrals will be made as appropriate;
- K. The board shall provide for in-house assessment of student drug and alcohol concerns, as well as instruction, counseling, and related services for that student and/or family members. These counseling interventions will be offered by the student assistance coordinator and/or core team members who are trained in drug and alcohol prevention, intervention, and after-care procedures;
- L. While the student is at home because of disciplinary and/or medical reasons, the child study team will intervene to determine the student's eligibility for home instruction, if the development of an IEP is required, and provide additional assessment if needed. The child study team will assess the student's eligibility and need for special education and/or related services;
- M. The core team, student assistance coordinator, crisis counselor, or other staff member assigned to monitor the student's stability, progress, and possible re-entry into the daily school routine shall be responsible to keep all appropriate school personnel informed of the status of the student referral. Staff should work in close cooperation with the student's parents/guardians in an effort to fully support the student.

Anabolic Steroids

In instances involving anabolic steroids:

- A. Whenever any teaching staff member, school nurse or other educational personnel shall have reason to believe that a student has used or may be using anabolic steroids, that teaching staff member, school nurse or other educational personnel shall report the matter as soon as possible to the school nurse or medical inspector, the student assistance coordinator, and to the principal or, in his or her absence, to his or her designee;
- B. The principal or his/her designee, shall immediately notify the parent/guardian and the superintendent and shall arrange for an examination of the student by a doctor selected by the parent/guardian or by the medical inspector. The student shall be examined as soon as possible for the purpose of diagnosing whether or not the student has been using anabolic steroids;
- C. A written report of that examination shall be furnished by the examining physician to the parent/guardian of the student and to the superintendent or principal;
- D. If there is a positive diagnosis from the medical examination indicating that the student has been using steroids, attendance at school shall not resume until a physician who has examined the student certifies

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in writing that the substance abuse shall not interfere with the student's physical and mental ability to perform in school. This physician's written report shall be submitted to the parent/guardian of the student, the principal and superintendent before the student may return to school;

- E. If it is determined that the student has been using anabolic steroids, the student shall be interviewed by a student assistance coordinator or another appropriately trained teaching staff member for the purpose of determining the extent of the student's involvement with these substances and possible need for treatment. In order to make this determination, the coordinator or other teaching staff member may conduct a reasonable investigation which may include interviews with the student's teachers and parents/guardians. The coordinator or other teaching staff member may also consult with such experts in the field of substance abuse as may be necessary and appropriate;
- F. If it is determined that the student's involvement with and use of these substances represents a danger to the student's health and well-being, the coordinator shall refer the student to an appropriate treatment program.

Transportation of Students for Examination

- A. Transportation to a physician's office or hospital/healthcare facility will be provided by authorized district personnel or emergency medical services, if parents/guardians are unable or unwilling to take their child to the physician's office;
- B. A staff member designated by the principal shall accompany the student being taken from school for any reason;
- C. No faculty member shall transport a student in his/her own car (see board policy 3541.31 Private Vehicles);
- D. The physician will send the results of the drug screening to the student assistance coordinator, who shall report the results of the screening to the principal and the superintendent;
- E. The parent/guardian of any student determined to be using alcohol, drugs or steroids shall be notified in writing of steps for reentry to school. The student assistance coordinator in consultation with the relevant school staff members shall be responsible for designing a reentry plan that may include school based counseling support, drug education and awareness activities as well as referral to community based treatment programs.

Possessing, Buying, Selling and/or Distributing Drugs, Alcohol, or Steroids, Paraphernalia

Whenever it shall appear that a student may be in possession, buying, selling or distributing drug related paraphernalia, a controlled dangerous substance, chemicals or chemical compound which releases vapor or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, taken for purposes other than the treatment of sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings, the following procedures shall be followed:

- A. School personnel shall report the matter as soon as possible to the school principal, or in his/her absence, to his/her designee;
- B. The school principal, observing all due process procedures, shall then attempt to establish the truth of the actual possession or sale and/or distribution of drugs or alcohol;
- C. If so determined, the principal shall immediately notify the student's parent/guardian and the superintendent;

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- D. The law enforcement authorities shall be notified in accordance with provisions established by N.J.A.C. 6A:16-6.1 et seq.;
- E. When a student has voluntarily requested assistance for a substance abuse concern, and has not been involved in distribution activities, no disclosure to police is required if the student agrees to participate in assessment, evaluation, treatment, counseling support services and/or after-care provided by the student assistance coordinator and/or core team staff. Referral to community treatment services may be warranted;
- F. The principal, superintendent, the student assistance coordinator, and members of the core team shall document in writing the incident report and all actions conducted by the district for the investigation, examination, intervention, treatment and referral of all students suspected of being under the influence or in possession of drugs, alcohol, or steroid and/or drug related paraphernalia. The student assistance coordinator and/or core team will make appropriate student and family referrals to community agencies offering assistance for drug and alcohol related issues;
- G. While the student is at home because of disciplinary and/or medical reasons, a child study team may be convened to determine the student's eligibility for home instruction, develop an IEP, and provide additional assessment if needed. The child study team will assess the student's eligibility and need for special education and/or related services;
- H. The violence, vandalism and substance abuse incident report is to be completed by the principal and forwarded to the superintendent for every reported incident.

