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5530 SUBSTANCE ABUSE

It is the Board of Education's intent to provide a wholesome atmosphere in which pupils may develop and learn. Therefore, the Randolph Township Board of Education prohibits the use, possession and distribution of any controlled dangerous substance by pupils, staff, or others on school property at any time and at any school related activity.

In this policy substance abuse refers to the use, possession or distribution of the following controlled or dangerous substances:

- 1. All substances so designated and prohibited by New Jersey statutes; all chemicals which release toxic vapors (glue, etc.) as defined and prohibited by New Jersey statutes;
- 2. All alcoholic beverages;
- 3. All prescription drugs and controlled, dangerous substances, not prescribed for that person, except those for which permission for use in school has been granted pursuant to Board policy;
- 4. All non-prescription drugs with the potential for abuse; and
- 5. All anabolic steroids.

In the absence of the Building Principal, all of the Principal's duties under this policy shall be performed by the Principal's designee.

The following are administrative procedures for:

- A. Referring a pupil who may be under the influence of drugs, alcohol, or certain toxic chemical compounds on the school property, at school sponsored functions off school premises, or on school sponsored transportation.
 - 1. Any teaching staff member, school nurse, or other educational personnel who believes that a pupil may be using or under the influence of drugs or substances designated in one thru five above shall report the name of the pupil as soon as possible to the school nurse, substance awareness coordinator, and/or the Building Principal or designee.



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- 2. The Principal shall have the pupil report immediately to the school office, or, if at a school sponsored function, to the person in charge. The Principal will contact the parent(s) and/or legal guardian(s) and request the parent(s) and/or legal guardian(s) to come to school. The Principal will also notify the Superintendent of schools.
 - a. The Principal shall arrange for an immediate examination/assessment of the pupil by a medical doctor/treatment center. If a parent/guardian so chooses he/she can visit a medical doctor/facility of his/her choice within two hours. In the event that anabolic steroid use is suspected, the medical assessment and examination shall be arranged as soon as possible. The parent(s) and/or legal guardian(s) shall be asked to take the pupil to the medical doctor or medical inspector for the examination. In all cases the pupil will be evaluated by a physician.
 - b. If the pupil's medical doctor/treatment center, or school physician/medical inspector is not immediately available, the pupil shall be taken to an emergency facility with comprehensive diagnostic services for examination. The pupil will be accompanied by a member of the school staff (nurse, guidance counselor, substance awareness coordinator, Principal or designee), and a parent(s) and/or legal guardian(s) of the pupil, if available.
 - c. If a pupil / parent refuses a drug alcohol screen or if a sample is tampered with or diluted, it will be considered a positive result.
 - d. A pupil who admits to being under the influence will be subject to the penalty provisions of this policy irrespective of the results.
 - e. If the parent or guardian cannot be located, the principal shall make the necessary arrangements to have the student examined by;
 - (1) Drug and alcohol treatment center with evaluation/assessment capabilities,
 - (2) Family physician,
 - (3) Medical inspector, or
 - (4) Attending physician at the emergency facility.



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- (a) The school security guard, nurse, substance awareness coordinator, guidance counselor, or other school staff member, shall accompany the student to the place of examination.
- (b) The Building Principal shall notify the parent as promptly as possible of the action taken.
- f. Medical assessment of the pupil shall include level of consciousness and awareness, vital signs, urine testing, breathalyzer, pupil size and reaction to light, orientation to time and place, and any other medical attention deemed necessary for the welfare of the pupil.
- g. Results of medical assessment
 - (1) If the physician returns a positive written report for anabolic steroids, the pupil will be referred to the substance awareness coordinator or other appropriately certified and trained staff member.
 - (2) Unless the examining physician reports that the examination is positive, the pupil shall be returned within twenty four hours to the school program. The pupil may stay in school until positive results are reported.
 - (3) If necessary, a referral to an appropriate treatment program will be made.
 - (4) If the drug screen returns a negative result, all costs will be at the district's expense. If the drug screen returns a positive result, costs will be paid by the parent/guardian.
- h. If the written report of the examining physician indicates a positive diagnosis for alcohol; any substance so designated and prohibited by New Jersey statues; any chemical which releases toxic vapors (glue, etc.) as defined and prohibited by New Jersey statues; any prescription drug and controlled dangerous substance, the pupil shall be returned to his/her home as soon as possible and appropriate data shall be furnished to the Department of Health. The pupil shall not resume attendance at school until he/she submits to the Principal a written report certifying that he/she



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is physically and mentally able to return to school. Student's personal physician, medical inspector or the attending physician who examined the student shall prepare the written report, and a copy thereof shall be given to the parent or guardian of the student. The principal shall notify the Superintendent of the report.

