

POLICY

Board of Education Bernards Township

File Code: M 5530
SUBSTANCE USE/PUPILS

Our Board of Education recognizes that a pupil's use of harmful substances seriously impedes that pupil's education and threatens the welfare of the entire school community. Our Board is committed to the prevention of substance use and the rehabilitation of substance users by educational means, but will take necessary and appropriate steps to protect the school community from harm and from exposure to harmful substances. Accordingly, our Board will establish and maintain a comprehensive substance use intervention, prevention, and treatment referral program in the schools of our District.

DEFINITIONS: N.J.S.A. 18A:40A-9; N.J.A.C. 6A:16-3.1; 6A:16-4.1

For the purpose of this policy:

“SUBSTANCE” means alcoholic beverages, controlled dangerous substances as defined at N.J.S.A. 24:21-2 and 2C:35-2, anabolic steroids, or any chemical or chemical compound that releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to glue containing a solvent having the property of releasing toxic vapors or fumes as defined at N.J.S.A. 2C:35-10.4 and over-the-counter and prescription medications which are improperly used to cause intoxication, inebriation, excitement, stupefaction or dulling of the brain or nervous system.

“SUBSTANCE USE” means the consumption or use of any substance for purposes other than for the treatment of sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings.

“UNDER THE INFLUENCE” of substances means that the pupil is observed in the use of a substance or exhibits physical and/or behavioral characteristics that indicate the immediate use of a substance.

“ASSESSMENT” means those procedures used by school staff to make a preliminary determination of a student's need for educational programs, supportive services, or referral for outside services which extend beyond the general school program by virtue of learning, behavioral or health difficulties of the student or the student's family.

“EVALUATION” means those procedures used to determine a pupil's need for an educational program or treatment that extends beyond the regular school program by virtue of learning, behavioral or health difficulties of the pupil or a member of the pupil's family.

“INTERVENTION AND REFERRAL TO TREATMENT” means those programs, services and actions taken to help a pupil at risk because of learning, behavioral or health difficulties of the pupil or a member of the pupil's family.

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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 on school days and non school days the use, possession, and/or distribution of a substance on school premises, at any event away from the school premises that is sponsored by our Board, and on any transportation vehicle provided by our Board.

A pupil who uses, possesses, or distributes a substance, on or off school premises, will be subject to discipline. Discipline will be graded to the severity of the offense and may include suspension or expulsion.

The Board may establish consequences for a pupil not following through on the recommendations of an evaluation for substance use and related behaviors. The Superintendent and/or his/her designee will notify the appropriate law enforcement agency pursuant to N.J.A.C. 6A:16-6.3(a).

“PARENT” means the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s) or parent surrogate(s) of a pupil. Where parents are separated or divorced, “parent” means the person or agency who has the legal custody of the pupil, as well as the natural or adoptive parent(s) of the pupil, provided such parental rights have not been terminated by a court of appropriate jurisdiction.

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

Our Board shall provide a program of instruction on the nature and effects of substances and tobacco. The program will be included in the health education curriculum and conducted in accordance with law, rules of the State Board of Education, and Policy No. 2422.

COMPREHENSIVE ALCOHOL, TOBACCO, AND OTHER DRUG ABUSE PROGRAMS N.J.A.C. 6A:16-3.1

The Board of Education will provide comprehensive prevention programs to:

- a. Keep students from using alcohol, tobacco or other drugs;
- b. Reduce or eliminate the incidence and prevalence of student alcohol, tobacco and other drug use;
- c. Increase the average age of onset of students’ first use of alcohol, tobacco or other drugs;
- d. Reduce the factors that place students at risk for involvement with alcohol, tobacco or other drugs through school and community-based planning processes;
- e. Contribute to the development of school environments and alternative activities that are alcohol, tobacco and other drug free;
- f. Increase the knowledge and skills of students, staff and community members for avoiding the harmful effects of alcohol, tobacco and other drug use; and

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Actively involve staff, parents and other community members in the development and implementation of prevention program plans.

IDENTIFICATION, EVALUATION, AND INTERVENTION

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

Staff members will make every effort to identify students at risk for substance abuse, to help students and parents who have requested assistance for an alcohol, tobacco or other use problem, and to provide a preliminary assessment of a student's needs for further evaluation and treatment.

All staff members shall be alert to signs of substance use by pupils and without exception must respond to those signs in accordance with administrative procedures 5530. Such procedures shall provide for: urine testing and prompt examination by a physician to determine whether a substance has been used, notification of the pupil's parent or legal guardian and appropriate school officials, assessment of the pupil's involvement with alcohol, tobacco and/or other drugs, and referrals for evaluation. Treatment will not be at Board expense.

All staff members shall be alert to signs of steroid use by pupils and shall respond to those signs in accordance with administrative procedures. Such procedures shall provide for: laboratory testing and prompt examination by a physician to determine whether steroids have been used, notification of the pupil's parent or legal guardian and appropriate school officials, evaluation services assessment of the pupil's involvement with steroids, and referrals for evaluation and referrals for treatment. Treatment will not be at Board expense.

When a pupil's substance use or suspected substance use threatens the pupil's life or places the pupil and/or others in imminent peril, all procedures shall be expedited in accordance with the emergency. Policy No. 8441, Care of Injured and Ill Persons, may be implemented as appropriate, provided no component of the procedures implementing this policy is omitted.

Our Board will provide intervention and treatment referral services by teaching staff members who are properly and appropriately certified and trained to render such services.

Such services will include instruction, counseling, and related services to a pupil who is receiving medical or therapeutic care for diagnosed substance use; referral to a community agency approved by the County Local Advisory Council on Alcoholism or Drug Abuse or the State Department of Health; support services for pupils who are in care or returning from care for substance dependency; and/or a special class or course designated to meet the needs of pupils with problems of substance use.

A substance user who has also been identified as potentially educationally disabled shall be evaluated by the Child Study Team to determine his or her eligibility for special education and/or related services.

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INSERVICE TRAINING N.J.S.A. 18A:40A-15(b)

Educational staff members will receive in-service training in alcohol, tobacco and other drug abuse prevention and intervention according to the requirements of N.J.S.A.18A: 40A3 and 15.

The Board will provide time for the conduct of the program during the usual school schedule. Inservice training shall prepare teachers to instruct pupils on substance use and inform teachers about the nature of substances, the symptomatic behavior associated with substance use, the availability of rehabilitation and treatment programs, the legal aspects of substance use, the Board policy and procedures on substance use.

OUTREACH TO PARENTS N.J.S.A. 18A:40A-17 N.J.A.C. 6A:16-4.1(c)7

The Board will provide a program of outreach to parents or legal guardians of pupils that includes information on our District's substance use curriculum, the identification of substance users, and rehabilitation organizations and agencies. The Superintendent is directed to develop the program in consultation with local agencies recommended by the Commissioner and to offer the program at times and in places convenient to parents or legal guardians on school premises or in other suitable facilities.

CONFIDENTIALITY AND RECORDS

§408 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act, 42 U.S.C. 290 ee-3, and Implementing Regulations, 42 CFR Part 2.

Information regarding a pupil's involvement in a school intervention or treatment program shall be kept strictly confidential in accordance with §408 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act, 42 U.S.C. 290 ee-3, and implementing regulations, 42 CFR Part 2.

If a secondary pupil involved in a school intervention or treatment program provides information during the course of a counseling session in that program which indicates that the pupil's parent or legal guardian or other person residing in the pupil'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 to another person or entity whom the pupil specifies in writing; pursuant to a court order; to a person engaged in a bona fide research purpose, except that no names or other information identifying the pupil or the person with respect to whose substance use the information was provided shall be made available to the researcher; or to the Division of Youth and Family Services or to a law enforcement agency, if the information would cause a person to reasonably suspect that the secondary pupil or another child may be an abused or neglected child.

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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)

Our Board will annually review the effectiveness of this policy in consultation with appropriate teaching staff members, with community members, as well as consultation with local substance abuse prevention, intervention and treatment agencies licensed by the State Department of Health and Senior Services.

This policy and its implementing regulations shall be made available annually, at the beginning of the school year, to all school employees, pupils, and parents or legal guardians. Each newly hired employee and transferred pupil will be offered this policy and implementing regulations on his or her arrival in our District.

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.

Cross Reference: Policy Guides Nos. 2422, 7436, 9322

ADOPTED: October 26, 2009