

Regulation

SUBSTANCE ABUSE

Introduction

A primary objective of a school system is to assure a safe and healthy environment for learning. Smoking in school buildings or on school premises is prohibited by law, endangers the safety of others, creates an unhealthy environment, is disruptive to the educational process and causes damage to school district property. It has been demonstrated that in order to effectively preclude smoking on school district property it is essential to ban student possession of tobacco products and smoking paraphernalia. Additionally, The Township of Union Board of Education deems it important to have an effective and comprehensive drug, alcohol and tobacco policy and procedure that addresses prevention, identification, assessment, referral for evaluation, referral for treatment and aftercare services.

I. REVIEW AND AVAILABILITY OF POLICIES AND PROCEDURES

A. In April of each year this procedure and policy 5131.6 will be submitted by the Superintendent or designee to the following agencies for input:

1. Township of Union Municipal Alliance Committee.
2. Township of Union Police and Health Department, or to such other agencies as may be designated from time to time by the New Jersey Department of Health.

B. Annual Review

The Board will review annually the effectiveness of these procedures, policy 5151.6 and the Memorandum of Agreement entered into with the appropriate law enforcement agency. As part of this review, the Superintendent will make recommendations and consult with the County Superintendent, local community members, and the County Prosecutor's office.

C. Availability of Policy and Procedure

This procedure and policy 5131.6 will be included in the district's faculty instructions, student handbooks, and shall be made available to parents/guardians annually.

D. Rules of Construction

This procedure is to be construed in a manner consistent with the Governance Manual of the Township of Union Board of Education. To the extent this procedure is inconsistent with any policy or regulation set forth in the Governance Manual of the Township of Union Board of Education, then this procedure shall take precedence over such inconsistent policy.

SUBSTANCE ABUSE (continued)

II. DEFINITION OF TERMS USED

The following terms, when used throughout this procedure, are intended to be interpreted as follows:

A. Substances

To include but is not limited to: any alcoholic beverage, anabolic steroids, tobacco or tobacco products, controlled dangerous substances as defined in Section 2 of P.L. 1970, c.266 (N.J.S.A. 24:21-2) or any chemical or chemical compound which 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 in N.J.S.A. 2A:170-25.9; N.J.S.A. 18A:40A-9; N.J.S.A. 2C:35-2 and N.J.A.C. 6A:16-4.1 and all mind altering, mood altering, non-prescription drugs including any product containing performance enhancing chemicals, including but not limited to anabolic steroids.

To also include any form of a tobacco substance or tobacco paraphernalia, over the counter medicine or nutritional supplement

NOTE: No medication prescription drug or over the counter medicine or nutritional supplement is to be administered or carried to school without parent and doctor written consent, which shall be filed, in advance, with the school nurse.

B. Substance Abuse

Possession of any substance with the intent to distribute or use by ingestion, injection, inhalation and/or the appearance of being under the influence of such substances for other than medical purposes as directed by a physician.

C. Substance Dependent

When the student's abuse of substances is indicative of any or all of the following: physical or psychological dependency, deterioration in attendance, academics, physical appearance, behavior and relationships.

D. Voluntary Student Request for Assistance

A voluntary, self-initiated request or admission by a student for counseling and/or treatment that is NOT in response to questioning initiated by the administration, staff member or Student Assistance Counselor or following the discovery of a banned substance or substance paraphernalia by administrators, staff members or the Student Assistance Counselor. Information received by the Student Assistance Counselor in a confidential setting which identifies another student who may be abusing substances may be interpreted as a voluntary request for assistance.