- i. Refusal or failure by a parent/guardian to comply with the provisions of N.J.S.A. 18A:40 A 12 for medical assessment shall be deemed a violation of the compulsory education (N.J.S.A.18A:38-25 and 18A:38-31) and/or child neglect (N.J.S.A. 9:6-1 et seq.) laws.
- 3. Where a search of pupil's person or property is necessary; to include search of a vehicle parked on school grounds or at a school sponsored event or activity, will be conducted in conformity with Board Policy.
- 4. Pupils found to be under the influence of illegal drugs, alcohol, or other toxic chemical compounds:

a. Will be suspended as follows:

1st offense up to 5 day	ys External / Internal Suspension
ist offense up to 5 day	s External / mernal Suspension
	Complete substance evaluation
	Complete substance evaluation
	recommended.

2nd offense up to 10 days	<u> External / Internal Suspension</u>
	Must have a complete substance evaluation
	and show evidence of following through
	with recommendations. Failure to comply
	will result in further consequences /
	Superintendent review. After a second
	offense, administration reserves the right to
	ask for a random drug test at any point
	during that school year.
3rd and	Suspension until Superintendent's review
	Suspension until Superintendent S review

 3rd and
 Suspension until Superintendent's review

 subsequent
 and/or Board of Education hearing to

 offenses
 consider expulsion

Additional random test will be required within a month to prove compliance. Any positive result will be considered another offense.



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- b. During the period of suspension, the student will lose privilege to participate in school activities including, but not limited to clubs, sports, field trips, dances, prom.
- c. After the examination by a medical professional for the purpose of diagnosing whether the pupil is under the influence of alcohol and/or other drugs, the pupil may be referred for an:
 - (1) Evaluation by the Child Study Team to determine a pupil's eligibility for special education and/or related services when the pupil has been identified as potentially educationally handicapped;
 - (2) Assessment by individuals who are certified by the New Jersey State Board of Examiners as substance awareness coordinators or by individuals who are appropriately certified by the New Jersey State Board of Examiners and trained in alcohol and other drug abuse prevention; and/or
 - (3) Referral to a community agency approved by the County Local Advisory Council on Alcoholism and Drug Abuse or the State Department of Health.
- 5. Every referral of substance abuse is to be reported as part of the district's Annual Report of Violence, Vandalism and Substance Abuse.
- B. Pupils suspected of possessing vapor cigarettes, e cigarettes, alcohol, illegal drugs, toxic chemical compounds/drug paraphernalia.
 - 1. Any pupil who possesses illegal drugs or toxic compounds in school, on the school grounds, or at school sponsored functions is in violation of the law. The Principal will immediately call the appropriate law enforcement agency so that the proper investigation may be conducted. If the parent(s) and/or legal guardian(s) are not available, the police will be contacted and the parent(s) and/or legal guardian(s) then will be informed as soon as they are available.
 - 2. If the Principal suspects vapor cigarettes, e cigarettes, alcohol, illegal drugs or toxic chemical components are contained in a locker or on a pupil person, the Principal may, in the presence of a teaching staff member, conduct a search of the locker or the person, or the vehicle parked on school grounds or at school sponsored event or activity.



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- 3. Any pupil in possession of illegal substances will be sent for a drug screen and be subject to consequences as listed in #A4 above.
- 4. The Principal shall notify the Superintendent of the incident and the action taken. In addition, the Board of Education may take further action based on recommendations from the administration, provided however, that before any such action the pupil and/or the parent(s) and/or legal guardian(s) are given an opportunity to be heard before the Board.
- 5. Any pupil found to be in possession of illegal drugs, alcohol, or other toxic chemical compounds will be suspended as follows:

1st offense up to 10 days External / Internal Suspension

2nd-offense External Suspension until Superintendent's review and/or Board of Education hearing to consider expulsion

During the period of suspension, the student will lose the privilege to participate in school activities, including, but not limited to clubs, sports, field trips, dances, proms.

