

Regulation

SUBSTANCE ABUSE

Part I: Students Voluntarily Seeking Help for Drug or Alcohol Related Problems

Students are encouraged to seek help for problems with or related to drug and/or alcohol use. Specific staff members and services are provided for direct assistance or confidential referral for students seeking help with an alcohol, drug or other problem related to their substance use or use by someone in a close relationship with them.

- A. Prior to the initial meeting with a student, the Student Assistance Coordinator will provide full disclosure, orally and in writing, of the confidentiality laws and guidelines as required in Federal Confidentiality Regulations CFR-42 Part 2.
- B. The Student Assistance Coordinators will be allowed to maintain confidentiality of conversations with students meeting the following criteria:
 1. The student's health is not in imminent danger;
 2. The information does not make the staff member accessory to an illegal action;
 3. The information does not indicate the health or safety of other students or individuals is threatened
- C. The student may be required to complete a screening inventory designated by the Student Assistance Coordinator.
- D. The student's age, quantity/frequency of alcohol/drug use, and the length of time a student continues to use substances should be given consideration when a decision to initiate a referral to a community agency or parent/guardian contact is being weighed.
 1. For Special Education Students, the case manager or other member of the child study team shall be involved in all decisions and present for all family meetings.
 2. The Student Assistance Coordinator may continue to work with a student seeking help voluntarily for a reasonable period of time.
 - a. The Student Assistance Coordinator and student will design a plan which includes time frame, parent/guardian role, and possible treatment/assessment referral.
 - b. However, when the Student Assistance Coordinator agrees that no progress is apparent or that the student has failed to adhere to the plan, the staff member will terminate the professional relationship.
 3. Every effort shall be made to have the student discuss his/her involvement with alcohol and other drugs with a counselor and parent/guardian.
 4. There shall be regular communication regarding students moving from one district building to another, and on issues affecting siblings or significant others, in order to insure consistency.

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- E. Voluntarily seeking help does not prevent the school staff from charging a student with suspicion of being under the influence at another time.

Part II: Students Suspected of Being under the Influence of a Substance

Staff members are required by law to report any student suspected of being under the influence of, or having problems related to drugs and/or alcohol through the district procedures. Staff members reporting students “in good faith” are immune from civil and criminal prosecution (N.J.S.A. 18A:40A-13 to -14).

- A. When a student is suspected of being under the influence of drugs or alcohol, the steps below will be followed in the order listed:
1. The staff member advises the designated administrator of his or her belief that the student is under the influence of alcohol or drugs and articulates the observation, symptoms, and indicators underlying this conclusion.
 2. The administrator will locate the student and escort that student directly to a confidential and inconspicuous location where the nurse and the administrator will meet with the student as soon as possible. The nurse will examine the child to determine if immediate medical attention is needed. If, at any time, a student is in need of immediate medical attention, the administrator or nurse shall call 911 and have the student transported to the nearest hospital emergency room.
 3. The administrator shall notify the parent and the Student Assistance Coordinator, and shall arrange for an immediate examination by a doctor selected by the parent or by a district contracted physician. If the parent chooses to use their own physician, it shall be at the family’s expense. Appropriate forms and releases shall be reviewed with the parent /guardian.
 4. If the parent/guardian is not available, an emergency services vehicle shall transport the pupil, accompanied by a staff member, to a district-designated medical facility for the examination and urine drug screen.
 5. Failure to comply with the requirement to complete a medical exam the day of the incident or submit to a urine or saliva test will be considered a positive diagnosis resulting in an immediate exclusion from school. The student will also adhere to the readmission criteria in Section B -2
- B. Re-admission Criteria
1. Return to school is prohibited until the student can present evidence that a medical exam and urine screen for drugs and/or alcohol has been collected and is being processed.
 2. A positive diagnosis or admission of use will require the student to have a formal assessment by the Student Assistance Coordinator and/or recommendation from a Drug Treatment Facility along with successful completion of an approved program.
 - a. Parent/guardian and student must sign a Parent Permission and Consent for Release of Information form in order that the school and treatment program may communicate about the student’s progress without breaching confidentiality.