E. S.A.C.

Substance Awareness Coordinator/ Student Assistance Counselor

F. Assessment

Assessment is an evaluation conducted by a trained and licensed professional who is certified by the State Board of Examiners of the New Jersey Department of Education as ~~substance awareness coordinators~~ **Student Assistance Counselors** or by individuals who hold the following endorsements on the Educational Services Certificate: school nurse, school social worker, or student personnel

SUBSTANCE ABUSE (continued)

services, professionals who are trained to assess alcohol and other drug use. This assessment will determine the extent of the student's suspected involvement with substance abuse/dependency, its effects on school performance, and shall provide an appropriate referral for evaluation and/or treatment when necessary.

G. Referral for Evaluation and/or treatment to an Outside Service Provider

An individual, group or community agency not associated formally with the school district that is appropriately certified by the New Jersey Board of Examiners and trained to diagnose and treat substance abuse. This referral shall be made by a trained and licensed professional who is certified by the State Board of Examiners of the New Jersey Department of Education as ~~substance awareness coordinators~~ **Student Assistance Counselor** or by individuals who hold the following endorsements on the Educational Services Certificate: school nurse, school social worker, or student personnel services and who are trained to assess alcohol and other drug use.

H. Intervention & Referral Services (I & RS)

A building based interdisciplinary committee, appointed by the Principal or designee, whose members provide the student with a systematic problem solving approach designed to increase both personal and academic success. I & RS members receive intensive training to identify specific high-risk behaviors which may be preventing a student from reaching success including but not limited to behaviors typically associated with substance abuse. I & RS may seek to rule out substance abuse and recommend a student be tested.

I. "immediate medical examination" = within 2 hours of initial referral.

J. Medical Examination

To be performed by a physician licensed in the state of New Jersey to practice medicine or osteopathy. The purpose of this medical examination is to provide appropriate healthcare for the student while determining whether the student is currently under the influence of alcohol or other drugs.

The district, in cooperation with the medical professional(s) shall establish the minimum requirements for the medical examination to include but not be limited to the collection of urine for analysis of alcohol and/or other drug use screening and/or anabolic steroid use screening, including chain of custody procedures.

III. REPORTING, NOTIFICATION AND EXAMINATION PROCEDURES FOR SUBSTANCE ABUSE, (Other Than Anabolic Steroids, & Tobacco or Tobacco Products)

In instances involving substances, the following shall apply:

- A. Any educational staff member or other professional to whom it appears that a student may be currently under the influence or in possession of a substance on school property or at a school function shall immediately report this matter to the school nurse and principal or designee. In instances where the school nurse, or the principal are not in attendance, the staff member responsible for the school function shall be immediately notified to initiate policy process. If symptoms are serious or life threatening, the responsible person shall call 911 immediately.

In instances of suspected use or possession of a non-prescription drug and/or a performance enhancing substance, over the counter medicine or nutritional supplement the school Principal or Designee **in consultation with the school nurse** will determine whether or not the testing procedure is necessary.

SUBSTANCE ABUSE (continued)

- B. The student shall be removed to a protective environment for observation and care by the school nurse or responsible staff member. The principal or designee shall request the assistance of the school nurse in assessing the physical state of the student. A search shall be conducted at this time (see section XVIII). The Principal may, at any time, seek emergency medical assistance for a student when acting in loco parentis, and as an agent of the parents/guardians, and for the welfare of the student.
- C. In response to every report by an educational staff member or other professional the principal or designee shall make every reasonable effort to immediately verbally notify the student's parent/guardian and the Superintendent of the incident and to provide them with a description of the situation and symptoms.
- D. Within 2 hours of initial report and in consultation with the parent/guardian, if available, the principal or designee shall arrange and confirm by telephone an immediate medical examination of the student. This examination may be performed by:
1. The school physician or;
 2. The emergency room of a local hospital or;
 3. A physician licensed to practice medicine or osteopathy selected by the parent/guardian.

If the physician chosen by the parent/guardian cannot immediately perform the examination, then either the school physician or the emergency room of a local hospital shall conduct the examination. **If the parent cannot provide transportation, the Principal shall arrange same through EMS, UPD or Bus Transportation.-**

The child will be accompanied by his/her parent/guardian, if immediately available, or accompanied by a member of the school staff designated by the principal or designee.

4. Except when the child's personal physician is used, all costs from testing and examination by the school physician shall be assumed by the Board of Education. Testing by a facility/physician other than the school physician shall become the sole responsibility of the parents/guardians.

All costs of treatment shall be the sole responsibility of the parents/guardians

5. Provisions shall be made for the appropriate care of the student while awaiting the results of the medical examination.
6. A written report of the examination, including a copy of the laboratory report, must be received by the parents/guardians and the principal or designee from the examining physician within 24 hours of the referral of the student for suspected alcohol or other drug use. This report must identify the substance used (if any), specify the diagnostic test(s) used and must interpret the results. The written report of the medical examination must also verify that alcohol or other drug use does not interfere with the student's physical and mental ability to perform in school. The parent/guardian is required to authorize in writing the release of this report to the district S.A.C. or designee.

When a physician other than the school physician performs the medical examination, the district shall require the parent to verify that a medical examination was performed within 2 hours of the initial referral. Such verification shall be provided by the examining physician and must include at the minimum: the signature; printed name address and phone number of the examining physician; date and time of the examination; must indicate that the written report required herein is pending, and must note the date by which the report will be provided.

SUBSTANCE ABUSE (continued)

- E. When there has been no admission of use by the student, written confirmation from the examining physician stating that the student has been examined and may immediately return to school must be presented to school officials. Only then will the student be allowed to return to school subject to removal if a positive diagnosis of substance use is received.
- F. When it is positively admitted/determined from the medical examination, that a student's alcohol or other drug use interferes with his/her physical and mental ability to perform in school or the student was in possession of a substance, and/or the student or parent/guardian has refused to comply with Section III D,
1. A positive test result will be assumed.
 2. The student shall be immediately returned to the care of a parent/guardian, suspended, and may be placed on a continuing education alternative. The cost of the continuing education alternative may be paid fully by the Board of Education.
 3. Attendance at school shall not resume until the following conditions have been met:
 - a. The discipline imposed has been completed.
 - b. The Medical Examination has been completed and a report has been received indicating the student to be physically and mentally capable of performing in school.
 - c. Removal of a student with a disability shall be made in accordance with N.J.A.C. 6A:14-2.8
 4. While the student is at home because of the medical examination or after the student returns to school an Assessment and/or Referral for Evaluation and other evaluations recommended by the district's S.A.C. or principal or superintendent will be required. This assessment shall include a reasonable investigation of the situation for the purpose of making a preliminary determination of the student's need for educational programs, supportive services or treatment which extend beyond the general school program by virtue of the use of alcohol or other drugs by the student. The findings of the assessment alone shall not be used to prevent a student from attending school.

The assessment process allows for the cooperation with community agencies as defined by N.J.A.C. 6A 16-4.1(b) and juvenile justice officials in providing evaluation, referral and continuity of care for substance abuse treatment.

If at any time the student's use of substances presents a danger to the student's health and well-being, the S.A.C. or individuals who hold the following endorsements on the Educational Services Certificate: school nurse, school social worker, or student personnel services and who are trained in alcohol and other drug abuse treatment referral shall initiate a referral for substance abuse treatment.

Upon request, a written report resulting from an Assessment and/or referral for evaluation by an Outside Service Provider must be submitted to the parent/guardian of the student and the principal or designee. This report shall certify that substance abuse no longer interferes with the student's physical and mental ability to perform in school. This report shall also offer recommendations for care and treatment.

SUBSTANCE ABUSE (continued)

A second physician's visit may be required to obtain such certification.

All costs resulting from a second physician's visit other than the school physician as well as all costs necessary to follow up with care and treatment recommendations for the student shall be the sole responsibility of the parent/guardian.

- G. In instances when there has been no admission of use followed by a negative laboratory report, an Assessment by the district S.A.C. and/or Outside Service Provider may still be required.
- H. In instances where it has been determined that either the student or the parent/guardian has been non-compliant with the In-house Assessment process, an immediate referral for evaluation by an Outside Service Provider shall be made. All costs for the evaluation by an Outside Service Provider and/or treatment shall be the sole responsibility of the parent/guardian.
- I. The school district will be guided by and support appropriate recommendations for care and treatment made as the result of an assessment or evaluation. The school district also recognizes that returning students will need direction and support to maintain the appropriate behavior expectation of the school district. Accordingly, as a condition of resuming attendance at the school, the school district may require the student to:
 - 1. Participate in individual and/or support group counseling by the S.A.C.
 - 2. Participate in a continuing aftercare program if recommended by the treating medical personnel.
- J. Non-compliance with Section III will result in a recommendation to ~~DYFS~~ **DCPP** (see Section IX: Referral to ~~Division of Youth and Family Services~~ **Department of Child Protection and Permanency**). In addition, the student may be further excluded from school and placed on a continuing educational alternative. Attendance at school shall not resume until such compliance has been met.

IV. NOTIFICATION OF THE CHILD STUDY TEAM

In the case of a classified student, the Case Manager will be notified before any disciplinary action is taken under this procedure.

V. DISCIPLINE

- 1st Offense - Parent/Guardian meeting with administration.
A three (3) day out-of-school suspension followed by five (5) school days exclusion from extra-curricular activities.
Police may be notified.
Mandatory follow-up with S.A.C. upon return to school.
- 2nd Offense - Parent/Guardian meeting with administration.
A five (5) day out-of-school suspension followed by twenty (20) days exclusion from participation in extracurricular activities.
Police may be notified.
Mandatory follow-up with S.A.C. upon return to school.
Possible referral to EDP

SUBSTANCE ABUSE (continued)

- 3rd Offense - Parent/Guardian meeting with administration.
 A ten (10) day out-of-school suspension with recommendation by the Principal to the Superintendent for a hearing for expulsion followed by thirty-five (35) school days exclusion from participation in extracurricular activities.
 Police may be notified.
 Mandatory follow-up with the S.A.C. upon return to school.
Possible referral to EDP

Right to Appeal: Any parent/guardian may appeal first to the Superintendent and, if still not in agreement, may appeal to the Board of Education any action taken against their child pursuant to this procedure. Such appeal must be in writing and signed by the parent/guardian.

VI. INCIDENT REPORTS AND RECORD KEEPING

- A. In all instances involving the use of substances, a Violence, Vandalism and Substance Abuse Incident Report shall be completed and processed.
- B. Any substance abuse reports or records made or kept pursuant to any of the provisions of this procedure shall be placed in the S.A.C.'s record file of the affected student and shall remain confidential. Such reports or records shall not be released other than for purposes directly connected with this procedure without the consent of the student and/or parent/guardian unless the school district is otherwise required to release such information.

No person having legitimate access to such reports or records shall disclose same or any portion of same except in a manner authorized by law.

VII. REPORTING NOTIFICATION AND EXAMINATION PROCEDURES FOR ANABOLIC STEROID ABUSE

- A. Any teaching staff member, coach, or other school personnel, who has reason to believe that a student has used or may be using or in possession of an Anabolic Steroid or N.J.S.I.A.A. banned performance enhancing substance shall report the student as soon as possible to the principal or designee.
- B. The principal or designee shall make every reasonable effort to immediately verbally notify the student's parents/guardians and the Superintendent of the incident and to provide them with a description of the situation and symptoms.
- C. In consultation with the parents/guardians, if available, the principal or designee shall arrange for a medical substance abuse evaluation of the student as soon as possible. This evaluation should be performed by a facility/physician specializing in the detection of Anabolic Steroid use.
- D. Follow the same procedures as outlined in Section III, D - J.