- C. Sale or Distribution of Drugs on School Property
 - . The parent(s) and/or legal guardian(s) will be apprised that the Principal will inform the local police department of the pupil's activity. In addition, the Board of Education may take further action, provided however, that before any such action is taken the pupil and/or the parent(s) and/or legal guardian(s) are given an opportunity to be heard before the Board.
 - 2. When the school Principal or any staff member has reasonable cause to believe that a pupil is selling or distributing drugs on school property, the Principal shall inform the pupil of the basis of the belief. Also, the pupil shall be advised of the school's intention to inform the pupil's parent(s) and/or legal guardian(s) as soon as possible of this suspected activity.
 - 3. The Principal, in the presence of a staff member, may conduct a search of the pupil's locker or of a pupil's person if the Principal suspects illegal drugs, alcohol, or toxic chemical compounds are contained in the locker or on the pupil, including vehicles on school property or at school sponsored event or activity.



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4. Any pupil found selling or distributing drugs on school property will be suspended as follows:

All consequences ranging from suspension to expulsion are at the discretion of administration.

D. Non-pupils on the school grounds under the influence of drugs or certain toxic chemical compounds.

Any teaching staff member or other employee who believes that a non-Randolph pupil on school property is under the influence of drugs or certain toxic chemical compounds shall report the same to the Principal of the school who in turn shall immediately report the incident to the Randolph Police Department for investigation.

E. Evaluation services for pupils who are affected by substance abuse.

- 1. All substance abuse offenses shall require the involvement of a district Substance Awareness Coordinator.
- 2. Upon completion of treatment, further assessment can be made by the Intervention and Referral Services (I&RS) Team regarding the extent of the effect of the pupil's substance use or dependency on his/her educational performance and program. Recommendations by the Intervention and Referral Services (I&RS) Team may be made for additional medical and/or educational testing.

F. Treatment services for pupils who are affected by substance abuse.

- 1. All pupils will be instructed about substance abuse as part of the health curriculum. Pupils who have identified substance abuse problems will be included in sessions conducted by the Substance Awareness Coordinator.
- 2. Pupils and/or parent(s) and/or legal guardian(s) will be provided with the names of local or county agencies that will assist them in dealing with substance abuse dependency, as well as names of appropriate rehabilitation programs.
- 3. Counseling services will be provided to pupils by support personnel such as a substance awareness coordinator, Intervention and Referral Services (I&RS) Team, and guidance counselors.



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- 4. Liaison will be maintained with the rehabilitation center by school personnel regarding the enrolled pupil. Counseling will be provided to pupils who are discharged or who participate in part time rehabilitation programs.
- 5. Pupils who have been identified as being involved with, in possession of, distribution of, under the influence of controlled dangerous substance, or in possession of drug paraphernalia will be required to participate in a program designed to address substance abuse issues.
- 6. Refusal to participate in a substance abuse treatment program will result in referral to the Superintendent or designee for appropriate placement.
- G. Annual review of district's substance abuse policy.

The annual review of the district's substance abuse policy will be completed annually. The final report and recommendations for revision will then be presented to the Policy Committee and the Board of Education for consideration and approval. The following groups and individuals may have input into the annual review process:

- 1. Administrators, guidance counselors, student assistance counselors, school resource officers, School Physician/Medical Inspector.
- 2. Pupil government representatives and the pupil representative seated on the Board of Education.

3. Appropriate community agencies.

H. Dissemination procedures for substance abuse policy and procedures.

The Substance Abuse Policy and Procedures shall be distributed on an annual basis to staff, pupils, and parent(s) and/or legal guardian(s) through electronic distribution and on the website.

I. Violence, vandalism and substance abuse incident report.

- 1. Each substance abuse incident will be reported immediately by the respective Building Principal to the Superintendent of Schools.
- 2. At the end of each school year, the Superintendent of Schools will review and compile all data necessary to properly complete the Violence, Vandalism, and



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Substance Abuse Incident Report. This report will be reviewed by the Board of Education and then be sent to the county and State authorities.

