

# REGULATION **BLACK HORSE PIKE REGIONAL SCHOOL DISTRICT**

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SUBSTANCE ABUSE (M)

## 5530 SUBSTANCE ABUSE (M)

### M

The use, possession, distribution, or sale of tobacco, alcohol, anabolic steroids, inhalants, over-the-counter substances and prescription medications which are improperly used to cause intoxication, and other drugs on school property, transportation vehicles, and at any event, activity, or trip attended by pupils under the Board's supervision, is prohibited. If a pupil is suspected of drug use or detected to be under the actual influence of a drug, the role of the staff shall be to render assistance to the pupil and the pupil's family. The next three sections of this regulation describe the nature of that assistance and how it shall be rendered.

#### Smoking and Tobacco Use by Pupils

- The Board defines use of tobacco products as:
- Pupils lighting a tobacco product,
- Pupils exhaling smoke for a tobacco product,
- Pupils using or holding a lit tobacco product,
- Pupils discarding a tobacco product, or
- Pupils with a tobacco product in their possession.

This definition is intended to apply to all tobacco products and paraphernalia for use of tobacco products. Cigarettes, cigars, pipe tobacco, snuff, and chewing tobacco are examples of tobacco products. Holders, papers, pipes, and pouches are examples of smoking paraphernalia. Possession means on the pupil's person, in the pupil's locker, in a pupil's vehicle on school grounds, and any other method by which a pupil brings a tobacco product or paraphernalia on school property or to a school activity.

Violators of the Board's policy, 5530 – Substance Abuse, to prohibit pupil use or possession of tobacco products, shall be disciplined according to regulation 5530.

All Offenses: Tobacco products and paraphernalia will be confiscated and destroyed.



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The Board requests professional staff members to discourage pupil use of tobacco products through the use of sound instruction about the ill effects, consistent application of policy and regulations, and by good personal example.

## Substance Abuse

If a pupil is suspected of drug use or detected to be under the actual influence of a drug, the role of the staff shall be to render assistance to the pupil and the pupil's family. The next three sections of this regulation describe the nature of that assistance and how it shall be rendered.

### I. Possible Drug/Alcohol Influenced Pupil Behavior

Staff members, who observe what appear to be behaviors of concern on the part of a pupil, shall report that behavior in writing to the school substance awareness coordinator, within 24 hours, on a behavioral checklist developed and supplied by the substance awareness coordinator, who then reports this referral to the pupil's guidance counselor. Pupils may also refer themselves to the substance awareness coordinator directly.

- A. The substance awareness coordinator shall develop a form and checklist of such behaviors to facilitate reports.
- B. Staff members shall be trained annually by the substance awareness coordinator to identify behaviors of concern indicating substance abuse, referral procedures and the district's policies, and the role of appropriate staff when handling a variety of possible alcohol or other drug-related situations involving pupils on school property or at school functions and to complete the report form.
- C. Upon receipt of a staff referral, the substance awareness coordinator shall meet regularly with the Core Team to discuss staff referrals and the actions to be taken in response to referrals.
  1. A Core Team shall be established in each high school. On each Team shall be the school substance awareness coordinator, a school nurse, a Vice Principal, a guidance counselor, a child study team member, a number of classroom teachers, and others invited by the Team or the Principal to participate on a temporary or long-term basis. The purpose of the team shall be to review referrals



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made by staff members or the substance awareness coordinator to determine how those pupils may best be helped. The Team members shall be qualified and/or privileged to receive confidential information pertaining to District pupils and they shall adhere to Federal regulations governing confidentiality of alcohol and drug abuse patient records and information acquired during Team proceedings.

- D. The substance awareness coordinator shall review staff and self- referrals on a regular basis to determine in what order pupils will be serviced or met.
1. Upon receipt of a staff referral, the substance awareness coordinator or Core Team shall solicit written reports from the pupil's other teachers, guidance counselor, Vice Principals, Nurses, Child Study Team and any other involved staff.
  2. The substance awareness coordinator shall meet with the Core Team to discuss behaviors of concern and the staff reports. The Core Team then shall recommend appropriate action, which could include but not be limited to:
    - a. A referral to the guidance counselor with a recommendation for a conference with the pupil,
    - b. A referral to the guidance counselor with a recommendation for a parental conference, and/or a I&RS with the pupil's teachers,
    - c. A referral to the child study team via the guidance director and the pupil's counselor with a recommendation for possible evaluation, or
    - d. A referral to the substance awareness coordinator with a recommendation to meet with the pupil to conduct an initial preliminary assessment.
  3. If a pre-assessment reveals possible drug abuse, the substance awareness coordinator shall encourage the pupil to agree to a parental conference. If the pre-assessment causes the substance



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awareness coordinator to believe the pupil is under the influence of a substance while in school, Section III of this regulation shall be implemented, in accordance with New Jersey Law and Code.

- a. During the parental conference, the substance awareness coordinator may endeavor to gain parent/guardian approval for an immediate urine analysis at the school recommended laboratory. If the parent/guardian or adult pupil agrees to have a copy of the test results sent to the school, the test will be at District expense. If the parent/guardian opts to have the testing done on their own, or does not agree to share the test results with the school, the District shall not underwrite the cost.
  - b. If the parents/guardians agree to the test and the results are positive, the substance awareness coordinator shall schedule another parent/guardian conference to explore treatment programs and professional help to deal with the problem.
  - c. If the parents/guardians do not consent to the test or the pupil refuses to cooperate, the substance awareness coordinator shall continue to recommend a medical examination, which includes urine and blood screening, and, if the results are positive, to recommend the parents/guardians seek professional help for the pupil.
4. If a pre-assessment interview reveals probable substance abuse, the substance awareness coordinator shall encourage the pupil's participation in an appropriate treatment program, which has been approved by the New Jersey Commissioner of Health.
- E. The substance awareness coordinator shall establish contact with one or more medical testing laboratories to obtain a price for a chemical screening urine analysis, which will report the presence of substances such as amphetamines, barbiturates, cocaine, opiates, methadone, and cannabinoids. An account may be established with a laboratory and billings sent to the substance awareness coordinator or a Vice Principal for verification and approval. If approved by the Principal, the substance awareness coordinator also may arrange purchase of packaged urine



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analysis kits and saliva alcohol test kits for use by the school nurse or medical inspector for preliminary investigations, when permitted by parents/guardians.

- F. Pupil disciplinary measures generally shall not grow out of efforts covered in Section I of this regulation. In accordance with existing law and by agreement with local police officials, pupils who voluntarily report information about personal substance use and/or turn over personal-use materials and paraphernalia to a staff member, will not be reported to the police. Any staff member who receives such substances or materials from a pupil must give the items to a school administrator immediately. If it later becomes necessary to establish that the pupil(s) involved may present a hazard to themselves or to other persons, or present a disruption to the educational process, it should be understood the District is not precluded from revealing prior instances of substance abuse, even when voluntarily reported.

## II. Suspicion of Pupil Use of Anabolic Steroids

If a teaching staff member, school nurse or other educational personnel shall have reason to believe that a pupil has used or may be using anabolic steroids, and observes no behavior which may require immediate medical attention, that person shall report the matter as soon as possible to the Principal or Vice Principal, and to the school nurse or substance awareness coordinator.

- A. The Vice Principal shall notify a parent/guardian of the Board's legal requirement to arrange for a medical examination of the pupil as soon as possible by a doctor selected by the parent/guardian or by the school medical inspector.
- B. If the parent/guardian chooses to arrange for the medical examination, they must do so within 24 hours. A written certification from the examining physician that an examination for anabolic steroids has taken place shall be required as a condition to return to school. The physician's certification also must indicate that appropriate testing is in process and that the physician recognizes his/her legal obligation to furnish the Superintendent of Schools with a written report of the findings. All costs for this examination must be borne by the parent/guardian.



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- C. If the parent does not select a physician or refuses to cooperate, the school medical inspector shall be contacted to perform the examination and appropriate testing. A copy of the inspector's report and findings shall be furnished to the parent/guardian and to the Superintendent. The cost for the medical inspector's examination and testing shall be borne by the District.
  
  - D. If it is determined that the pupil has been using anabolic steroids, the substance awareness coordinator, or individuals who hold school nurse, school psychologist, school social worker, or pupil personnel services endorsements on the Educational Services Certificate and are trained to assess alcohol and other drug abuse, shall interview the pupil and others, as necessary, for the purpose of determining the extent of the pupil's involvement with and use of these substances and the possible need for referral for treatment.
    - 1. In order to make this determination; the substance awareness coordinator may conduct a reasonable investigation, which includes interviews with the pupil's teachers and parents.
    - 2. The substance awareness coordinator also may consult with experts in the field of substance abuse.
    - 3. On the first occasion, pupils found to be using anabolic steroids shall be placed on strict disciplinary probation, as defined in Regulation 5530, for a period of 30 calendar days or until the pupil provides evidence of participation in a treatment program, whichever is the longer period. The probationary period shall increase by thirty days for each subsequent infraction. The second infraction shall result in a 60-day probation, the third in 90 days, and so on.
  
  - E. If the investigation reveals the pupil's use of anabolic steroids represents a danger to the pupil's health and well-being, the substance awareness coordinator shall refer the pupil to an appropriate treatment program, which has been approved by the Commissioner of Health.
- III. Suspicion of Pupil Behavior Influenced By Drug/Alcohol



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Any educational staff member or other professional to whom it appears that a pupil may be currently under the influence of alcohol or other drugs either on school property or a school function, shall report the matter as soon as possible to the Principal or his/her designee, who will come to the classroom or activity area immediately to remove the pupil to the medical office or another protective environment.

The Vice Principal must then complete the Violence, Vandalism and Substance Abuse Incident Report in accordance with the requirements of N.J.S.A. 18:A: 17-46 and N.J.A.C. 6A: 16 5-3. The substance awareness coordinator shall provide a form with a checklist of symptoms of drug/alcohol influence to the teacher who will complete and return this to the pupil's Vice Principal.

Any educational or non-educational school staff member who in good faith reports a pupil to the Principal or his or her designee shall not be liable in civil damages as a result of making such a report.

In instances where the Principal and the school nurse or the school physician is not in attendance, the staff member responsible for the school function shall be immediately notified.

In response to every report the Principal, or his/her designee, will notify the pupil's parents/guardians to inform them of the legal requirement to arrange for an immediate medical evaluation according to N.J.S.A. 18A:40A-12. The school Superintendent also shall be notified promptly.

Arrangements shall be made for an immediate medical examination of the pupil for the purpose of providing appropriate health care for the pupil and for determining whether the pupil is under the influence of alcohol or other drugs, other than anabolic steroids. A physician licensed to practice medicine or osteopathy, which is selected by the parent, shall perform the medical examination. The Black Horse Pike Regional School District (BHPRSD) has established the minimum requirements of an examination by a physician, which shall include a urine drug screen as one component of the examination.

The parent/guardian of the pupil shall be given the option of seeking the medical examination from a physician of their choice, or utilizing the services with which the BHPRSD has contracted. When a physician selected by the parent conducts the medical examination, the examination shall be at the expense of the parent and shall not be at the expense of the district Board of Education.



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While waiting for a parent/guardian to take the pupil to the physician selected by the parent, or while the pupil is waiting for and receiving the medical examination by the school physician or an emergency room, provisions shall be made for the appropriate care of the pupil while awaiting the results of the medical examination.

A written report of the medical examination shall be furnished to the parent or guardian of the pupil, the substance awareness coordinator, the Principal and the school Superintendent by the examining physician within 24 hours of the referral of the pupil for suspected drug or alcohol use. Such verification shall include, at a minimum, the signature, printed name, address, and phone number of the examining physician indicating the report required is pending and the date by which the report will be provided.

If the physician chosen by the parent is not immediately available, and if the school's contracted agency is closed, the pupil shall be sent to the nearest hospital emergency room for examination. The pupil's parent, if available, shall accompany the pupil. If the pupil's parent/guardian is not immediately available to assume responsibility for the pupil, the Vice Principal will endeavor to reach an emergency contact furnished to the school nurse. At the same time, transportation to the school's contracted physician will be arranged and provided by the school district, while plans are put in place for the appropriate supervision of the pupil.

Parents/guardians should understand that New Jersey statutes provide that a parent or guardian who refuses or fails to comply with the provisions of this regulation shall be in violation of the district policy and reported to the Division of Youth and Family Services in accordance with the Compulsory Education Act and child neglect laws, pursuant to N.J.S.A. 18A: 38-25 and N.J.S.A. 18:6-1 et seq. Refusal or failure of a pupil to comply with the provisions shall also be deemed a policy violation.

If the written report of the medical examination is not submitted to the parent, the substance awareness coordinator, Principal, and Superintendent within 24 hours of the referral of the pupil for suspected drug or alcohol use, the pupil 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.



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If the written report of the medical examination verifies that alcohol or other drugs do not interfere with the pupil's physical and mental ability to perform in school, the pupil shall be immediately returned to school.

If there is a positive determination from the medical examination indicating that the pupil's alcohol or other drug use interferes with his or her physical or mental ability to perform in school the pupil shall be returned to the care of a parent as soon as possible. Attendance at school shall not resume until a written report has been submitted to the parent, the Principal and school Superintendent from a physician who has determined that alcohol or other drug use no longer interferes with the pupil's physical or mental ability to perform in school.

On the first occasion, pupils found to be under the influence of drugs or alcohol at school or at a school function on or off the school's premises, shall be suspended out of school for no less than 4 days. While the pupil is waiting for readmission to school, the substance awareness coordinator, or individuals who hold school nurse, school psychologist, school social worker, or pupil personnel services endorsements on the Educational Services Certificate and are trained to assess alcohol and other drug abuse, shall conduct an alcohol and other drug assessment of the pupil and a reasonable investigation of the situation.

This will be for the purpose of making a preliminary determination of the pupil's need for educational programs, supportive services or treatment extending beyond the general school program by virtue of the use of alcohol or other drugs by the pupil.

The pupil and parent/guardian shall be required to meet the Principal and/or Vice Principal, substance awareness coordinator and guidance counselor to discuss what steps must be taken before the pupil may be readmitted to school. The primary purpose of this discussion shall be to urge parents/guardians to follow-up on recommendations of the assessment and to comply with any referrals to appropriate treatment programs approved by the New Jersey Commissioner of Health. The minimum requirement shall be participation in the Camden County Prevention/Intervention program.

The substance awareness coordinator shall be prepared to offer a number of alternatives for consideration by parents. These may include but not limited to, a referral to community agencies recommended by the County Alcoholism Authority or State Department of Health and/or to a private treatment program which provides medical and/or therapeutic care for diagnosed drug or alcohol



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dependency problems and/or other treatment programs approved by the Commissioner of Health.

The substance awareness coordinator shall cooperate with community agencies and juvenile justice officials in providing evaluation, referral and continuity or care for substance abuse treatment. Costs for any program shall be borne by parents/guardians.

Parents/guardians shall require a service provider to furnish the substance awareness coordinator with periodic progress reports for the purpose of determining the extent of the drug use and its effect upon the pupil's school performance. The substance awareness coordinator shall periodically contact the treatment provider service about such pupils to determine if the pupil is still participating in the program. If not, parents/guardians shall be called to school for a conference. If parents/guardians decline this invitation, the pupil may be suspended out-of-school pending a required conference with the school Principal.

During a pupil's participation in residential programs or programs which do not permit the pupil to attend school, the supervisor of special services shall arrange continuation of instruction and support services. The pupil may be referred via the guidance director to the school child study team for evaluation to determine the pupil's eligibility or need for a special education program and/or related services.

Following and during treatment, pupils shall not be readmitted to school until a written report from an attending physician certifies the pupil is physically and mentally able to return to school. With a written recommendation from the attending physician and from the service provider, a pupil may return to school while still participating in a rehabilitation or therapy program. Agreement to periodic drug testing shall be a condition of admission to school.

Pupils returning to school after undergoing a counseling/rehabilitation program must be assisted in that transition by the student assistance coordinator to monitor their progress and to provide support designed to prevent a relapse. Properly trained and licensed professional personnel may conduct individual and group support programs in the school at District expense.

Any returning pupil observed to exhibit symptoms of continued use/abuse shall be referred for medical examination/urine drug screen in accordance with the provisions of this policy and shall not be readmitted without the required



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physician's certification. On the second occasion, pupils found to be under the influence of drugs or alcohol shall be suspended out-of-school for a minimum of ten days and shall be placed on strict disciplinary probation for a period of 60 calendar days. The suspension and probation period shall increase with each subsequent infraction. Removal of a pupil with a disability shall be made in accordance with N.J.A.C. 6A:14-2.8.

#### IV. Possession, Transmitting, and Sale of Drugs and Alcohol

Any pupil found to possess drugs or alcohol in a small enough quantity to presume the substance is intended only for personal use, shall be suspended from school pending a meeting with parents/guardians.

