

SUBSTANCE ABUSE

POLICY STATEMENT

The Lyndhurst Board of Education recognizes that substance abuse presents a problem in society and is a violation of law that presents a danger to the student involved and the other students. It is the Board's responsibility to provide a safe school environment and to help our students reach their potential. To this end, the Board has developed and implemented a proactive substance abuse policy to include clear procedures and a comprehensive student assistance program (SAP). The policy and SAP focus on rewarding positive behaviors and intervening upon the negative effects of alcohol/drug usage. The school administrators, teachers, and counseling staff set forth the following objectives of our substance abuse policy:

1. We shall educate our students and our school staff on substance abuse including alcohol/drug use and tobacco and anabolic steroids.
2. We shall intervene with any student negatively affected by substance abuse including use by a peer, family member or self.
3. We shall provide the opportunity for students who are currently involved in substance abuse to make behavioral and attitudinal changes.
4. We shall address the use, possession and distribution of alcohol and/or drugs and/or related paraphernalia by offering clear guidelines, procedures and due process related to the use and/or possession on school property and at school activities.

DISCIPLINE

Students are prohibited from possessing, consuming, or distributing drugs or alcohol in any form while at school, in co-curricular, and extra-curricular programs, on school grounds, and when attending a school-related function on or off campus. Students are further prohibited from smoking cigarettes or using other tobacco products in any form in school buildings, on any school grounds, in co-curricular and extra-curricular programs, and when attending a school-related function on or off-campus.

In accordance with state and federal laws and regulations, students suspected of being "under the influence" shall be subject to medical examination at the parent/guardian's expense, suspension and other disciplinary measures as established by this policy.

The Board pledges its full cooperation with law enforcement officials in the conduct of their duties to maintain a drug free school zone in a cooperative agreement between the school district and Lyndhurst Police. The Board will abide by the Memorandum of Agreement Between the School District and Law Enforcement Agencies. Students and their parent(s)/guardian(s) are advised that New Jersey laws may require additional penalties beyond school sanctions for drug related offenses on and off school grounds in accordance with Drug Free School Zones statute. A summary of these laws and their penalties will be provided annually to students, and their parents or guardians, in a conspicuous manner.

The Board intends to use the disciplinary sanctions of this policy as a means of helping students recover from the debilitating effects of substance abuse. It is in this spirit that the development and enforcement of this policy is intended.

CIVIL IMMUNITY

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. No action administrative or otherwise shall be brought against any teaching staff member who “in good faith” reports his or her suspicion that a student is violating this policy or who acts to enforce this policy. A standard reporting form may be used by all district staff members in identifying students in need of assessment by the Intervention and Referral Services (I &RS) Team. Staff suspecting a student of being under the influence in school will transmit any reporting forms/checklists immediately to the building principal.

Confidentiality of information obtained by Student Assistance Counselors (SAC's), Child Study Team and I&RS Team members and administrators shall be protected in accordance with state and federal laws and regulation. Students will be informed annually of the regulations protecting the confidentiality of records pertaining to drug and alcohol interventions. They will also be notified annually of the District's procedures in regard to voluntary disclosures. Notifications shall be through student/parent handbooks or any other means deemed appropriate by the Superintendent.

IN-SERVICE TRAINING & PARENT AWAREMENS

All educational staff members will receive in-service training in alcohol, tobacco and other drug abuse prevention and intervention according to the requirements of state law. The in-service training shall be updated annually to ensure educational staff members have the most current information available on the subject of substance abuse and the district's alcohol, tobacco, and other drug abuse policies and procedures. The implementation of this training shall be approved by the Superintendent and implemented in cooperation with SAC, the Assistant Superintendent and the building principal(s). All new staff shall participate in the in-service training provided by the SAC each school year.

INSTRUCTION

The Lyndhurst School District will work diligently to prevent student involvement with alcohol and other drugs, including tobacco and performance-enhancing substances (including steroids). Every student attending Lyndhurst Public Schools will receive age-appropriate instruction in behavioral/chemical health education through the Health Curriculum in accordance with the guidelines and objectives established by the N.J. Department of Education. Additionally, special prevention programs shall be conducted beyond the classroom throughout each school year to promote age-appropriate behavioral health practices. The curriculum will be reviewed annually to maintain conformance with federal and state law and Board policy.

IDENTIFICATION, EVALUATION AND INTERVENTION

All staff members shall be alert to signs of symptoms of drug and/or alcohol abuse by students and shall respond to those signs and symptoms in accordance with New Jersey State Law and Administrative Code. The staff will receive detailed information and training about the consequences of the use of controlled dangerous substances, alcohol and tobacco, as well as about the District's procedures. Individuals appropriately certified and employed as SAC's as required by state law and regulation will make referrals to treatment or for evaluation.

In establishing this policy, Board directs the Superintendent to have programs and procedures developed and implemented for the purpose of assisting students who experience drug or alcohol use in accordance with state and federal law and regulations. Each principal shall implement a coordinated system for the planning and delivery of Intervention and Referral Services ("I & RS") that are designed to assist students who are experiencing learning, behavioral, or health difficulties and to assist staff who have difficulties in addressing students' learning, behavioral, or health needs. Each building shall have in place an I&RS Team in accordance with state regulation to perform functions described in this policy. Each I&RS Team shall be provided with professional development, administrative support, and guidance for planning and delivering intervention and referral services in accordance with regulation. Action plans developed by I&RS Teams will be reviewed annually and recommendations will be made to the principal for improving school programs and services, as appropriate.

ANNUAL REVIEW

The Board further directs the Superintendent or his/her designee to conduct an annual review of this policy and procedures and to make recommendations as necessary, as required by law.

REFERENCES:

42 C.F.R. Part 2
N.J.S.A.18A:40A-1 to 18
N.J.A.C.6:11-].5,6A:16-4.3,6A:]6-6.5,6A:]6-7.1

**LYNDHURST PUBLIC SCHOOLS
SUBSTANCE ABUSE POLICY: RULES AND PROCEDURES**

DEFINITIONS OF TERMS USED

The items listed below are used throughout these Procedures, and will have the following meanings unless otherwise specified.

Abuse – any use of psychoactive or performance-enhancing substances without regard to medical purposes and accepted medical practice.

Alcohol – any beverage containing a percentage of alcohol that is prohibited from sale and/or possession by individuals under 21 years of age.

Assessment – 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.

Chemically Dependent – when an individual’s use of drugs and/or alcohol indicated any of the following: physical or psychological dependency; deterioration in some or all of the following: grades, attendance, physical appearance or behavior.

Drugs – any chemical substance including steroids taken orally, intravenously, intramuscularly, topically, sniffed, or inhaled for the purpose of altering mood, physical performance, or causing any physical or emotional change. This shall include substances identified in N.J.S.A. 2A:170-25.9 as well as tobacco products, including cigarettes, cigars, and chewing tobacco.

Drug Paraphernalia – includes all equipment, products and materials as defined in NJSA 24:21-46 and 24:21-47.

Evaluation – those procedures used by a certified or licensed professional to make a positive determination of a student’s need for programs and services which extend beyond the general school program by virtue or learning, behavioral or health difficulties of the student or the student’s family.