- J. Legal Compliance
 - 1. The district will comply with all legal requirements such as the Drug Free School Zones Act.
 - 2. The district will provide for compliance with the confidentiality requirements established in federal regulations found at 42CFR Part 2.
- K. Pupil Curriculum Standards
 - 1. Randolph Township Schools serving Kindergarten through grade five shall incorporate into its curriculum, at each grade level, alcohol and other drug education, including tobacco and anabolic steroids, appropriate for the pupil's age and maturity, in accordance with Department of Education Chemical Health Guidelines.
 - 2. Randolph Township Schools serving grades six through twelve shall incorporate into its curriculum, alcohol and other drug education, including tobacco and anabolic steroids.

L. Parental Education

Parent(s) and/or legal guardian(s) are provided with substance awareness education programs throughout the school year.

N.J.S.A. 18A:40A-1 et seq.; 18A:40A-7.1 et seq. N.J.A.C. 6A:16-4.1 et seq.



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5530 SUBSTANCE ABUSE

The Board of Education recognizes that a student's abuse of harmful substances seriously impedes that student's education and threatens the welfare of the entire school community. The Board is committed to the prevention of substance abuse and the rehabilitation of substance abusers by educational means, but will take the necessary and appropriate steps to protect the school community from harm and from exposure to harmful substances. Accordingly, the Board will establish policies and procedures in operating programs to support the social, emotional, and physical development of students in accordance with the provisions of N.J.S.A. 18A:40A-1 et seq. and N.J.A.C. 6A:16-4.1 et seq. The Board of Education will maintain a comprehensive substance abuse intervention, prevention, and treatment referral program in the schools of this district.

A. Definitions

N.J.S.A. 18A:40A-9 N.J.A.C. 6A:16-1.3; 6A:16-4.1 et seq.

The definitions as outlined in N.J.S.A. 18A:40A et seq., N.J.A.C. 6A:16 et seq., and those terms defined in Regulation 5530 shall be used for the purposes of this Policy and Regulation.

B. Discipline

N.J.S.A. 18A:40A-10; 18A:40A-11 N.J.A.C. 6A:16-4.1(c)2.; 6A:16-6.3(a)

The Board prohibits the use, possession, and/or distribution of alcohol or other drugs on school grounds, including on school busses or at school sponsored functions according to N.J.S.A. 18A:40A-9, 10, and 11.

A student who uses, possesses, or distributes alcohol or other drugs will be subject to discipline in accordance with the district's Code of Student Conduct. School authorities also have the authority to impose a consequence on a student for conduct away from school grounds in accordance with the provisions of N.J.A.C. 6A:16-7.5. Discipline may include suspension or expulsion. The Board will establish consequences for a student not following through on the recommendations of an evaluation for alcohol or other drug abuse and related behaviors.



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C. Instruction

N.J.S.A. 18A:40A-1 et seq. N.J.A.C. 6A:16-3.1

The Board shall provide an instructional program on the nature of drugs, alcohol, anabolic steroids, tobacco, and controlled dangerous substances in accordance with the provisions of N.J.S.A. 18A:40A-1 et seq. and N.J.A.C. 6A:16-3.1.

D. Reporting, Notification, and Examination

N.J.S.A. 18A:40A-11 through 18A:40A-17 N.J.A.C. 6A:16-3.1; 6A:16-4.1; 6A:16-4.2; 6A:16-4.3

- 1. Alcohol or Other Drugs
 - a. Any educational staff member or other professional to whom it appears that a student may be currently under the influence of alcohol or other drugs as identified in N.J.S.A. 18A:40A-9 and N.J.A.C. 6A:16-4.1(a), on school grounds, including on a school bus or at a school sponsored function shall report the matter in accordance with N.J.A.C. 6A:16-4.3(a)1.
 - b. An immediate medical examination shall be conducted and a written report of the medical evaluation shall be furnished to the parent of the student, the Principal, and the Superintendent in accordance with N.J.A.C. 6A:16-4.3(a)2 through 4.3(a)8.
 - c. If the written report of the medical examination is not provided within twenty-four hours of the referral of the student, the student shall be allowed to return to school until such time as a positive determination of alcohol or other drug use is received from the examining physician, unless the student was also removed for violating the Code of Student Conduct.
 - d. If the written report of the medical evaluation verifies that alcohol or other drugs do not interfere with the student's physical or mental ability to perform in school, the student shall be immediately returned to school. If there is a positive determination from the medical examination indicating the student's alcohol or other drug use



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interferes with his or her physical or mental ability to perform in school, the student shall be returned to the care of the parent as soon as possible. Attendance at school shall not resume until a written report has been submitted to the parent, Principal, and Superintendent from a physician licensed to practice medicine or osteopathy who has examined the student that verifies the student's alcohol or other drug use no longer interferes with his or her physical and mental ability to perform in school and the consequences have been served.