- A. All components of Section III of this regulation shall apply in this situation including notification of a Vice Principal to remove the pupil from a classroom or activity area.
  - 1. In all cases, local law enforcement authorities shall be notified and school personnel shall cooperate fully in any resulting investigation.
  - 2. A compulsory 60-day probation period shall be imposed. The period may run concurrently with an out-of-school rehabilitation or therapy program. A pupil whose substance abuse may be considered a manifestation of an educational or other handicap, may not be punished, suspended or expelled, except when that pupil poses a threat of disruption or danger to himself/herself or other pupils.
- B. Subsequent incidents of possession of personal-use quantities shall be treated in exactly the same way, even if the pupil has undergone a recent medical examination for possible drug or alcohol use.
  - 1. A second offense will result in a compulsory 90-day probation period. This period may not run concurrent with a previously imposed probationary period but may run concurrently with an out-of-school rehabilitation program.



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2. Subsequent offenses shall result in imposition of additional 90-day probationary periods and other discipline measures, at the discretion of the Principal.

Any pupil found in possession of more than a personal use quantity of drugs or who is observed transmitting drugs while on school property or while under the jurisdiction of school officials, shall be excluded from school pending an investigation by school officials and law enforcement authorities.

- A. The substance shall be confiscated and law enforcement authorities shall be notified immediately and charges proffered, if those authorities so recommend.
- B. Parents also shall be notified immediately and requested to be present for an initial police interview and/or the Principal's preliminary hearing.
- C. The Principal shall require an evaluation by the child study team to determine if the pupil's behavior is a manifestation of a handicap.
  1. If the child study team concludes classification is warranted, the team also shall determine to what degree the pupil constitutes a disruption and/or danger to himself/herself and to the school community at large.
    - a. The Board shall act to provide the program and placement recommended by the child study team.
    - b. If parents contest a child study evaluation and/or the resulting recommendations, the child study team shall initiate procedures for intervention by the New Jersey State Department of Education.
  2. If the child study team does not recommend classification, the Principal shall meet with the parents/guardians to provide them with an opportunity to explain any circumstances, which could cause the Principal not to recommend expulsion of the pupil.
    - a. In the case of a first offense where some mitigating circumstances exist and if the Principal believes the safety and welfare of the staff and student body are not



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- endangered, he/she may readmit the pupil on probation (minimum of 60 days), subject to other suitable disciplinary action. A required condition of readmission shall be application of Section III of this regulation.
- b. If the first offense reveals a definite potential for disruption or constant danger for the pupil or for staff and other pupils, or in the case of a second offense, the Principal shall inform the parent/guardians that the pupil has been referred to the Board of Education for an expulsion hearing and shall so recommend to the Superintendent. The pupil shall be suspended out-of-school pending a Board of Education hearing.
  - c. The Board may act to expel a pupil from school or the Board may determine mutually agreed conditions upon which readmission will be granted. One of those conditions shall always be parent/guardian agreement to application of Section III of this regulation. A violation of those conditions shall result in immediate exclusion from school pending a second expulsion hearing.
3. Pending any hearing or procedure described in this section, the pupil shall be afforded home instruction at Board expense. If the Board's home instruction teachers refuse to provide that instruction, the parents/guardians or supervisor of special services may find other properly certificated teachers to provide home instruction for a maximum and minimum of five hours per week at the Board's contracted home instruction hourly rate.

Parents/Guardians of minor pupils or adult pupils may be represented by counsel or by a person of their choice during any discussion and formal or informal hearing conducted by the Principal, Superintendent or Board of Education. Any delay caused by the parent/guardian's desire to have counsel represent them or their child during any discussion or hearing, is not grounds to delay or forestall application of any of the provisions of this Policy. This section of the Policy does not confer upon parents/guardians or the pupil any additional rights to counsel other than those already provided under New Jersey and/or Federal Law.

## V. Parent Education/Outreach Program



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The substance awareness coordinator for each school shall provide substance abuse education programs for parents and guardians in accordance with guidelines furnished by the Commissioner of Education. At a minimum, the program shall include:

- A. A thorough and comprehensive review of substance abuse education curriculum which will be taught to pupils during the school year, with recommendations of ways the parent or guardian may enhance, reinforce and supplement that program.
- B. Information on the pharmacology, physiology, psychosocial and legal aspects of substance abuse, and instruction to assist the parent or guardian in the identification of the symptoms and behavioral patterns, which might indicate a child, may be involved in substance abuse.
- C. Information on the State, local and community organizations, which are available for the prevention, early intervention, treatment and rehabilitation of individuals who show symptoms of substance, abuse.
- D. Distribution of materials provided by the State.
- E. Offer substance abuse education for parents and legal guardians at a time convenient for them and describe how parents or legal guardians can get help for children believed to be involved in substance abuse. The help procedures shall be as described in this document.

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