Immediate – for the purpose of medical screening, “immediate” shall be defined as two hours from the reported incident to the Principal or the Principal’s designee.

Intervention – those programs, services, and actions taken to identify and offer help to a student at-risk for learning, behavioral or health difficulties.

Intervention and Referral Services (I&RS) Team – a team comprised of trained individuals that will develop strategies and accommodations for assisting at-risk students.

Medical Examination – the assessment of an individual’s health status by a licensed physician to include clinical observations, monitored drug scree, and other measures deemed necessary for the purposes of this policy.

Performance-Enhancing Substances – over the counter, prescription, and illicit drugs used for the purpose of improving athletic performance, including anabolic steroids.

Physician – a professional licensed to practice medicine or osteopathy or a licensed nurse practitioner. The Board of Education will annually appoint and approve a physician to evaluate students for the purposes of this policy.

Student Assistance Counselor/Substance Awareness Coordinator (SAC) individuals holding a master’s degree and Substance Awareness Coordinator certification who are employed by the District to provide counseling, information, and referral services for students and significant others with alcohol/drug problems and/or other mental health issues.

Substance – any tobacco, chemical substance, drug, or alcoholic beverage, including prescribed medications, as identifies in N.J.S.A. 18A-9, 10 and 11.

Substance Abuse – the consumption or use of any substance as defined herein for purposes other than for the treatment of sickness or injury as prescribed or administered to a person by a medical physician.

Tobacco – any substance or product that may be consumed by smoking, chewing, snuffing, or inhaling which contains a form of tobacco leaves and nicotine.

**PART I – STUDENTS VOLUNTARILY SEEKING HELP
FOR DRUG, TOBACCO, OR ALCOHOL USE**

A. Students are encouraged to seek help for problems with or related to tobacco, drug and/or alcohol use. Specific staff members and services are provided for direct assistance or confidential referral for students seeking help with a tobacco, alcohol, drug or other problems related to their substance use or use by someone in a close relationship with such students. When a student seeks help from a staff member other than the SAC, the staff member will report the incident to the building SAC immediately.

1. Prior to the initial meeting with a student, the Student Assistance Counselor will provide full disclosure of the confidentiality laws and guidelines as required in 42 CFR Part 2.
2. The Student Assistance Counselor will be allowed to maintain confidentiality of conversations with students meeting the following criteria:
 - a. The student's health is not in imminent danger;
 - b. The information does not make the staff member accessory to illegal actions;
 - c. The information does not indicate that the health or safety of the student or another individual is threatened.
3. The student may be requested to complete a screening inventory designated by the building's Student Assistance Counselor (SAC).
4. 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.
 - a. Nothing contained herein shall preclude consultation by the individual Student Assistance Counselor with the I&RS, The Principal and the Director of Special Services. For students classified as in need of special services, the Case Manager or other members of the Child Study Team shall be consulted.
 - b. The individual Student Assistance Counselor may continue to work with a student seeking help voluntarily for a reasonable period of time.
 1. The Student Assistance Counselor and student will design a plan to include time frames, parent/guardian role, and possible treatment/assessment referral.
 2. However, when the I&RS Team 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.

- c. Every effort shall be made to have the student discuss their involvement with alcohol and other drugs with the I&RS Team and parent/guardian.
5. Members of the District's I&RS Team shall be considered "part of the District's alcohol/drug program" and shall be permitted to discuss student matters protected by Federal Confidentiality Regulations on a "need to know" basis, providing that members have signed a Shared Services and Confidentiality Understanding form which has been filed with the building Student Assistance Counselor.
6. 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 – STUDENT SUSPECTED OF BEING
UNDER THE INFLUENCE OF SUBSTANCES**

- A. Reporting suspected cases: In conformance with N.J.A.C. 6A:16-4.3, staff members must immediately report to the designated building administrator and the school nurse any student exhibiting behavior, or a pattern of behavior, or whose physical condition is consistent with the signs of symptoms of being under the influence of alcohol or other drugs. These procedures must be followed at school and at all school-sponsored activities. Staff members who fail to report such behaviors may be subject to civil and criminal charges. When the principal is not available, the report shall be made to the administrator in charge of the activity.
1. When taking action in a substance abuse related incident, the Administrator shall use the appended Substance Abuse Incident Checklist and this shall be filed with the I&RS Team in a secured location separate from the student's permanent record. Information about suspected use shall subsequently be forwarded to the I&RS Team of the new building when a student moves to another school within the district.
 2. When a student is suspected of being under the influence of drugs or alcohol, the Steps below will be followed in the order listed:
 - a. The staff member who expresses concern shall immediately contact either the building principal or his/her designee and subsequently complete the Violence, Vandalism and Substance Abuse Incident Report, according to the requirements of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-5.3.
 - b. The administrator will locate the student and escort him/her directly to a confidential and inconspicuous location where the nurse, appropriate administrator, SAC, and/or a representative of the I&RS Team will meet with the student, as soon as possible.
 1. The administrator shall complete a checklist of suspicious physical/behavior manifestations leading to the belief that a student is under the influence, in addition to the initial referral in 2(a), above. If teachers do not complete the initial referral form described in 2(a)above; the administrator will complete this checklist by Interviewing the teacher and documenting behavioral indicators of what led the teacher to suspect that the student may be under the influence of a substance.
 2. The administrator's Incident Checklist and a NJ Department of Education Violence, Vandalism and Substance Abuse Incident Report shall be filed in accordance with established district procedures.

- c. When a student is in need of immediate medical attention, the building administrator shall take appropriate action to insure the Emergency Medical Services or the Lyndhurst Police transport the student to the nearest hospital emergency room.
- d. Immediate contact with parent/guardian shall be initiated, except in cases where a student is 18 years old and has not waived his/her rights.
- e. The parent/guardian shall be directed to take the student for an immediate medical examination by either the Board of Education Physician (to be designated annually), or a physician of their own choosing which shall then be at the family's expense instead of being performed at no charge. Appropriate forms and releases shall be reviewed with the parent/guardian.
- f. The student shall receive an immediate medical dismissal for the remainder of the school day and be pick-up by his/her parent or guardian to receive a medical examination and drug scree within two hours.
- g. If the parent or guardian is UNAVAILABLE to have the student tested in the allotted time, the parent may grant a verbal or written release that permits the administrator to accompany the student to the Board of Education Physician or other appropriate facility along with a release for the facility to perform a medical examination and administer the chemical screen. Transportation will be provided by the Board of Education. Fi, in the opinion of the nurse, it is inadvisable for the administrator to accompany the student, 911 will be called to escort the student to the nearest emergency room or approved medical facility.
- h. If the parent or guardian is UNWILLING to have the student tested in the allotted time, 911 will be called to escort the student to the nearest emergency room. The student will not be able to return to school until a physician medically clears the student. An additional chemical dependency assessment will be required and an immediate suspension of no more than 21 days will ensue.
- i. No action of any kind shall lie against any teaching staff member, including a Substance Awareness Coordinator/Student Assistance Counselor, any school nurse or other educational personnel, physicians, agents of the Board of Education, or personnel of the emergency room of a hospital because of any action taken by virtue of the provisions of this act provided the skill and care given is that ordinarily required and exercised by other such teaching staff members, nurses, educational personnel, physicians or other officers or agents of the Board of Education or emergency room personnel as per 18A:40A-13.