- e. Removal of a student with a disability shall be in accordance with N.J.A.C. 6A:14.
- f. While a student is at home because of the medical evaluation or after the student returns to school, an appropriately certified school staff member(s) will conduct an alcohol and other drug assessment of the student and a reasonable investigation of the situation and may initiate referral alcohol or other drug abuse treatment of a second offense, a complete substance evaluation must be completed by an outside agency and said recommendations followed in accordance with N.J.A.C. 6A:16-4.3(a)12, 4.3(a)13, and 4.3(a)14.
- g. Disclosure to law enforcement authorities of the identity of a student in instances of alcohol and other drugs shall be in accordance with the requirements of N.J.A.C. 6A:16-4.3(a)3.
- h. The Board may provide additional intervention and referral services for the student according to the requirements of N.J.S.A. 18A:40A-10 and N.J.A.C. 6A:16-8.
- 2. Anabolic Steroids
 - a. Whenever any teaching staff member, certified or non-certified school nurse, or other educational personnel has reason to believe a student has used or may be using anabolic steroids, the person shall report the matter in accordance with N.J.A.C. 6A:16-4.3(b)1.
 - b. The Principal or designee upon receiving such report shall immediately notify the parent and Superintendent and shall arrange for an examination of the student as soon as possible to determine



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whether the student has been using anabolic steroids in accordance with N.J.A.C. 6A:16-4.3(b)2.

- c. Disclosure to law enforcement authorities of the identity of students in instances of anabolic steroids shall be in accordance with the requirements of N.J.A.C. 6A:16-4.3(b)3.
- d. A written report of the examination shall be provided by the examining physician to the parent, Principal, and Superintendent.
- e. If it is determined the student has used anabolic steroids, an appropriately certified school staff member(s) shall interview the student and others to determine the extent of the student's involvement with and use of anabolic steroids and the possible need for referral for treatment in accordance with N.J.A.C. 6A:16-4.3(b)5.
- f. If the results of a referral for evaluation have positively determined the student's involvement with and use of anabolic steroids represents a danger to the student's health and well-being, an appropriately certified school staff member(s) shall initiate a referral for treatment to agencies and/or private practitioners as outlined in N.J.A.C. 6A:16-4.3(b)6.
- 3. A school employee who seizes or discovers alcohol or other drugs, or an item believed to be a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall comply with the provisions of N.J.A.C. 6A:16-6.4.
- 4. The Board will provide intervention, referral for evaluation, and referral for treatment services to those students that are affected by alcohol or other drug use in accordance with the provisions of N.J.A.C. 6A:16-4.1(c)7.
- 5. Refusal or failure by a parent to comply with the provisions of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 shall be treated as a policy violation of the Compulsory Education Act, pursuant to N.J.S.A. 18A:38-25 and 31, and child neglect laws, pursuant to N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-11.
- 6. Refusal or failure of a student to comply with the provisions of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 shall be treated by the school district as a policy violation and handled in accordance with N.J.A.C. 6A:16-4.1(c)2.



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E. In-Service Training

N.J.S.A. 18A:40A-15

The Board directs the Superintendent to develop a program of in-service training for all teaching staff members involved in the instruction of students in accordance with the provisions of N.J.S.A. 18A:40A-15. The Board will provide time for the conduct of the program during the usual school schedule. The in-service training program required in N.J.S.A. 18A:40A-15 shall be updated at regular intervals in order to ensure teaching staff members have the most current information available on this subject.

F. Parent Training Program/Outreach Program

N.J.S.A. 18A:40A-16; 18A:40A-17 N.J.A.C. 6A:16-4.1(c)8

The Board will provide a parent training program/outreach program in accordance with the provisions of N.J.S.A. 18A:40A-16 and 17.

