

South Brunswick School District
P.O. Box 181
Monmouth Junction, NJ 08852

**Tobacco, Alcohol and Other Drug Abuse
Regulations**

The South Brunswick School District recognizes that a pupil's abuse of harmful substances seriously impedes that pupil's education and threatens the welfare of the entire school community. The district is committed to the prevention of substance abuse and the rehabilitation of substance abusers by educational means. Accordingly, the district has established and maintains a comprehensive alcohol, tobacco and other drug abuse program. Prevention, intervention, and referral needs are addressed in a variety of ways including individual counseling and referral services in response to student needs, a comprehensive health curriculum, parent programs, teacher training, school wide prevention programs and extensive collaboration with community agencies.

Services for Students and Parents/Guardians

When a student volunteers information about personal use (and is not suspected of being under the influence)

Or

A student expresses concern about substance abuse of another student (not suspected of being under the influence)

Or

A student is affected by a family member's substance abuse:

1. In the elementary schools and the high school the student will be referred to a Student Assistance Counselor and to a guidance counselor at the middle school.
2. Privacy is maintained according to Federal Confidentiality Regulations (42CFR).
3. No disciplinary action is taken if the student has not violated district policy.

4. The student assistance counselor follows appropriate assessment, intervention and referral procedures.

When a Parent/Guardian expresses concerns regarding their child's substance use

Or

A Parent/Guardian volunteers information that their child is affected by substance use of someone else:

1. The parent/guardian will be referred to the Student Assistance Counselor.
2. No disciplinary action is taken if the student has not violated district policy.
3. Privacy is maintained according to Federal Confidentiality Regulations (42CFR).
4. The student assistance counselor follows appropriate assessment, intervention and referral procedures

When a parent/guardian requests substance screening of their child

1. The parent/guardian must be in attendance when the student is brought to the health office and will explain his/her request to the student.
2. The screening sample will only be taken with student cooperation and with the parent/guardian present.
3. The parent/guardian must provide written permission.
4. The parent/guardian will be referred to the student assistance counselor. Privacy is maintained according to Federal Confidentiality Regulations (42CFR).
5. Parent/guardian requests for a substance screening will be limited to one time only. Ongoing random testing cannot be provided.
6. There will be no disciplinary consequences for a positive screening result.

Reporting, notification and examination procedures for students suspected of being under the influence of alcohol or other drugs.

*Procedures designed in compliance with
New Jersey Administrative Code – Programs to Support Student Development
N.J.A.C 6A:16-4.3 and N.J.S.A. 18A:40A-12*

Any staff member to whom it appears that a student may be currently under the influence or in possession of alcohol or other drugs on school grounds, including on a school bus or at a school-sponsored function, shall report the matter immediately to an administrator, certified school nurse, non-certified school nurse or student assistance counselor.

Whenever any staff member shall have reason to suspect that a student *has used or may be using anabolic steroids*, that person shall report the matter immediately to an administrator, certified school nurse, non-certified school nurse or student assistance counselor.

Note: Unlike in cases of suspicion of under the influence, it is only necessary to suspect that a student is involved in using anabolic steroids and not “under the influence at that moment.”

In instances where an administrator, nurse or student assistance counselor is not in attendance, the staff member responsible for the school function shall be immediately notified. (See Procedures for School Related Functions)

Any educational or non-educational school staff member who in good faith reports a student to the principal or his or her designee in compliance with the provisions of subsection 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-13 and 14.

Any time a staff member or other professional reports a suspicion of a student under the influence of alcohol or other drugs, or use of anabolic steroids, the following shall occur:

1. **Parent/Guardian Notification** – An administrator or designee shall immediately notify the student’s parent or guardian and provide for appropriate care of the student until the parent or guardian arrives. If the parent/guardian is not available, the school nurse, administrator and/or other designee will accompany the student to the school physician for a medical examination.
2. **Medical Emergency** - If symptoms are considered severe enough to endanger the physical welfare of the student and constitute a medical emergency, the school nurse or designee shall immediately accompany the student to the nearest hospital emergency room by ambulance. The school will notify a parent/guardian and direct them to go directly to the emergency room.
3. **Substance Screening** - If not deemed a medical emergency, the school nurse will conduct a medical assessment that includes a urine screening for substances within one hour of the initial report. The student will be required to empty his/her pockets and belongings. An administrator will also search the student’s locker and vehicle (if applicable).
4. **Medical Examination** – The student is required to be taken immediately for a medical examination by a physician of their choice (within 2 hours of the parent/guardian contact.) The medical examination must be performed by a physician licensed to practice medicine or osteopathy.

If the student’s choice of physician is unable to conduct a medical exam within 2 hours, the parent or guardian will be given a list of urgent care facilities that provide walk-in services. The medical exam shall be at the expense of the parent/guardian.

If a student does not have health insurance, the student will be referred to the school physician and the cost of the examination will be at the district’s expense.

5. **Student Admits Substance Use** – If a student is suspected of being under the influence and admits use, the above procedures will continue to be carried out.

The student will be considered in violation of the district's policy and disciplinary and supportive actions will apply.

6. **Tampering** – Any attempt, by any person to alter the results of any test will be considered a violation and disciplinary and supportive actions will apply.

7. **Medical Report** –

A written report of the medical examination shall be furnished to a school administrator by the examining physician within 24 hours of the referral of the student for suspected alcohol or other drug use. The findings of the report shall verify whether the student's alcohol or other drug use interferes with his or her physical and mental ability to perform in school.

If the written report of the medical examination results verifies that alcohol or other drugs do not interfere with the student's physical and mental ability to perform in school, the student shall return to school the next day.

If the written report of the medical examination is not submitted within 24 hours of the referral of the student for suspected alcohol or other drug use, 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 physician.

8. **Student Refusal or Failure to Comply**–If the student does not comply with the procedures above, they will be considered in violation of the district's Alcohol and Other Drug policy. Procedures and consequences under the section, "If Alcohol/ Drug/ Anabolic Steroids/ Paraphernalia, Use/Possession is Confirmed," will apply.

The student must be examined and medically cleared by the district's school physician before returning to school

Refusal to submit to a substance screening and/or a medical examination will result in appropriate disciplinary action.

9. **Parent/Guardian Refusal or Failure to Comply** with the provisions of N.J.S.A. 18A:40A-12 and these procedures 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. This can result in a referral to the Division of Youth and Family Services (DYFS).

A Violence, Vandalism and Substance Abuse Incident Report shall be completed in accordance with N.J.S.A. 18A:17-46 and N.J.A.C. 6A:16-5.3.

If Alcohol/ Drug/ Anabolic Steroids/ Paraphernalia, Use/Possession is Confirmed

First Infraction:

1. The administrator will inform the student's parent/guardian.
2. **Under the Influence:** If the student is determined to be under the influence in school, they will be suspended for 10 days.

Possession: In cases of possession the student will be suspended for ten days.

Distribution: A recommendation will be made for an expulsion hearing. (For classified students placement in an alternative education program can be considered for up to 45 days.)

3. The student must be examined and medically cleared by the district's school physician before returning to school.
4. Incidents of possession and distribution will be reported to the police.
5. The administrator will notify the student assistance counselor, guidance counselor and case manager.
6. Loss of privileges can be applied for up to 45 days. This could include loss of parking privileges and involvement in all extra-curricular activities including athletic events.
7. The student assistance counselor will conduct an alcohol and other drug assessment of the student and a reasonable investigation of the situation, which may include interview with the student's teachers and parents and consultation with experts in student alcohol or other drug abuse as may be appropriate and necessary, for the purpose of making a preliminary determination of the student's need for educational program, supportive services or treatment which extend beyond the general school program by virtue of the use of alcohol or other drugs by the student. Support and referral services are also available to parents/guardians. *Privacy is maintained according to Federal Confidentiality Regulations (42CFR)*
8. If outside treatment is not required, an education and prevention program will be provided with the student assistance counselor.

9. Based on the assessment, the school may require further evaluation by a New Jersey State Certified Alcohol and Drug Counselor (CADC). The parent/guardian will be responsible for all costs of evaluations and recommended treatment outside of school.
10. If treatment with an outside agency/provider is recommended the student and their parent/guardian must sign a release of information so that the provider can communicate with the school's student assistance counselor. This is for the purpose of verifying participation, monitoring treatment progress and coordinating support services in school. The parent/guardian is responsible for the cost of the treatment program. *Privacy is maintained according to Federal Confidentiality Regulations (42CFR)*
11. If there is a violation of the district's substance abuse policy, parents will be offered a program of random substance screenings through the school's health office. If at any time the student's random screening has a positive result, a student assistance counselor will work with the parent/guardian to provide appropriate services.
12. **Non-compliance** by the student with any of the above may result in consideration for expulsion according to N.J.A.C. 6A:16-4.1 (c) 2
13. **Parent/Guardian Refusal or Failure to Comply** with the provisions of N.J.S.A.18A:40A-12 and these procedures 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. This can result in a referral to the Division of Youth and Family Services (DYFS).

Second Infraction:

1. **Under the Influence:** If the student is determined to be under the influence in school, they will be suspended for 10 days.
2. **In cases of possession** a referral to the superintendent for consideration for an expulsion hearing (For classified students placement in an alternative education program can be considered for up to 45 days.)
3. If there is a violation of the district's substance abuse policy, parents will be offered a program of random substance screenings through the school's health office. If at any time the student's random screening has a positive result, a student assistance counselor will work with the parent/guardian to provide appropriate services.

4. While the student is at home because of the medical examination or after his or her return to school, the principal or superintendent may recommend or require alcohol and other drug assessment of the student or evaluation by appropriately certified or licensed professionals to make a positive determination of a student's need for programs and services which extend beyond the general school program, as necessary. N.J.A.C. 6A:16-4.3

If treatment with an outside agency/provider is recommended the student and their parent/guardian must sign a release of information so that the provider can communicate with the school's student assistance counselor. This is for the purpose of verifying participation, monitoring treatment progress and coordinating support services in school. The parent/guardian is responsible for the cost of the treatment program. *Privacy is maintained according to Federal Confidentiality Regulations (42CFR)*

5. Loss of privileges will be applied for up to 60 days. This includes loss of parking privileges and involvement in all extra-curricular events/activities.
6. **Non-compliance** by the student with any of the above may result in consideration for expulsion.
7. **Parent/Guardian Refusal or Failure to Comply** with the provisions of N.J.S.A.18A:40A-12 and these procedures 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. This can result in a referral to the Division of Youth and Family Services (DYFS).

Subsequent Infractions of Being Under the Influence or Possession

The student will be suspended for 10 days and the matter will be referred to the Superintendent.

Note: Repeated infractions over multiple school years will be evaluated by the administration to determine appropriate sanctions.

Selling, Distributing Substances

Any staff member who suspects or has knowledge that a student may be selling or distributing alcohol or other drugs on school grounds, including on a school bus or at a school-sponsored function, shall report the matter as soon as possible to an administrator.

If selling/distributing is confirmed the following will occur:

1. The administrator will notify the police.
2. The administrator will contact the student's parent/guardian.
3. The same procedures for a medical exam and screening will be followed as in the section, "Reporting, notification and examination procedures for students suspected of being under the influence" on page 1.
4. The student will be suspended for 10 days. Referral will be made to the superintendent for an expulsion hearing.
5. Administrator will notify the Student Assistance Counselor, guidance counselor and/or case manager.
6. While the student is at home because of the medical examination or after his or her return to school, the principal or superintendent may recommend or require alcohol and other drug assessment of the student or evaluation by appropriately certified or licensed professionals to make a positive determination of a student's need for programs and services which extend beyond the general school program, as necessary. N.J.A.C. 6A:16-4.3

If treatment with an outside agency/provider is recommended, the student and their parent/guardian will be expected to sign a release of information so that the provider can communicate with the school's student assistance counselor. This is for the purpose of verifying participation, monitoring treatment progress and coordinating support services in school. The parent/guardian is responsible for the cost of the treatment program.

Privacy is maintained according to Federal Confidentiality Regulations (42CFR).

The parent/guardian will be responsible for all costs incurred for the evaluation and treatment. Compliance with these requirements will be evaluated prior to re-admittance to school.

Procedures at School Related Functions

Outside of Regular School Day

(For Chaperones, Advisors, Coaches, etc.)

Reporting, Notification and Examination Procedures for a student suspected of being under the influence, in possession, selling or distributing alcohol or other drugs at a school related function after school hours or off school property.

The staff member shall contact the event leader or administrator immediately.

1. Provisions should be made to secure the safety of the student and a staff member should be with the student at all times.
2. The administrator or event leader shall notify the parent/guardian as soon as possible. The parent/guardian will transport the student to the appropriate medical personnel/emergency room or parent/guardian's physician of choice for an emergency medical examination and urine screening for substances (see appendix). Parents/guardians are responsible for the cost of the examination and screening.
3. **Non-compliance** by the student with any of the above may result in consideration for expulsion according to N.J.A.C. 6A:16-4.1 (c) 2
4. The administrator or event leader will provide parents/guardians with:
 - The examining physician statement form that must be returned to the nurse's office the next school day.
 - A copy of the district's substance policy and regulations.
5. The administrator or event leader will call 911 under the following circumstances:
 - If the student presents symptoms or behaviors that may be medically dangerous to themselves or others.
 - If the student is uncontrollable.
 - If the student must be transported by ambulance and a parent/guardian cannot be contacted:
 - The administrator or event leader shall assign a designee to accompany the student to the nearest medical facility. The designee should follow in a separate vehicle if possible.

- The administrator or event leader will continue attempting to contact a parent/guardian to notify them and instruct them to meet their child at the medical facility.
 - The designee shall remain with student until a parent/guardian arrives.
6. In cases of possession or distribution of substances, the administrator or event leader shall immediately notify the police.
 7. The administrator or event leader shall notify the Principal or designee and Supervisor of Intervention Services as soon as possible.
 8. A written report shall be filed by the reporting staff member to the appropriate Assistant Principal as soon as possible.
 9. If it is later confirmed that the student violated the policy, supportive services and sanctions will be implemented.

Tobacco Use or Possession on School Property or at School Related Functions

Procedures:

1. Staff should report any suspicion of tobacco use or possession to an administrator
2. A discipline report will be filed with the appropriate administrative office
3. Possession of tobacco products will result in: parent/guardian contact, confiscation and appropriate sanctions

If tobacco use is confirmed:

1st Offense – One day of In School Suspension (ISS), parent/guardian contact and a complaint will be filed with municipal court

2nd Offense - 3 days of ISS, parent/guardian contact, referral to the SAC and a complaint will be filed with municipal court