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- b. Recommendations of the Student Assistance Coordinator and/or treatment program must be followed. Nothing in these procedures shall prevent a parent/guardian from seeking a second opinion from an approved program at their own expense.
 - c. The selection of a treatment or assessment facility shall be done by the parent/guardian with the assistance of the Student Assistance Coordinator and shall be at the expense of the family.
3. Students enrolled in an approved out-patient treatment program may continue to attend school only as long as participation can be documented and the student remains drug free. Parents and students will be asked to sign a contract to this effect giving the school permission to monitor drug free status.
 4. Failure of parents/guardians to comply with the assessing program's recommendation will result in the school's filing a report with the Division of Child Protection and Permanency (DCP&P) and possible exclusion from school.
 5. Failure to complete a treatment program, dismissal from a treatment program, or continued chemical use will be cause for exclusion from school until an administrative hearing is held to determine an appropriate course of action.

C. Second Offense - Being under the influence of alcohol and/or other drugs:

Completion of all procedures outlined under first offense with a recommendation to complete a more comprehensive treatment program. Failure to comply with these requirements will result in an immediate exclusion from school and an administrative hearing to determine the appropriate course of action.

D. Third Offense - Being under the influence of drugs or alcohol:

1. The school administration, in conjunction with the Student Assistance Coordinator may recommend expulsion to the Board of Education for any chronic violator of this Policy.
2. If the student is not expelled, an individual program shall be developed for him/her in consultation with the building administrator, Student Assistance Coordinator, parent/guardian, and any treatment program involved.

E. Students suspected of, or admitting to the use of steroids, will be subject to the same procedures outlined for other alcohol or drug violations.

Part III: Intervention and Referral Team

Each school shall have an active Intervention and Referral Services Team (I&RS) consisting of representation from health services, guidance, administration, Child Study Team, SAC and teaching staff. The Student Assistance Coordinator will follow-up with students identified through the I&RS as needing intervention.

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- A. Any student who attends treatment following an alcohol or drug suspension must comply with the re-admission criteria described in Part II.

Students attending a treatment program causing an extended absence will be readmitted only upon receipt of a written recommendation from the treatment program. The absences will be considered in the same manner as other “chronically ill” students, and shall not be treated in a manner different from any other student returning from hospitalization, with the exception of aftercare arrangements for policy ordered treatment.

- B. Concerns about the student’s regression to drugs or alcohol shall be dealt with in the same manner as any other student suspected of being under the influence, outlined elsewhere in these procedures.
- C. Students and parents may be asked to sign a contract stipulating terms for returning to school. This contract may include provisions for in school urine screening to be used for monitoring purposes. Under no circumstances will in school urine screening be used to test a student who is suspected of being under the influence of a chemical on school property or at a school function.

Part V: Search & Seizure

- A. All student handbooks shall carry a note that “lockers are school property and, therefore, subject to search by school administration at any time.”
1. Searches conducted of students’ possessions, lockers, or vehicles must be warranted by “reasonable suspicion” in compliance with standards established in U.S. vs. TLO.
 2. These searches shall follow the guidelines established for New Jersey Schools in the Administrative Code, but shall include the following:
 - a. “Reasonable suspicion” shall mean suspicion based on statements of concern by staff or students, and physical condition and behavior of a suspicious nature which indicates possible substance use or possession.
 - b. Searches of a “cursory” nature may be conducted, including a visual inspection and request that students empty pockets, purses, and other belongings.
 - c. Students refusing to cooperate in “searches” will have their parent/guardian contacted immediately to inform them of the student’s refusal to cooperate, stressing possible police involvement in the incident, and potential discipline action according to the Code of Student Conduct.

Part VI: Possession or Distribution of Alcohol and/or Other Drugs

- A. When a student is found to be in possession of any quantity of illegal substances (drugs or alcohol) on school grounds or at a school activity, a juvenile police officer or the city police will be called in to investigate and document the incident. A referral will also be made to the Student Assistance Coordinator.

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1. When illegal substances are found, it shall be the responsibility of the police to complete their normal reporting procedures and any other legal actions, such as complaints, depending on the quantity of substances.
 2. It shall be the responsibility of the Passaic Police to determine whether the quantity and/or the circumstances will be considered “possession” or “distribution” in accordance with New Jersey Law or in consultation with the County Prosecutor’s office.
 3. Students found “in possession” will follow the same criteria as outlined in Part II of this procedure and will be subject to out of school suspension for a maximum of 21 days, not to exceed the second monthly Board of Education meeting without Board action.
- B. Students, charged with distribution or intent to distribute, and who are not treatment appropriate, will be subject to all disciplinary action outlined above and may also be subjected to an expulsion hearing.
- C. Upon the second, and any subsequent offenses, or those involving actions by the Court due to the quantity of substances involved, an automatic expulsion hearing by the Board of Education shall be held.
- D. Students arrested for non-school related drug or alcohol violations shall be referred to Office of Intervention and Prevention. They are to attend school unless it is demonstrated that the student is a danger to him/herself or to other students in the school, in which case the offending student shall:
1. Be suspended immediately for a number of days not to exceed the second monthly Board of Education meeting;
 2. Be supplied with school work for the duration of the suspension;
 3. Have written recommendations, or a program designed by the Office of Intervention and Prevention.

Return to school will be conditional upon meeting criteria established by the Office of Intervention and Prevention and school principal.

Part VII: Student Weekend Use, Or Suspected Use, Of Substances

- A. The school has an obligation to identify and assist students whose drug or alcohol use or other behavior is of concern, regardless of when it occurs.
1. Any expression of concern about parties or substance-related incidents involving students will be handled in the following manner:
 - a. The staff member will ensure that any information deemed reliable will be passed on to the Student Assistance Coordinator and consequently to the parent;
 - b. The Student Assistant Coordinator may call a student in to discuss the events which led to the suspicion.
 2. An I&RS referral may follow in order to determine to what extent chemical use may be affecting performance or behavior.

SUBSTANCE ABUSE (regulation continued)Part VIII: Children of Alcoholics And From Chemically Dependent Families

- A. Children who are identified as having parents, guardians, or family members with active alcoholism, substance abuse, or chemical dependency, or a history of such difficulties, shall receive support services in the form of individual or group counseling, referral to community services, and “self-help” programs available within the school district and community. The following guidelines are provided for handling these matters:
1. Students at all levels shall be apprised, in an age appropriate manner, of the confidentiality regulations prior to disclosing information as outlined in Part I, confidentiality;
 2. Students who self-disclose family chemical dependency will be provided support services; however, staff members shall be alert to the potential for a referral to the Division of Child Protection and Permanence. **THE CONFIDENTIALITY REGULATIONS ARE AUTOMATICALLY WAIVED IN CASES WHERE ANY FORM OF CHILD ABUSE EXISTS.**
 3. Every effort to involve and assist parents/guardians with chemical dependency issues should be made.
 4. Parent/guardians who have been informed of the detrimental effects of a family member’s chemical use and fail to take appropriate action shall be referred to DCP&P.
 5. Before involving an elementary age children in group counseling programs, parents must be informed of their child’s participation in such programs.

Part IX: Tobacco Use

- A. Smoking or the use of tobacco products, including electronic cigarettes, hookah, lighters or any product that may lead to possible suspension of use by students within all school buildings and on school grounds is prohibited.
- B. The use of tobacco products, including electronic cigarettes and hookah anywhere in school buildings or on school grounds will result in disciplinary actions consistent with the district code of student conduct (see board policy and regulation 5131 Code of Student Conduct.).
- C. Smoking awareness activities for students in all grades shall be included in the district’s Health Education Curriculum.

Part X: Curriculum and Instruction

Students in the Passaic Public Schools, kindergarten through Grade 12, shall receive age appropriate instruction, regarding alcohol and other drug education that meets or exceeds state recommendations.

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