G. Records and Confidentiality of Records

42 CFR Part 2 N.J.S.A. 18A:40A-7.1; 18A:40A-7.2 N.J.A.C. 6A:16-3.2; 6A:32-7.1 et seq.

Notations concerning a student's involvement with substances may be entered on his/her records, subject to N.J.A.C. 6A:32-7.1 et seq. and Policy 8330 regarding confidentiality. Information concerning a student's involvement in a school intervention or treatment program for alcohol or other drug abuse shall be kept strictly confidential according to 42 CFR Part 2, N.J.S.A. 18A:40A-7.1 and 7.2, N.J.A.C. 6A:16-3.2, and N.J.A.C. 6A:16-6.5.

If an elementary or secondary student who is participating in a school-based drug or alcohol abuse counseling program provides information during the course of a counseling session in that program which indicates that the student's parent or other person residing in the student's household is dependent upon or illegally using a substance as that term is defined in N.J.S.A. 18A:40A-9, that information shall be kept confidential and may be disclosed only in accordance with N.J.S.A. 18A:40A-7.1 and N.J.A.C. 6A:16-3.2.



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H. Nonpublic School Students

N.J.S.A. 18A:40A-5; 18A:40A-17(c)

The Board has the power and duty to loan to students attending nonpublic schools located in this district and to the parents of such students all educational materials on the nature and effects of drugs, alcohol, anabolic steroids, tobacco, and controlled dangerous substances developed and made available by the Commissioner of Education. The Board shall not be required to expend funds for the loan of these materials.

I. Civil Immunity

N.J.S.A. 18A:40A-13; 18A:40A-14 N.J.A.C. 6A:16-4.3(c)

No action of any kind in any court of competent jurisdiction shall lie against any employee, officer, or agent of the Board because of actions taken under the education statutes on substance abuse, N.J.S.A. 18A:40A-1 et seq., provided the skill and care given is that ordinarily required and exercised by other such employees, officers, and agents of the Board in accordance with the provisions of N.J.S.A. 18A:40A-13.

Any educational or non-educational Board employee who in good faith reports a student to the Principal or designee in compliance with N.J.A.C. 6A:16-4.3 shall not be liable in civil damages as a result of making such a report, as specified in N.J.S.A. 18A:40A-13 and 14.

J. Reporting Students to Law Enforcement Authorities

N.J.A.C. 6A:16-4.1; 6A:16-6.3

The Superintendent or designee shall disclose to law enforcement authorities the identity of a student reasonably believed to be in possession of a controlled dangerous substance, including anabolic steroids, or related paraphernalia or involved or implicated in distribution activities regarding controlled dangerous substances, including anabolic steroids pursuant to N.J.A.C. 6A:16-4.1(c)9. The Superintendent or designee shall not disclose the identity of the student who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or other drug abuse problem provided the student is not reasonably believed to be involved or implicated in drug-distribution activities.



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The Superintendent or designee may disclose to law enforcement authorities the identity of a student suspected to be under the influence of alcohol and/or other drugs, pursuant to N.J.A.C. 6A:16-4.1(c)9.i. Law enforcement authorities shall not be notified of the findings if a student's alcohol or other drug test was obtained as a result of a district's voluntary random drug testing program pursuant to N.J.S.A. 18A:40A-22 et seq. and N.J.A.C. 6A:16-4.4.

K. Policy Review and Accessibility

N.J.S.A. 18A:40A-10; 18A:40A-11 N.J.A.C. 6A:16-4.2(a) and (b)

The Board will annually review the effectiveness of Policy and Regulation 5530 on student alcohol and drug abuse. The Board may solicit parent, student, and community input, as well as consult in the review process with local alcohol or other drug abuse prevention, intervention, and treatment agencies licensed by the New Jersey Department of Human Services.

This Policy and Regulation shall be annually disseminated to all school staff, students, and parents through the district website or other means.

N.J.S.A. 18A:40A-1 et seq.; 18A:40A-7.1 et seq. N.J.A.C. 6A:16-1.1 et seq.; 6A:16-4.1 et seq.; 6A:16-6.1 et seq.

Adopted: 17 July 2012 Revised:

