

Vineland Public Schools
Substance Abuse Regulations

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REGULATION 5530 SUBSTANCE ABUSE

The following procedures are established in implementation of Policy No. 5530, Substance Abuse.

A. Definitions

1. "Evaluation" means those procedures used to determine a **student's** needs for an educational program or treatment that extends beyond the regular school program by virtue of the use of substances by the **student** or a member of the **student's** family.
2. "Intervention and referral to treatment" means those programs and services offered to help a **student** because of the use of substances by the **student** or a member of the **student's** family.
3. "Involved with substances" means that the **student** is influenced by the use of substances by the **student** or a member of his or her family, whether or not on school premises or during the school day. A suspicion or determination that a **student** is involved with substances does not depend on a finding that the **student** is immediately under the influence of a substance or possesses or distributes a substance on school premises.
4. "Parent" means the parent or parents or legal guardian having legal custody and control of a **student**.
5. "Substance" means alcoholic beverages, controlled dangerous substances as defined at N.J.S.A. 24:21-2, 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. 2A:170-25.9.

6. "Substance abuse" 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.

7. "Under the influence" of substances means that the **student** is observed in the use of a substance or exhibits physical and/or behavioral characteristics that indicate the immediate use of a substance.

In instances involving alcoholic beverages, **controlled dangerous substances other than anabolic steroids, or any other chemical or chemical compound as identified in N.J.S.A. 18A:40A-9 and N.J.A.C. 6A:16-4.1(a)** the following shall apply:

1. Any **educational staff member or other professional to whom it appears** that a **student maybe currently** under the influence of alcoholic beverages or other intoxicating drugs or any chemical on school property, **including a school bus**, or at a school function, shall report the matter as soon as possible to the principal **or designee and either the school nurse or the Student Assistance Coordinator.**

2. The **student** shall be removed to a protective environment for observation and care by the school nurse to **assess** the student's current physical state, to determine need for immediate medical intervention.

3. **In response to every report by an educational staff member or other professional** the principal or designee shall immediately notify the parent or guardian and the Chief School Administrator and arrange for an immediate examination of the **student**. The examination shall be performed by a physician selected by the parent or guardian or by the **school physician** within (2) hours. If the physician chosen by the parent/guardian is not immediately available, the examination shall be conducted by the **school physician**, or if the **school physician** is not available, the **student** shall be accompanied by two members of the school staff, **(one of whom should be a security guard)** designated by the principal, to a district designated site for the required chain of custody urine test and medical examination. If available, a parent or guardian should also accompany the **student**. (It is understood that the parent/guardian assumes responsibility of their child at the **designated site** upon registration with the staff.) The student's ID number must be indicated on the form to be completed by the physician **and the paperwork is released only to a school representative in a confidential manner. (If the parent can not be reached in a reasonable amount of time or if the parent so chooses, the student will be accompanied by two school staff designees to the district designated site.)**

4. Transportation of the student for medical evaluation by the **school physician** or at a district designated site shall be provided by a vehicle owned and operated by the Board of Education or by an Emergency Medical Services vehicle, **or by a district employed Community Aide.**

5. If at the request of the parent or legal guardian, the medical examination is conducted by a physician other than the **school physician**, such examination shall not be at the expense of the district Board of Education, nor shall transportation be provided. **The examination must be performed within (2) two hours of notification and within 24 hours the parent must verify that a medical examination was performed. The verification shall include at a minimum, the signature, the printed name, address and phone number of the examining physician, the date and time of the examination and the date the required report will be provided.**
6. If there is a positive diagnosis from the medical examination indicating that the **student** is under the influence of alcohol or other intoxicating drugs or controlled substance, the **student** shall be returned to the care of a parent or guardian as soon as possible. Attendance at school shall not resume until **the student re-entry physical certification** has been submitted **by** the parent or guardian of the **student**, **to** the principal, from a physician who has examined the **student to certify that the student is physically and mentally able to return to school**. The Student Assistance Coordinator is to be notified immediately by the attendance office, of the student's return to school. **The student is required to meet with the Student Assistance Coordinator; the duration of said to be determined by the Student Assistance Coordinator.**
7. If the written report of the medical examination is not submitted to the principal and Chief School Administrator within twenty-four hours, the **student** shall be allowed to return to school, attending In School Suspension, or a location designated by the building principal with appropriate intervention provided by a **Student Assistance Coordinator** or trained staff member, until such time as a lab report of alcohol or other drug use is received.
8. If the student suspected of being under the influence of alcohol or other drugs should refuse to submit to the required medical evaluation, the refusal will be interpreted as a positive test result. **Diluted or altered test results shall be considered positive and** receive the appropriate discipline according to the district Board of Education policy, as stated in Procedures, Sanctions and Due Process.
9. **The principal or designee shall disclose to law enforcement authorities the identity of the student believed to be in possession of a controlled dangerous substance or related paraphernalia or a student believed to be involved or implicated in distribution activities regarding controlled dangerous substances. Students found in possession of any substance or paraphernalia shall be drug tested prior to their release to the police.**
10. New Jersey Administrative Code **6A:16-4.3** indicates that refusal or failure by a parent to comply with N.J.S.A. 18A:40A-12 (**school district drug & alcohol regulations**) shall be in violation of the compulsory education laws and/or child neglect laws. When a parent fails to comply, school administrators may refer the situation to DYFS, to investigate as an allegation of neglect.