Recordkeeping Regarding Self-disclosure vs. Discovery of Student Substance Abuse Concerns

- A. Voluntary student disclosure involving drugs, alcohol, or steroids will be kept confidential and exchange of information will be kept between student, student assistance coordinator, and core team, and the student support program director. Records will be confidential and kept separate and apart from general student files. These files will be kept locked. Feedback to referral sources will be limited to status of student progress only;
- B. Disciplinary referrals, or cases which involve discovery of student chemical use by students will be recorded in student disciplinary files. Only the content of student disclosures made thereafter to a student assistance coordinator or core team member will be kept as a part of the confidential substance awareness treatment program records. It must be noted that even under the strictest of confidentiality laws, a counselor is required to report a student whom they believe to:
  1. Be suicidal;
  2. Be assaultive (murder, rape, armed robbery intent);
  3. Have been abused;
  4. Be under the influence of drugs;
  5. Be in need of emergency medical treatment.

School-Based Support Measures

The student assistance coordinator shall:

Investigate community based treatment resources for students with drug, alcohol or steroid use and/or dependence;

- A. Maintain an updated list of treatment program options in the community and residential program options that include:

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1. Name, contact information, description and costs of programs for drugs, alcohol, steroids and tobacco;
2. Information on the schedules for local Narcotics Anonymous (NA), Alcoholics Anonymous (AA), Al-Anon, and Alateen meetings;
3. Resources for quitting smoking/nicotine addiction;
4. Other community, State and federal resources.

B. Develop referral information for students and their family members to distribute when appropriate.

Students identified as drug and/or alcohol and/or steroid dependent will be referred to a community agency and required to complete a treatment program appropriate to their needs. The student assistance coordinator will make every effort to develop a plan for the ongoing needs of the student that may include providing assessment, intervention and referral, and transportation arrangements to and from testing.

Parents who believe that a child is using prohibited substances may submit a request for assistance to the district intervention and referral services (I&RS) team or seek a referral to community agencies. However, any such request may not be used to avoid any actual or contemplated disciplinary action actually pending against the student at the time the request is made. In addition, parents must be actively involved in the development and implementation of I&RS action plans.

Prohibition of Smoking by Students

Students are not permitted to smoke, including inhaling the burning or vapor of a lighted cigar, cigarette, pipe, electronic smoking device or any other matter or substance which contains tobacco at any time in school buildings, on school property, on school buses, or at a school-sponsored trip or activity off school premises. Chewing tobacco is also specifically prohibited. Students are not to carry cigarettes or other smoking materials such as electronic smoking devices, tobacco, pipes or cigarette rolling papers while on school property.

Penalties for Involvement with Drugs, Alcohol, Steroids and/or Tobacco as Per Previously Adopted Policy

All students should be aware that school authorities will take all reasonable steps to prevent the possession and use of drugs, alcohol, steroids, or tobacco on school property and to apprehend those who possess, use, or distribute drugs, alcohol, steroids, or tobacco.

These steps will include:

- A. Locker and desk searches when there is reason to believe that inspection is warranted;
- B. Required urine screening and/or blood test to determine presence of alcohol and other drugs, when observations of student behavioral indicators suggest the possibility of intoxication.

<b>Offense</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
Smoking	<ul style="list-style-type: none"> <li>• Parents/guardians notified;</li> <li>• Suspension and/or referral to SAC for quitting assessment</li> </ul>	<ul style="list-style-type: none"> <li>• Parents/guardians notified;</li> <li>• Suspension;</li> <li>• Referral for counseling;</li> <li>• Law enforcement contacted and possible fine pursuant to <u>N.J.S.A. 26:3D-62</u> (\$250/first offense)</li> </ul>	

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Possession of drug paraphernalia not containing any controlled dangerous substance otherwise identified in <u>N.J.A.C. 6A:16-4.1(a)</u>	<ul style="list-style-type: none"> <li>• Parents/guardians notified;</li> <li>• Referral to SAC for assessment; and</li> <li>• Possible referral to core team</li> </ul>	Two-day in-school-suspension plus all consequences listed for a first offense	Out-of-school suspension plus all consequences listed for a first offense
Possession of alcohol, drugs, steroids or substances identified in <u>N.J.A.C. 6A:16-4.1(a)</u>	<ul style="list-style-type: none"> <li>• Parents/guardians notified;</li> <li>• 9 day suspension;</li> <li>• Law enforcement contacted</li> </ul>	Expulsion hearing plus all consequences listed for a first offense	
Under the influence of alcohol, drugs, steroids, or substances identified in <u>N.J.A.C. 6A:16-4.1(a)</u>	<ul style="list-style-type: none"> <li>• Parents/guardians notified;</li> <li>• Immediate medical examination including urinalysis and/or blood test to verify use; and determine extent of use;</li> <li>• 9 day suspension;</li> <li>• Law enforcement contacted</li> <li>• Medical statement substantiating student's state of wellbeing is required before re-entry after positive diagnosis of chemical use;</li> <li>• Referral to the SAC for treatment, after-care, and reentry plan</li> </ul>	Expulsion hearing plus all consequences listed for a first offense	
Distribution, transferring, or selling	<ul style="list-style-type: none"> <li>• Parents/guardians notified;</li> <li>• 10 day suspension and expulsion hearing;</li> <li>• Law enforcement contacted</li> </ul>		

**REGULATION HISTORY**

Effective Date: October 30, 2012  
NJSBA Review/Update: September 2016  
Date of Review/Revision: March 28, 2017

**CROSS REFERENCES**

5114 Suspension and Expulsion  
5131 Conduct and Discipline  
5131.5 Violence and Vandalism  
5131.5/5131.7 Violence, Vandalism and Weapons, Regulation (EVVRS report)  
5131.7 Weapons and Dangerous Instruments

**PRIMARY RESOURCES**

1 Substance Abuse, Signs and Symptoms  
2 Alcohol, Tobacco & Other Drug Abuse  
3 List of County Screening Centers