- j. IN ALL CIRCUMSTANCES, IF A TEST IS NOT ADMINISTERED WITHIN TWO (2) HOURS, AN EVALUATION AT A NEW JERSEY DEPARTMENT OF HEALTH APPROVED AGENCY SHALL BE MANDATED.

The school nurse shall maintain a log of substance abuse incidents and a monthly report shall be submitted to the I&RS Team.

- k. During the physician's examination, a monitored urine sample shall be collected and appropriate chain of custody will be documented.
- l. Upon a parent or guardian picking up his/her child from school, failure to comply with the requirements to complete a medical examination and laboratory tests within 2 hours will be considered a positive diagnosis resulting in an immediate suspension.
1. Reinstatement will occur only upon submission of evidence that an evaluation has been initiated within 5 school days from this incident.
 2. Parent/guardian who fail to comply with the state mandated urine testing procedures will result in the school filing a report of alleged child neglect with the Division of Youth and Family Services as well as the option of filing a formal complaint in municipal court in accordance with N.J.A.C. 6:29-9.5(a)8.

B. Temporary Admission Pending Results

1. Return to school is prohibited until the student can present.
 - a. The appended Physician's Assessment Form and a Re-entry Note (pending the results of any lab work within 24 hours) including the date and time from the examining physician state that the student is free from alcohol or other drugs, and is able to return to school;
 - b. Evidence that a urine screen for drugs has been collected within the appropriate time frame (two hours) and is being processed by a lab;
 - c. Evidence that the urine screen was conducted in accordance with appropriate chain of custody regulations;
 - d. Meeting the above criteria, the student will be re-admitted the next school day without suspension, pending the results of the physician's completed examination including the date and time.

2. Positive Diagnosis – A positive diagnosis will cause the student to be suspended immediately for a duration of not more than **21 calendar days**, not to exceed that second monthly meeting of the Board of Education without informing the Superintendent in writing with return prohibited until:
 - a. Evidence of a negative urine screen has been provided. The Board of Education will be responsible for the initial urine screening when done by school physician but subsequent urine tests shall be at the parents or guardians expense.
 - b. Parents/guardians of the student have signed and presented a Release of Confidential Information, which indicated that an evaluation is in progress. This release allows the school and treatment program to Communicate about the student’s progress without breaching confidentiality.
 - c. Results of an evaluation from an approved program are received within 5 school days. Nothing in these procedures shall prevent a parent/guardian from seeking a second opinion from an approved program.
 - d. The selection of a treatment or evaluation facility shall be done by the parent/guardian who shall be informed by the referring staff member that this will be “at the parent/guardian’s expense”;
 1. The parent/guardian will be given a list of approved facilities from which to select their referral.
 2. The SAC may act on parent/guardian’s behalf by contacting their program of choice.
 - e. Alternative Instruction at an alternate site may be ordered immediately with details to be arranged by the building administrator. Alternative Instruction will be conducted at a site to be arranged by the Board of Education and the student will remain on the rolls of the school that he/she was attending, with Alternative Instruction costs assumed by the Board of Education.
 - f. Meeting the above criteria may result in the reduction of the length of suspension.
 - g. The Board of Education will be presented with a new suspension and Alternative Instruction request prior to the second monthly meeting of the Board of Education, each time the student has not met the criteria.
 1. Students enrolled in an approved outpatient treatment program may continue to attend school only as long as participation can be documented.

2. Parents/guardians who fail to comply with the assessing program's recommendation will result in the school's filing a report of alleged child neglect filed with the Division of Youth and Family Services as well as the option of filing a formal complaint in municipal court.
3. The District may predicate the return of a student pursuant to this policy upon the student's participation in an appropriate program for assistance or rehabilitation. Upon the student's return to school following an evaluation and subsequent recommendations, the student and family will cooperate with the Student Assistance Counselor and the administration in monitoring compliance with the recommended treatment program. If the student and family are unwilling to cooperate, or if the student refuses to follow the treatment recommendations, then the student must be immediately removed from school.
4. Participation in all extra-curricular and/or co-curricular activities including athletics, proms, and other school activities will be denied until the student takes the necessary steps to be in compliance with state law and this policy.

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

1. Completion of all procedures outlined under first offense;
2. Medical confirmation of being under the influence will require the student to complete, at the parent or guardian's expense, a residential treatment program or, if acceptable to the I&RS Team, participation in an intensive outpatient alcohol or drug treatment program. Formal release from treatment at the program's recommendation will be the only reason accepted for termination;
3. Failure to comply with these requirements may result in immediate suspension or expulsion at the recommendation of the I&RS Team.

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

1. Completion of all procedures outlined in the first and second offense;
2. The Administration, in conjunction with the I&RS Team and Student Assistance Counselor(s) retain the option to recommend expulsion to the Board of Education for any chronic violator of this Policy. Third Offenders will automatically be presented to the Board for an expulsion as a danger to him/herself, and others.
3. If the student is not expelled, an individual program shall be developed for him/her in consultation with the building administrator, I&RS Team, parent/guardian, Student Assistance Counselor, and any treatment program involved.

- E. Students suspected of, or admitting to the use of steroid, will be subject to the same procedures outlined for other alcohol or drug violations, with the following exceptions in accordance with N.J.A.C. 6A:16.

1. Following the physician's examination, the student shall be allowed to return to school, and will not be suspended or excluded, unless and until a positive diagnosis has been rendered;
2. A positive diagnosis requires that the student be referred for follow-up with the building's I&RS Team which shall then determine, in concert with the parent/guardian, if a referral to an appropriate assessment or treatment facility is warranted.

PART III – STUDENTS RETURNING FROM TREATMENT:

VOLUNTARY AND POLICY ORDERED

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

1. 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 after care arrangements for policy ordered treatment.

B. The best way to maintain sobriety is through participation in an AA/NA or other step program “design”, therefore, the school will make every effort to assist students in complying with their after care plan and recommendation.

1. After care programs will include issues of peer pressure, maintaining sobriety, behavior, and attitudes contributing to “slips”, relapse, and other personal issues.
2. Student participation in school programs that conflict with after care treatment will be at the discretion of the treatment agency.
3. Students not participating in treatment program after care will be required to meet with the I&RS Team to determine an alternative after care program.

C. 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.

Students who demonstrate, through a Confidential Behavioral Checklist, a deteriorating condition that may be alcohol or drug related, will have an on-site pre-assessment conducted; the results will be shared with the parent/guardian

PART IV – SEARCH AND SEIZURE

A. Lockers are school property and may be subject to search at the direction of school administration at any time.

1. Searches conducted of students' possessions must be warranted by "reasonable suspicion" in compliance with standards established by state and federal law.
2. Students' lockers may be randomly searched under the direction of the Superintendent, or the Superintendent's designee.
3. These searches shall follow the guidelines established for New Jersey Schools in the Administrative Code, but shall include the following guidelines:
 - a. "Reasonable suspicion" shall mean suspicion based on statements of concern by staff or students, and physical condition and behavior of a suspicious nature that 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.
4. The Superintendent may exercise the option of conducting general searches of the school buildings, school lockers, and school premises and property, by use of drug sniffing canines as deemed appropriate and in accordance with state and federal law.