11. In all instances involving the use of alcohol or other drugs, a "Violence, Vandalism and Substance Abuse Incident Report" shall be completed.

12. While the **student** is at home because of the medical examination, or after his or her return to school, the school administration may **recommend or require** an additional evaluation for the purpose of determining the extent of the **student's** alcohol or other drug use, and its effect on his or her school performance. **Evaluation and treatment shall not be at the expense of the district Board of Education.**

13. The district shall maintain an alcohol and other drugs educational component for parents and guardians.

14. **Any educational or non-educational school staff member who in good faith reports a student to the principal or designee in compliance with the provisions of the subsection 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. The referring party shall remain anonymous.**

15. At all times, this policy shall comply with Federal Law 42 C.F.R. 2.1 et seq.

In instances involving **the suspected use of** anabolic steroids, the following shall apply according to the requirements of N.J.S.A. 18A:40A-12(b):

1. **Whenever any teaching staff member, school nurse or other educational personnel shall have reason to believe that a student has used or may be using anabolic steroids, that person shall report the matter as soon as possible to the principal or designee and either the school nurse, the school physician, or the Student Assistance Coordinator.**

2. The principal or designee shall immediately notify the parent or guardian and the **Chief School Administrator**. The principal or designee shall arrange for an examination of the **student** by a **physician** selected by the parent or legal guardian or by the **school physician**, for the purpose of diagnosing whether or not the **student** has been using anabolic steroids.

3. If, at the request of the parent or legal guardian, the medical examination is conducted by a physician other than the **school physician**, such examination shall not be at the expense of the district Board of Education.

4. **The Chief School Administrator or designee may, but need not disclose to law enforcement authorities the identity of a student suspected to have used or who may be using anabolic steroids. The Chief School Administrator shall disclose to law enforcement authorities the identify of a student reasonably believed to be in possession of anabolic steroids or related paraphernalia or a student reasonably believed to be involved or implicated in distribution activities involving anabolic steroids.**

5. A written report of the examination shall be furnished by the examining physician to the parent or guardian of the **student** and to the **Chief School Administrator**.
6. If it is determined that the **student** has **used** anabolic steroids, the **Student Assistance Coordinator** or other designated staff member shall interview the student and others as necessary for the purpose of determining the extent of the student's involvement with the use of anabolic steroids and the possible need for referral and treatment. To make this determination, the school staff members may include interviews with the student's teachers and parents and consultation with alcohol and drug abuse experts as necessary.
7. If it is determined that the **student's** involvement with and use of anabolic steroids represents a danger to the **student's** health and well-being, the Student Assistance Coordinator or designated staff member shall **initiate a referral for treatment** to an appropriate **community agency as defined in N.J.A.C. 6A: 16-4.1(b)**.
8. The cost of any treatment program shall **not** be at the expense of the **district Board of Education**.
9. Any educational or non-educational school staff member who in good faith reports a student to the principal or designee in compliance with the provisions of the subsection 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. The referring party shall remain anonymous.
10. New Jersey Administrative Code 6A:16-4.3 indicates that refusal or failure by a parent to comply with N.J.S.A. 18A:40A-12 (school district drug & alcohol regulations) shall be in violation of the compulsory education laws and/or child neglect laws. When a parent fails to comply, school administrators may refer the situation to DYFS, to investigate as an allegation of neglect.
11. The refusal or failure of a student to comply with the provisions of N.J.S.A. 18A:40A-12 shall be treated by the district as a policy violation and handled in accordance with N.J.A.C. 6A:16-4.1(c).

Evaluation and Referral Procedures - Alcohol/Other Drug Abuse

Students who voluntarily seek **help from the Student Assistance Coordinator** for issues involving alcohol or other substance abuse or students who have a medical examination that shows a positive diagnosis shall be:

- **Referred to** trained service providers who are certified alcoholism or other substance abuse counselors, who are resource persons or who work in conjunction with certified teachers or counselors, for assessment.

Treatment Procedures - Alcohol/Other Drug Abuse

When a student has been diagnosed as having an alcohol or other drug dependency problem, the student shall be provided with the following, depending upon the particular case and shall not be at the expense of the school district, unless conducted by district personnel:

- A program of instruction, counseling and related services provided by the Board of Education or a service provider.
- Treatment by individuals trained and certified as alcohol or other substance abuse counselors, who are school teaching staff members or counselors, or who are acting as resource persons, or working in conjunction with certified school staff.
- Referral to a community agency.
- Support services [from the Student Assistance Coordinator, Affective Team, Health/Social Service Coordinator, and School Counselor.](#)

Violations of Alcohol/Other Drugs Policies:

Procedures, Sanctions, Due Process

The Board of Education prohibits the use, possession, sale or distribution of alcohol or any other drug by **students**, staff or any person on school property, transportation vehicles, or at any school sponsored event, activity or trip attended by **students** of this district.

When the material in question is determined by the appropriate authority to be alcohol or other drugs, the following disciplinary action shall be taken for the violations indicated:

(a) Grades K-5: Consumption of alcohol, controlled dangerous substances, anabolic steroids, being under the influence of such, or refusing to submit to medical evaluation when use is suspected:

First Offense: Suspension for five days and parent conference. In addition, the student **is** required to receive counseling from [the Student Assistance Coordinator or the Health/Social Service Coordinator.](#)

Subsequent Offense: Suspension for a period of not less than ten days; disciplinary hearing before the Board of Education for expulsion or other appropriate disposition at the discretion of the Board.

(b) Grades K-5: Possession or sale or distribution of alcohol, controlled dangerous substances, or anabolic steroids:

Any Offense: Suspension for ten days; signing of a complaint; disciplinary hearing before the Board of Education for expulsion or other appropriate disposition, at the discretion of the Board. **In addition, the student is required to receive counseling from the Student Assistance Coordinator or the Health/Social Service Coordinator.**

(c) Grades 6-12 and Adult Ed: Consumption of alcohol, controlled dangerous substances, or anabolic steroids, being under the influence of such or refusing to submit to a medical evaluation when use is suspected:

First Offense: Suspension for a period of not less than five days providing the student/parent agrees to mandated counseling; a suspension for a period of not less than ten days if **outside** counseling is refused. **Upon return the student is required to meet with the Student Assistance Coordinator.**

Subsequent Offense: Suspension for ten days and a disciplinary hearing before the Board of Education for expulsion or other appropriate disposition at the discretion of the Board.

(d) Grades 6-12 and Adult Ed: Possession or sale or distribution of alcohol, controlled dangerous substances, or anabolic steroids:

First Offense: Suspension of not less than ten (10) days, signing of a complaint, possible assignment to the Second Chance program; possible Board action at the discretion of the building principal based upon quantity involved and circumstances.

Subsequent Offense: Suspension of not less than ten (10) days; signing of a complaint; disciplinary hearing before the Board of Education for expulsion or other appropriate disposition at the discretion of the Board.

Due process shall be provided any student in accordance with Board policy and applicable law.

Involvement of Law Enforcement Authorities

When a complaint has been signed regarding possession, or selling, distributing or purchasing of alcohol, anabolic steroids, or controlled dangerous substances while on school premises and/or participating in school activities, the interrogation of **students** by law enforcement officials shall be in the presence of the building principal or designee. The principal shall give prior verbal notice to the parent or guardian.

Search and seizures shall be conducted in accordance with Board policy when there is reason to believe that a student is in possession of alcohol, anabolic steroids or controlled dangerous substance.

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