Students refusing to cooperate in searches will have their parent/guardian contacted to inform them of the student's refusal to cooperate, stressing possible police involvement in the incident.

**PART V – 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 or on a school provided mode of transportation or school-related trip, the administrator in charge will contact the Police or other agency to investigate.
1. When illegal substances are found, it will be the responsibility of the Police to complete their normal reporting procedures, and any other legal actions, such as complaints, depending on the quantity substances.
 2. It shall be the responsibility of the Lyndhurst Police or law enforcement agency to determine whether the quantity and/or circumstances will be considered “possession” or “distribution”, in accordance with New Jersey Law or in consultation with the County Prosecutor’s Office.
- B. Students found “in Possession” will follow the same criteria as outlined in Part II of this procedure
1. However, the Board of Education maintains the right to conduct a suspension or expulsion hearing on any student found selling, possessing, or distributing illegal substances, as outlined in this Policy.
 2. Students charged with distribution, or intent to distribute drugs or when a student is neither treatment appropriate, nor test positive on a urine scree, will receive the following additional disciplinary measures:
 - a. Out-of-School Suspension for a maximum of 21 days, not to exceed the second monthly Board of Education meeting without Board action;
 - b. Appear at an automatic expulsion hearing before the Board of Education to determine to what extent the student is a danger to him/herself and/or the school community;
 - c. If reinstated, a monitoring program and monthly reports to the Board of Education shall be developed by the I&RS Team in consultation with the Student Assistance Counselor;
 - d. Failure to comply with established guidelines, or a determination that the student is a risk to the school community, will result in extended Alternative Instruction until the Board of Education is satisfied.
- C. Upon the second, and any subsequent offenses, or those involving actions by the court due to the quantity of substances involved, an expulsion hearing by the Board of Education shall be held.

- D. Students arrested for non-school related drug or alcohol violations shall be permitted to attend school unless it is demonstrated that the student is a danger to him/herself, or to other students in the school.

Based on reports from police, if the school building principal, in consultation with the I&RS Team, determines that the student's continued attendance presents danger to the health and safety of other students in the building, the offending student shall:

1. Be suspended immediately, for a number of days not to exceed the second monthly Board of Education meeting;
 2. Have Alternative instruction immediately;
 3. Have written recommendations or a program designed by the I&RS Team and the Student Assistance Counselor.
- E. Return to school will be conditional upon meeting criteria established by the I&RS Team and the Building Principal.

PART VI – ROLE OF THE CHILD STUDY TEAM

- A. The Child Study Team shall not accept referrals of new cases where the cause for evaluation indicates possible use of alcohol or other drugs, until the I&RS and/or Student Assistance Counselor(s) have been consulted.

The referred student will be accepted only after parent/guardian has provided documentation that a urine screen and/or evaluation at an approved agency has been completed at the expense of the parent/guardian, in order to “rule-out” the possibility that alcohol or drug involvement is a primary cause for the referral. The results of chemical screens and/or evaluations shall be made available to the Child Study Team.

- B. Building Child Study Teams shall consult with the I&RS Team and the Student Assistance Counselor(s), for both classified and non-classified students referred, for “technical assistance” on substance abuse and related symptoms.

The Child Study Team, upon request of the I&RS Team or Board of Education, will review the current placement of a classified student on extended Alternative Instruction and consider other alternative educational programs.

PART VII – VOLUNTARY URINE TESTING PROGRAM: OFF-SITE

- A. Parents or guardians suspecting a student's alcohol or other drug use may participate in a testing program off-site at an approved facility. Such facility will be approved by the Board of Education annually. The Student Assistance Counselors will provide the name(s) of the cooperating program(s) that will conduct the testing.
- B. Students referred to the Student Assistance program by a parent/guardian shall be subject to the same procedures as outlined in Part II of the policy.

**PART VIII – STUDENT USE OR SUSPECTED USE
OF SUBSTANCES OFF-CAMPUS**

- A. The Lyndhurst School District must 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 student(s) will be handled in the following manner:
 - a. The staff member will ensure that any information deemed reliable will be passed on to the building administrator and SAC whose expertise may facilitate parent cooperation in a manner which ensures the confidentiality of each student and/or family.
 - b. A member of the I&RS Team may call a student in to express concern about “use” when a parent/guardian or fellow student issues a “statement of concern”, or to discuss parent/guardian chemical dependency.

The contents of this meeting will remain confidential; however, this will not protect the student from future sanctions under existing procedures of the Policy.

2. The I&RS Team may conduct a Confidential Behavioral Health Assessment of the student in order to determine to what extent chemical use may be affecting the performance or behavior.

Students who appear to be “in imminent danger” may require formal or informal intervention by the I&RS Team to include the SAC. In such cases, no Release or Information Form by the student is required.

**PART IX – CHILDREN OF ALCOHOLICS AND
FROM CHEMICALLY DEPENDENT FAMILIES**

Children of parents, guardians, or family members with active alcoholism, substance abuse, or chemical dependency, or a history of such difficulties, shall have available to them 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:

- A. 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;
- B. 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 Youth and Family Services.
- C. Confidentiality may be waived automatically where any form of child abuse/neglect exists.
- D. Parents/guardians who request assistance for substance abuse problems shall receive a referral from the Student Assistance Counselor.

**PART X – CONFIDENTIAL CONSULTATION
WITH PARENTS WITHOUT A STUDENT’S KNOWLEDGE**

Parents/guardian may receive confidential voluntary consultation from professional staff for concerns about their child’s possible substance abuse, without informing the student of such a meeting.

- A. The information obtained by the staff member during this meeting shall remain confidential with the I&RS Team and shall not be used for disciplinary action against the student.
- B. Confidential information about student 18 years or older shall not be provided without his/her consent unless the information clearly indicates a condition outlined in Part I of this procedure.

PART XI – STAFF MEMBERS’ RESPONSIBILITIES

A. 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. See N.J.A.C. 6A:16-5.3(a) and N.J.S.A. 18A:40A-12. Failure by staff to report suspected uses by a student may result in civil and criminal prosecution.

1. Staff members reporting students “in good faith” are immune from civil and criminal prosecution.

2. Standard reporting form such as the Confidential Behavioral Checklist shall be used by all district staff members in identifying students in need of assessment by the I&RS Team.

B. Staff members unsure about a student’s possible chemical use are encouraged to consult with the I&RS Team and/or the Student Assistance Counselor(s).

PART XII – TOBACCO USE

It is the responsibility of the board of education to safeguard the health, character, citizenship, and personality development of the students in its schools. The board of education recognizes that the misuse of tobacco threatens the positive development of students and the welfare of the entire school community. We, therefore, must maintain that the use of drugs, alcohol, steroids, and tobacco and the unlawful possession of these substances is wrong and harmful. The board of education is committed to utilizing wellness strategies that encourage the prevention, intervention, and cessation of tobacco abuse.

The board of education recognizes that tobacco is a gateway drug and highly addictive and that the use of tobacco products is a health, safety, and environmental hazard for students, employees, visitors, and school facilities. The board believes that the use of tobacco products on school grounds in school buildings and facilities, on school property or at school-related or school-sponsored events is detrimental to the health and safety of students, faculty/staff and visitors. The board acknowledges that adult employees and visitors serve as a role model for students. The board recognizes that it has an obligation to promote positive role models in schools and to promote a healthy learning and working environment, free from unwanted smoke and tobacco use for the students, employees, and visitors on the school campus. Finally, the board recognizes that it has a legal authority and obligation pursuant to P.L. 2005, Chapter 383 New Jersey smoke-free Air Act as well as the federal Pro-Children's Act, Title X of Public Law 103-227 and the No Child Left Behind Act, Part C, Environmental Smoke, Section 4303.

Tobacco

Tobacco use is now recognized as a chronic disease and public health hazard. Tobacco use is associated with conditions such as heart disease, emphysema, asthma, high blood pressure, diabetes, and many other chronic diseases. The most effective strategy for discouraging tobacco use by young people is a wellness strategy that supports prevention, intervention, and cessation.

A. Tobacco Use and Possession

1. No student, faculty/staff member or school visitor is permitted to use any tobacco product:
 - a. In any building, facility, or vehicle owned, leased, rented or chartered by the district;
 - b. On any school grounds and property – including athletic fields and parking lots – owned, leased, rented, utilized (e.g., adjacent parking lots) or chartered by the board of education;

- c. At any school-sponsored or school-related event on-campus or off-campus (e.g., field trips, proms, sporting events off campus, etc.).
2. In addition, school district employees, school volunteers, contractors or other persons performing services on behalf of the school district (e.g., bus drivers) also are prohibited from using tobacco products at any time while on duty in accordance with their contracts or in the presence of student, either on or off school grounds.
3. Further, no student is permitted to possess a tobacco product while in any school building, while on school grounds or property or at any school-sponsored or school-related event, or at any other time that students are under the authority of school personnel.

B. Definition of Tobacco Products and Tobacco Use

For the purposes of this policy, “tobacco product” is defined to include but not limited to cigarettes, cigars, blunts, bidis, pipes, chewing tobacco and all other forms of smokeless tobacco, including electronic cigarettes, rolling papers and any other items containing or reasonably resembling tobacco or tobacco products (excluding FDA-approved cessation products). “Tobacco use” includes smoking, chewing, dipping, or any other use of tobacco products.

C. Signage

Signs will be posted in a manner and location that adequately notify students, faculty/staff and visitors about the Comprehensive Tobacco-Free School Policy.

D. Compliance for Students

In recognition that tobacco use is a public health issue and that tobacco is a gateway drug and highly addictive, the board of education recognizes that intervention rather than punishment is the most effective way to address violations of this policy. Students who violate the school district’s tobacco-use policy will be referred to the student assistance counselor (SAC), guidance counselor, a school nurse, or other health or counseling services for all offenses for health information, counseling, and referral Administration will consult with appropriate health organizations in order to provide student violators with access to an Alternative-to-Suspension (ATS) program. The ATS program will provide up-to-date information on the many consequences of tobacco use, offer techniques that students

can use to stop tobacco use at school, and provide referrals to local youth tobacco cessation programs. Parents/guardians will be notified of all violations and actions taken by the school. Schools may also use community service as part of the consequences. Ordinarily, and consistent with a wellness strategy, suspension will only be used after a student has three or more prior violations or refused to participate in other outlined measures.

E. Compliance for Faculty, Staff, and Visitors

As with students, intervention rather than punishment is the most effective way to address adult violations of this policy. Faculty or staff members who violate the school district's tobacco-use policy will be referred to the Employee Assistance Program (EAP) or a tobacco cessation program. Employees who repeatedly violate the policy or do not comply with intervention or cessation referrals may be subject to consequences in accordance with district policy and their contract. Visitors using tobacco products will be informed about the policy and asked to refrain while on school property. Visitors who continue to violate the policy will then be asked to leave the premises. Law enforcement officers may be contacted to escort the person off the premises or cite the person for trespassing if the person refuses to leave the school property.

F. Opportunities for Cessation

The administration will consult with the county health department and other appropriate health organizations (e.g., American Lung Association, American Cancer Society, etc.) to provide students and employees with information and access to support systems, programs and services (e.g. for those 18 years and older, NJ QuitLine 1 866 NJSTOPS [657-8677] and njquitline.org provide personal support; for all ages, becomeanex.org provides web-based support) to encourage them to abstain from the use of tobacco products.

G. Prevention Education

The administration will consult with appropriate health organizations to identify and provide programs or opportunities for students to gain a greater understanding of the health hazards of tobacco use and the impact of tobacco use as it relates to providing a safe, orderly, clean and inviting school environment.

H. Procedures for Implementation

The administration will develop a plan for communicating the policy that may include information in student and employee handbooks, announcements at school-sponsored or school-related events, and appropriate signage in buildings and around campus. A process that identifies intervention and referrals for students, faculty/staff, and visitors who violate the policy will be created and communicated to all students, faculty/staff and parents.

Ongoing Implementation of this Policy

A. Prevention Education for Students

The board will enforce the laws of New Jersey requiring a program of tobacco education. The chief school administrator (CSA) shall prepare and submit to the board for its approval a comprehensive curriculum for such instruction in grades seven through 12 offering a minimum of 10 clock hours per school year of alcohol and other drug education in accordance with department of education chemical health guidelines, pursuant to N.J.S.A. 18A:40A-1 et seq. Tobacco education shall be integrated with the health curriculum.

B. Faculty Education and In-service Training

All district personnel shall be alert to signs of tobacco use by pupils and shall respond to those signs in accordance with procedures established by the CSA of schools. The board of education will provide in-service training to assist teaching staff members in identifying the pupil who uses tobacco and in helping pupils with tobacco-related problems in a program of rehabilitation. The CSA will ensure that all district employees receive annual in-service training to make them aware of their responsibilities in accordance with board policies and N.J.A.C. 6A:16-3.1.

C. Annual Review and Distribution of Policy

The board will review annually the effectiveness of these policies and the Memorandum of Agreement entered into with the appropriate law enforcement agency. As part of this review, the board will consult with the executive county superintendent, local community members, and the county prosecutor's office.

In accordance with N.J.S.A. 18A: 40A-10, copies of the policy statement shall be distributed to pupils and their parents/guardians at the beginning of each school year.

D. Administrative Regulations

The CSA may develop administrative regulations for:

1. A comprehensive program of tobacco education;
2. The identification and remediation of pupils involved with tobacco;
3. The examination and treatment of pupils suspected of being under the influence of tobacco to determine the extent of the pupil's use or dependency;
4. The treatment of pupils who use, possess or distribute tobacco in violation of law or this policy through referral to an appropriate tobacco abuse program as recommended by the department of health.

E. Reporting and Liability

The CSA will annually submit a report utilizing the Electronic Violence and Vandalism Reporting system (EVVRS) accurately reporting on each incident of violence, vandalism and alcohol and other drug abuse within the school district. Any allegations of falsification of data will be reviewed by the board of education using the requirements and procedures set forth in N.J.A.C. 6A:16-5.3(g). Board action shall be based on a consideration of the nature of the conduct, the circumstances under which it occurred, and the employee's prior employment record.

At an annual hearing the CSA shall report to the board all acts of violence and vandalism and incidents of alcohol and other drug abuse that occurred during the previous school year.

Any staff member who reports a pupil to the principal or his/her designee in compliance with the provisions of this policy shall not be liable in civil damages as a result of making such a report as provided for under N.J.S.A. 18A:40A-1 et seq.

F. Confidentiality Requirements

All policies and procedures must comply with the confidentiality requirements established in federal regulation found at 42 CFR Part II.

G. Parental Compliance

Substance abuse in the district is considered a health risk. It is the expressed position of the district that when school rules have been violated, and when a student's health is at risk, we must notify the student's parents/guardians and attempt to involve the family in the rehabilitation plan subject to the confidentiality restrictions of 42 CFR Part II.

Date:

Legal References: Use legal reference sheet

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

Key Words: Tobacco, Substance Abuse, Smoking

PART XIII – STERIOD PREVENTION PROGRAM

- A. As a requirement for participation in interscholastic sports, all parents/guardians are required to give permission for the school physician or medical practitioner of their choosing to perform an examination and possible testing for steroid use.
- B. Steroid identification and testing during the individual sport season will follow the following steps:
1. Coaching and medical staff shall become educated on the signs/symptoms of steroid use and shall closely observe student athletes while participating in the individual sport or during medical examinations.
 - a. The examining physician will identify students suspected of steroid use for urine testing by using the Steroid Detection Protocol Form. This form or information about candidates for possible testing will be provided to the Director of Athletics and the Student Assistance Counselor.
 - b. Coaches will identify players who display physical manifestations or behavior consistent with symptoms of steroid use and report candidates for possible testing to the Director of Athletics and/or the Student assistance Counselor.
 2. Random urine samples may be collected from athletes, students engaging in extra-curricular activities, clubs, or other organizations sponsored by the school district. Any random urine collection/tests shall be performed in accordance with the state and federal law. At the time of collection the Student Assistance Counselor or other designated member of the alcohol and drug “program” shall provide students with an orientation to include:
 - a. A review of the Board Policy regarding use of alcohol and other drugs, specifically steroids, along with consequences.
 - b. An opportunity to voluntarily disclose themselves as “in violation of the policy” by completing the Personal Disclosure Statement in the Appendix and implication for testing positive on this test. Students voluntarily making such a disclosure will be seen by a Student Assistance Counselor on the next school day.
 - c. A review of the submission and collection of procedures.
 - d. Failure to submit a sample will result in the student being declared ineligible to participate in ANY extra-curricular activity, sport, club, etc., until a sample has been submitted and reviewed.

PART XIII – STERIOD PREVENTION PROGRAM (cont.)

3. Students testing positive will be treated under the same procedures as outlined in this policy with the following additional sanctions:
 - a. First offense – ineligibility to participate in interscholastic sports for one calendar year from the date of the offense.
 - b. A second offense shall declare the student ineligible for the student's remaining career in the Lyndhurst Public Schools.

PART XIV – CURRICULUM AND INSTRUCTION

- A. Students attending Lyndhurst Public Schools will receive instruction in Behavioral/Chemical Health Education in accordance with the guidelines and objectives established by the New Jersey Department of Education.
1. Teachers shall include activities and lessons designed for age-appropriate subject areas in order to improve student knowledge about the risks of alcohol, drug, and tobacco use.
 2. Additionally, age-appropriate prevention programs shall be conducted beyond the classroom throughout each school year, to raise awareness about the harmful effects of alcohol, drug, and tobacco use.
- B. The curriculum will be reviewed regularly to maintain currency. The Student Assistance Counselor and/or a Behavioral/Chemical Health – Curriculum Committee shall conduct an evaluation of the curriculum's effectiveness, with written recommendations made to the Superintendent of Schools.

**PART XVI – ANNUAL REVIEW OF THE POLICY
AND PROCEDURES**

- A. An annual review of the effectiveness of this policy shall be conducted by a committee chaired by the Student Assistance Counselor(s), consisting of staff, students, and providers with input from the building I&RS Teams, and others, as the Board or Superintendent may deem necessary.

APPENDIX

This Appendix contains various forms that can be used.

ADMINISTRATOR'S ALCOHOL & OTHER DRUG ABUSE INCIDENT CHECKLIST

STUDENT NAME _____ GRADE _____

SCHOOL _____ DATE _____ TIME _____ OF INCIDENT

The following "checklist" provides the administrator with a ready reference to insure compliance with established Board of Education Policy & Procedures relating to substance abuse incidents. The use of this checklist is required in every substance-related incident in order to maintain proper documentation. The administrator shall place the checklist in a file separate from the student's record to insure confidentiality.

Students suspected of being under the influence (Procedure Part II)

- _____ 1. Staff reports suspected student to building administrator and articulates observed behaviors to administrator.
- _____ 2. Student escorted to confidential location.
- _____ A. Administrator documents observable symptoms (to be filed)
- _____ B. Alcohol and Other Drug Incident Checklist and Violence, Vandalism & Substance abuse reporting form completed.
- _____ C. IMMEDIATE MEDICAL ATTENTION SOUGHT IF NEEDED.
- _____ D. Immediate contact with parent/guardian (except where 18 years old)
- _____ Parent/guardian transports student for examination
- _____ Doctor's examination
- _____ Urine collected
- _____ No parent/guardian contact
- _____ E. Copies of appropriate material forward to building I&RS Team.

Temporary Re-admission Criteria (First Offense)

- _____ 1. Immediate suspension for a maximum of 21 days not to exceed the second monthly meeting of the Board of Education.
- _____ Release(s) of information signed
- _____ 2. Results of, or evidence that the process has begun for an assessment from a qualified provider with recommendation.
- _____ 3. Evidence that family has complied with assessment recommendations
OR
- _____ Presentation of second opinion assessment
- _____ 4. Contact the I&RS Team for development of an action plan
- _____ 5. Student Assistant Counselor arranges appropriate changes on the roll with Guidance Counselor (Home Instruction, etc.)

PHYSICIAN'S STERIOD DETECTION PROTOCOL

STUDENT NAME _____ DATE _____

STUDENT'S ADDRESS _____

I PHYSICIAN'S VISUAL EXAMINATION (check is observed)

- _____ Excessive boy mass (muscle)
- _____ Upper back acne
- _____ Testicular abnormality (males only)
- _____ Breast enlargement (males) or shrinkage (females)
- _____ Hair loss (males) or body growth (females)
- _____ Secondary sex characteristics (females)
- _____ Other (specify)

II FINAL REVIEW

If two or more symptoms are observed, a second physician must see the student for final review.

III REVIEW BY A SECOND PHYSICIAN

- _____ I recommend urinalysis for steroid detection
- _____ I recommend urinalysis for steroid detection at this time but recommend further observation for possible use.
- _____ I do not recommend urinalysis for steroid detection

IV TEST RESULTS (attach report)

Date received _____ Positive _____ Negative _____

V ACTION TAKEN

- _____ First offense: refer to sanctions in the Board of Education Policy on Alcohol, Tobacco, and Other Drug Abuse. The student will also be Ineligible to participate in interscholastic sports for one year from the date of the offense. The student shall be required to undergo another physical examination before being considered eligible for another sport.
- _____ Second offence: student shall be ineligible for all interscholastic sports for the student's remaining career in the Lyndhurst Public Schools.

Date declared ineligible _____ Eligibility date _____

Name of Doctor _____

Address of Doctor _____

Phone # _____

**LYNDHURST PUBLIC SCHOOLS
STUDENT ASSISTANCE PROGRAM**

Shared Services and Confidentiality Understanding

I have been informed the information concerning a student's drug or alcohol use is protected by Federal Regulation (42 C.F.R. Part 2) that states:

This information has been disclosed to you from records whose confidentiality is subject to protection by federal law. Federal Regulation (42 C.F.R. Part 2) prohibits you from making any further disclosure of it without specific written consent of the person to whom it pertains, or as otherwise permitted by such regulations. A General Authorization for the release of medical or other information is not sufficient for this purpose.

All documents release must carry this statement and may not be surrendered with a signed formal release. Any information shared about a student's drug or alcohol use must remain confidential, with the exception of the individual disclosing the information.

Failure to maintain confidentiality may result in prosecution and/or disciplinary action.

Staff Member Signature

Date

Staff Member Printed Name

Witness Signature

Date

Witness' Printed Name

**LYNDHURST SCHOOL DISTRICT
STUDENT ASSISTANCE PROGRAM**

RELEASE OF INFORMATION FROM A FACILITY

I, _____, do hereby give permission to
(name of student)

(name of agency or program)
to disclose to: _____ of the
(name of staff member)
School District Student Assistance Program _____
(address)

I understand that the specific type of information to be disclosed shall be limited to the categories listed below:

- | | |
|--------------------------------|--------------------------------------|
| _____ Drug/alcohol information | _____ Academic/attendance/discipline |
| _____ Laboratory work | _____ Evaluation results |
| _____ Psychosocial history | _____ Treatment recommendations |
| _____ Other _____ | |

I understand that the purpose or need for this disclosure is to **support the student through clear communication' and to be in compliance with school policy.** I also understand that this consent is revocable except to the extent that action has been taken in reliance thereon, and that this consent will remain in force until _____ in order to effectuate the purpose for which it was given.

Signature of Student

Signature of Parent or Legal Guardian

Date

Signature of Witness

This information has been disclosed to you from records whose confidentiality is protected by Federal Law. Federal Regulation (42 CFR, Part 2) prohibits you from making any further disclosure of it without specific written consent of the person to whom it pertains, or as otherwise permitted by such regulations. A general authorization for the release of medical or other information is NOT sufficient for this purpose. The Federal rules restrict any use of the information to criminally investigate or prosecute the patient.

**LYNDHURST SCHOOL DISTRICT
STUDENT ASSISTANCE PROGRAM**

RELEASE OF INFORMATION FROM A SCHOOL

I, _____, do hereby give permission to
(name of student)
_____, of the Lyndhurst School District Student Assistance
(name of staff member)
Program to disclose to: _____

I understand that the specific type of information to be disclosed shall be limited to the categories listed below:

_____ Drug/alcohol information	_____ Academic/attendance/discipline
_____ Laboratory work	_____ Evaluation results
_____ Psychosocial history	_____ Treatment recommendations
_____ Other _____	

I understand that the purpose or need for this disclosure is to **support the student through clear communication' and to be in compliance with school policy.** I also understand that this consent is revocable except to the extent that action has been taken in reliance thereon, and that this consent will remain in force until _____ in order to effectuate the purpose for which it was given.

Signature of Student

Signature of Parent or Legal Guardian

Date

Signature of Witness

This information has been disclosed to you from records whose confidentiality is protected by Federal Law. Federal Regulation (42 CFR, Part 2) prohibits you from making any further disclosure of it without specific written consent of the person to whom it pertains, or as otherwise permitted by such regulations. A general authorization for the release of medical or other information is NOT sufficient for this purpose. The Federal rules restrict any use of the information to criminally investigate or prosecute the patient.

APPENDIX III
SUMMARY FOR PARENTS

Regarding Immediate Action Sequence

1. When it appears that a student may be under the influence of a chemical substance, the requirements of New Jersey State Law (NJSA 18A:40A-12) and the Lyndhurst School District Substance Abuse Policy are as follows:

a. Arrangements for the immediate medical examination and diagnostic chemical screen by one of the following:

1. District Medical Officer (Board of Education pays)
2. Your private physician (Parent must pay)
3. Emergency room of the nearest hospital or medical center

**If the parent/guardian is not able to have the student in transit within two hours of notification or if the parent/guardian is unable to be located, the student will be taken to the emergency room or the nearest hospital or medical center or to the district medical officer by a school administrator for the required examination.

b. Parent(s)/guardian(s) who do not comply with the requirement for an immediate medical examination of a student will have a report of alleged neglect filed with the Division of Youth and Family Services. In addition, such noncompliance will be considered a positive diagnosis and confirmation of under the influence, and will result in immediate suspension and further actions noted in the administrative procedures of the District Policy.

2. Without confirmation of being under the influence, student may return to school the next day. Confirmation may include admission or clinical observation as well as medical screening.

3. If and when use, possession, purchase, transfer, or sale is confirmed, disciplinary action will be taken and the local police may be notified.

4. When use, et. al, is confirmed, the student is not allowed to return to school without seeing the physician again and presenting a written physician's report to the principal certifying that substance abuse no longer interferes with the student's physical and mental ability to perform in school.

5. When use, et.al, is confirmed, the student is not allowed to return to school until the student presents an evaluation from an approved treatment center or appropriately licensed and certified counselor. If some form of treatment is recommended, students must present a written document of participation in order to attend school.

6. When use, et. al, is confirmed, the student is not allowed to return to school until a “Release of Information” form signed by the parent(s)/guardian(s) and student is received from an approved treatment center or counselor so the school and out-of-school professional can communicate without breaching confidentiality.

Printed Name of Parent/Guardian

Signature of Parent/Guardian

Date

(Copy to remain with administrator)

LYNDHURST SCHOOL DISTRICT

NURSE'S OFFICE

PHYSICAL ASSESSMENT OF STUDENT SUSPECTED OF BEING UNDER THE INFLUENCE OF A SUBSTANCE

STUDENT _____ DATE _____

REFERRED BY _____ TIME _____

Presenting Complaints: _____

PHYSICAL ASSESSMENT

BP _____ PULSE _____ RESPIRATION _____ PUPILS _____

TEMPERATURE _____

Orientation of Time and Place _____ Coordination/Speech _____

Health History/Medications _____

- | | |
|--------------------------------|------------------------------------|
| _____ Nervous/Agitated | _____ Bloodshot or Dull Eyes |
| _____ Lack of affect/Withdrawn | _____ Odor of Alcohol/Marijuana |
| _____ Confusion/Disoriented | _____ Difficulty Walking |
| _____ Euphoria | _____ Slurred Speech |
| _____ Mood Swings | _____ Runny Nose |
| _____ Hallucinations | _____ Burns on Hands/Face/Clothing |

Comments: _____

School Nurse's Signature

Administrator's Signature

APPENDIX II

PHYSICIAN'S ALCOHOL & OTHER DRUG ABUSE ASSESSMENT

Date: _____ Time: _____

Dear Physician:

In keeping with the NJ State Law 18A:40, and policy adopted by Lyndhurst Board of Education, the student named herein: _____
Student name

Is being required to receive an examination to determine substance use that includes the following checked procedures:

_____ A. Clinical observations including:

- Temperature -Eyes -Lungs
- Blood Pressure -Ears -Neurological signs
- Pulse Rate -Nose -Verbalization
- Respiration -Throat

_____ B. Follow-up medical exam consisting of clinical observations

_____ C. Complete drug screening

_____ Monitored substance abuse screen with appropriate chain of custody to include at least the following:

- Amphetamines -Barbiturates -Benzodiazepines
- Cannabinoid -Cocaine -Methaqualone
- Methamphetamine -Opiates -Phencyclidine

_____ Additional screen for Steroids

_____ Additional screen for LSD

_____ D. Blood alcohol screen

_____ E. Breathalyzer alcohol screen

_____ F. Routine/Random follow-up drug screens

These results are to be released to: _____
(Principal/School)

I understand that these tests are subject to Federal Confidentiality Regulations and will not be place in my child's permanent record file and the results cannot be shared outside of the school's Student Assistance Program without a written release.

Student's Signature Parent/Guardian Signature Date

I understand that by signing this document I am certifying that I have examined the aforementioned student within 2 hours of the date and time above. I also certify that this student is mentally and physically able to return to school, and I agree to send laboratory results upon receiving them.

Print Physician's Name Physician's Signature Time/Date

SUBSTANCE ABUSE POLICY

FILE CODE: 5131.6

DATE: October 12, 1987
Revised: February 10, 1992
Revised: May 13, 1996
Revised: August 21, 2001
Revised: January 20, 2004
Revised: December 5, 2007
Revised: October 17, 2011

<u>Legal References:</u>	<u>NJSA 2C:62A-4</u>	Reports by educational personnel dependency upon or illegal use of controlled dangerous substances or use of intoxicating vapor releasing chemicals, immunity from liability
	<u>NJSA 2C:29-3a</u>	Hindering apprehension or prosecution
	<u>NJSA 2C:33-15</u>	Possession or consumption of alcohol beverage by person under the legal age, penalty
	<u>NJSA 2C:33-16</u>	Alcoholic beverages; bringing or possession on school property by person of legal age, penalty
	<u>NJSA 2C:33-17</u>	Offer or service of alcohol beverage to underage person; disorderly persons; exceptions
	<u>NJSA 2C:33-19</u>	Paging devices, possession by students
	<u>NJSA 2C:35-1 et seq</u>	New Jersey Comprehensive Drug Reform Act of 1987
	<u>See particularly:</u>	
	<u>NJSA 2C:35-7, -10</u>	
	<u>NJSA 2C:35-10.4</u>	Definitions
	<u>NJSA 9:6-1 et seq</u>	Abuse abandonment, cruelty, and neglect of child what constitutes
	<u>NJSA 9:17A-4</u>	Consent by minor to medical care or treatment; venereal disease, sexual assault or drug use or dependency; notice and report of treatment; confidentiality
	<u>NJSA 18A:25-2</u>	Authority over pupils
	<u>NJSA 18A:36-19.2</u>	Student locker or other storage facility; inspections; notice to students
	<u>NJSA 18A:37-1</u>	Submission of pupils to authority
	<u>NJSA 18A:37-2</u>	Causes for suspension or expulsion of pupils
	<u>NJSA 18A:38-25</u>	Attendance required of children between six and sixteen, exceptions
	<u>NJSA 18A:38-31</u>	Violation of article by parents or guardian, penalties
	<u>NJSA 18A:40A-1 et seq</u>	Substance Abuse
	<u>See particularly:</u>	
	<u>NJSA 18A:40A-1, -2, -3,-4,-5,-9,-10,-11,-12, -13,-14,-15,-16,-18,-19</u>	
	<u>NJSA 24:21-2</u>	Definitions (New Jersey controlled dangerous substances)
	<u>NJSA 26:3D-55 et seq</u>	New Jersey Smoke-Free
	PL 2005, c 209	Random student drug testing
	<u>NJAC 6A:8-3.1</u>	Curriculum and instruction
	<u>NJAC 6A:9-13.2</u>	Substance awareness coordinator
	<u>NJAC 6A:14-2.8</u>	Discipline/suspension/expulsion

Legal References (continued)

See particularly:

NJAC 6A:16-1.3, 1.4,
-2.2, -2.4, -3.1, -3.2, -4.1
through -4.3, -5.3, -6.1
through -6.5

NJAC 6A:32-13.1 et seq Pupil Behavior

Drug Free Workplace Act of 1988 Enacted November, 1988 (Pub. L. 100-690,
Title V, Subtitle D) 102 Stat. 4305-4308

Regulations Under Drug Free Workplace Act, CFR 4946 (1/31/89)

42 CFR Part 2 – Confidentiality of alcohol and drug abuse patient records

FG v. Bd. Of Ed. of Hamilton, 1982 SLD 382

GLH v. Bd. Of Ed. of Hopewell Valley Regional School District, et al, 1987 SLD
April 20, aff'd St. Bd. 1987 SLD Sept. 2

State in the Interest of TLO 94 NJ 331 (1983). Rev'd/, 469 US 325 (1985)

State of New Jersey v. Jeffrey Engerud, 93 NJ 308 (1983)

Honig v. Doe 484 US 305 (1988)

Vernonia School District v. Acton, 515 US 646 (1995)

In the Matter of the Tenure Hearing of Gracffo, 2000 SLD (September 2002)

Board of Education of Independent School District No. 92 of Pottawatomie
County et al v. Earls et al., 536 US _____ (2002)

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 USCA 6301 et seq

Manual for the Evaluation of Local School Districts

The New Jersey School Search Policy Manual, New Jersey Attorney General
(1998)

A Uniform State Memorandum of Agreement between Education and Law
Enforcement Officials (1999 Revisions)

DRUGS, ALCOHOL, TOBACCO

Possible

Cross References:

*1330	Use of school facilities
*1410	Local Units
*4131.1	In-service education/visitations/conferences
*4231.1	In-service education/visitations/conferences
*5114	Suspension and expulsion
*5124	Reporting to parents/guardians
*5125	Pupil records
*5131	Conduct/discipline
*5131.7	Weapons and dangerous instruments
*5141.3	Health examinations and immunizations
*5141.21	Administering medication
*5145.12	Search and seizure
*6145.1/6145.2	Intramural competition; interscholastic Competition
6145.7	Social events/meetings
*6154	Homework/make-up work
*6172	Alternative educational programs
*6173	Home instruction

*Indicates policy is included in the Critical Policy Reference Manual