VIII. PROHIBITION OF STUDENT USE OR POSSESSION OF TOBACCO, TOBACCO PRODUCTS OR SMOKING PARAPHERNALIA

- A. The use or possession by students of tobacco, tobacco products or smoking paraphernalia is prohibited on school district property or facilities, in school buildings, on school buses, or at school district sponsored events off school district premises. While on school property, buses or at school sponsored events, students shall not possess cigarettes, or other smoking materials such as tobacco, pipes, cigarette rolling papers or cigarette lighters. Offenders shall be subject to disciplinary action. Discipline shall escalate for repeated violations. Upon the first offense, complaints shall be filed in municipal court

SUBSTANCE ABUSE (continued)

against offenders for violation of ordinances or laws prohibiting smoking on school premises and offenders shall be subject to fines and penalties imposed under such laws and ordinances.

- B. In accordance with law and/or Board of Education policy, there shall be no smoking or use of smokeless tobacco by anyone at anytime, anywhere on Board of Education property, i.e., buildings, grounds or transportation vehicles supplied by the Board. In addition, students are prohibited from smoking or using smokeless tobacco at events sponsored by the Board away from school. Students are prohibited from leaving school grounds during the school day for any reason, including smoking, unless school protocols are followed.
- C. The building principal or designee shall be responsible for enforcement of the prohibition against student use or possession of tobacco, tobacco products or smoking paraphernalia. All students are advised that school authorities will take all reasonable steps to prevent the possession or use of tobacco, tobacco products or smoking paraphernalia on school property, buses or at school sponsored events and to discipline those who violate this prohibition. When there is reason to believe that inspection is warranted the principal or designee shall authorize search and seizure procedures.

IX. REFERRAL TO DIVISION OF YOUTH AND FAMILY SERVICES

Any parent/guardian who fails or refuses to arrange for the immediate medical evaluation of their child or to permit a proper Assessment of their child by school personnel as prescribed in this procedure shall be referred to the ~~New Jersey Division of Youth and Family Services~~ **Department of Child Protection and Permanency** for investigation of medical neglect. In addition, non-compliance with the provisions of N.J.S.A. 18A:38-25 and 18A: 38-31 shall be deemed in violation of the compulsory education laws.

X. PROCEDURES FOR SIGNIFICANT BEHAVIORS CONSISTENT WITH USE OF SUBSTANCES

Any teacher or other school personnel who obtains information concerning recreational use of substances or witnesses significant changes in a student's behavior consistent with substance abuse shall report this information to the S.A.C.

XI. CONFIDENTIALITY OF STUDENT INVOLVEMENT IN INTERVENTION AND TREATMENT PROGRAMS

Nothing in this procedure shall be construed in any way to authorize or require the transmittal of any information or records that are in the possession of a substance abuse counseling or treatment program including, but not limited to, the school district's own substance abuse programs. All information concerning a student's or staff member's involvement in a school intervention or treatment program shall be kept strictly confidential and apart from the general student file.

XII. VOLUNTARY STUDENT REQUEST FOR ASSISTANCE IN BECOMING SUBSTANCE FREE

- A. A student's request for assistance in becoming substance free shall be reinforced and commended.

All staff members shall be open to students who approach them in genuine need of advice and counsel and in search of an empathetic listener and shall direct such a student to the S.A.C.

- B. Immediate aid to the student shall be offered through the S.A.C. regarding any request for assistance.

SUBSTANCE ABUSE (continued)

C. The student shall be reassured confidentiality by the S.A.C. except in the following instances:

1. When the student's health or safety is in imminent danger.
2. When withholding the information makes the S.A.C. an accessory to an illegal action.
3. When the information indicates that the health or safety of another individual is threatened.
4. When there is reason to believe that the student has been abused.

XIII. PARENT/GUARDIAN SUBSTANCE ABUSE EDUCATIONAL PROGRAMS

Provisions shall be made for programs regarding substance abuse offered at times and places convenient to the parents/guardians of the district on school premises or other facilities.

XIV. IMMUNITY

Any school or medical personnel who report a student to the principal or designee in compliance with the provisions of this procedure are held safe-harmless and shall not be liable for civil damages as a result of making such a report.

XV. IN-SERVICE TRAINING

The Superintendent or designee shall arrange for all district employees to receive annual in-service training to make them aware of their responsibilities in accordance with Board policy.

XVI. POSSESSION AND/OR DISTRIBUTION OF SUBSTANCES

The Board of Education of The Township of Union recognizes its responsibility to ensure continuing cooperation between school staff and law enforcement authorities in matters relating to the use, possession, and distribution of substances and substance paraphernalia on school property. The Board further recognizes its responsibility to cooperate with law enforcement authorities in planning and conducting law enforcement activities and operations on school property. The Board shall, therefore, adopt a formal Memorandum of Agreement with the appropriate law enforcement authorities. The Memorandum of Agreement shall be consistent with the School Zone Enforcement Code, Statewide Action Plan for Narcotics Enforcement and Attorney General's Executive Directive 1988-1.

XVII. SUMMONING LAW ENFORCEMENT AUTHORITIES ONTO SCHOOL PROPERTY FOR THE PURPOSE OF CONDUCTING INVESTIGATIONS, SEARCHES, SEIZURES AND ARRESTS

Any school employee who has reason to believe any student or staff member is using or distributing substances or substance paraphernalia on school premises shall report same to the Superintendent, principal or designee. The Superintendent, principal or designee shall immediately report that information to the appropriate law enforcement agency. If, after consultation with the law enforcement official, it is determined that further investigation is necessary, the Superintendent shall cooperate with the law enforcement authorities in accordance with the law and the administrative code. He/she shall provide the officials with a room in an area away from the general student population in which to conduct their law enforcement duties. If law enforcement officials do not choose to investigate the incident, the Superintendent may continue the investigation to determine if any district rules have been violated and whether any discipline is appropriate. If an arrest is necessary, and no exigent circumstance exist, every effort shall be made to enable law enforcement personnel to carry out the arrest in a manner that is least disruptive to the educational environment. The Superintendent, principal or designee shall immediately notify the student's parent/guardian whenever a student is arrested for violating any laws.

SUBSTANCE ABUSE (continued)

Whenever the Superintendent, or designee has summoned the police to a school, the reason the police were summoned and any pertinent information should be reported to the Board.

XVIII. STUDENT SEARCHES AND SECURING PHYSICAL EVIDENCE

The principal or designee may conduct a search of a student's person or belongings if the school official has a reasonable suspicion that the student is in possession of controlled dangerous substances, anabolic steroids, alcoholic beverages, tobacco or other substance as defined in this procedure and policy 5131.6. This search may include a student's vehicle (acceptance of driving privileges on Board of Education property authorizes such a search). All searches and seizures conducted by designated school staff shall comply with the standards prescribed by the United States Court in *New Jersey v. T.L.O.* 469, U.S. 325 (1985).

If, as a result of the search, a substance or substance paraphernalia is found on school property, or at a school function, the individual discovering the item or substance shall immediately notify the principal or designee; the principal or designee shall immediately notify the Superintendent and the appropriate law enforcement agency, when warranted. The principal or designee shall ensure that the substances and/or substance paraphernalia is labeled and secured until law enforcement officials pick it up. The principal or designee shall contact the student's parent/guardian to inform them of the occurrence.

Adopted: June 29, 1998
Revised: June 30, 2003
Readopted: December, 2013

SUBSTANCE ABUSE (continued)

PUBLIC SCHOOLS - DRUG SCREENING REPORT

TO: Care Station Medical Group

Note: Include MD Exam:
Looking for signs of abuse

FROM: _____ (Name of School)

AUTHORIZED BY: _____ (Responsible payment school/parent)

RE: _____ (Name of Student)

New Jersey law, 18A:40-4,1 requires an immediate medical examination of any student thought to be under the influence of alcohol or other drugs.

The following tests are to be performed:

SAP-9 with Alcohol: (Includes the following)

Alcohol	Barbituates	Cocaine	Methadone	Opiates
Amphetamines	Benzodiazprines	Heroin	Marijuana	PCP

*Optional Tests: (Please Check) _____ Anabolic Steriods _____ LSD _____ Ketamine
 (Performed at the request of the school or parent) _____ Mescaline _____ Ecstasy _____ Synthetic Cannabinoid

"The students shall be examined as soon as possible for the purpose of diagnosing whether the student is under such influence. A written report must be provided within 24 hours by the attending physician to the parent or guardian of the student and to the superintendent of schools and building principal. If such diagnosis is positive, the student shall be returned to his or her home as soon as possible. The student shall not resume attendance at school until he or she submits to the principal a written report certifying that he or she is physically and mentally able to return."

PHYSICIAN STATEMENT

I certify that I have completed a physical examination on _____ and a drug screen as listed above
(Name of Student)

Results of physical examination done today: The student IS/IS NOT able to return to school.
I understand that to meet the medical criteria for re-entry to school the student must present:

This physician statement that he/she is "mentally and physically able to return to school."

_____	_____
Date	Physician Signature

RELEASE INFORMATION

I give my permission for the physician to medically examine my child and release the results of the medical exam and the diagnostic urine screen test to the superintendent/school principal/school designee.

The purpose of such disclosure is to aid in an assessment and appropriate referral, if necessary. I understand this information is confidential, will not be made part of the permanent school record and will not be disclosed to any other individual or agency outside of the school without permission as provided by law.

_____ (Parent/Guardian Signature)	_____ (Student Signature)
_____ (Printed Name)	_____ (Printed Name)
_____ (Witness)	_____ (Date)

SUBSTANCE ABUSE (continued)

TOWNSHIP OF UNION PUBLIC SCHOOLS
STUDENT ASSISTANCE PROGRAM

Date _____

Dear Parent/Guardian:

There is good cause to suspect that your child is under the influence of a controlled or other banned substance. Due to the nature of your child's condition, you are required to complete the following in order for your child to be readmitted to school:

- Have your child examined by a physician, including a urine screen within two hours of initial suspicion being reported from school on the above date. The pupil shall be examined for the purpose of diagnosing; whether or not the pupil is under such influence.
- Return the following information to school within twenty-four (24) hours

Physician's Examination Form stating

1. The results of the examination.
2. Capability to resume all school activities with no restrictions.
3. That your child is not under the influence of any illicit drug/alcohol at present time.
4. The results of the urine/diagnostic screening if it is available.

Physician's Clearance Form allowing the student to return to school.

- A clearance note and completion of the requirements will allow the student to return to school pending the results of the urine/diagnostic screening.

Attached are a checklist of responsibilities and the medical report to be signed by the physician. Be sure to read everything carefully. Once you have received your packet and read the instructions, sign the Verification Form indicating that you have read all the necessary information and instructions.

When you have the physician's medical report and your child is able to return to school, please contact the Student Assistance Counselor to schedule a re-admission conference. Please bring this letter and the physician's medical report with you to this meeting.

Thank you for your anticipated cooperation.

Yours truly,

School Principal's Signature

Attachments

SUBSTANCE ABUSE (continued)

TOWNSHIP OF UNION PUBLIC SCHOOLS

PHYSICIAN'S CLEARANCE FORM

TO: _____
(Building Administrator)

DATE: _____

Re: Medical Examination of _____

I hereby certify that the above-named student was examined by me in accordance with the Alcohol and Drug Policy and Procedures of the Township of Union Public Schools and is physically and mentally able to return to school.

I further certify that the above named student is not under the influence of any controlled or other banned substance at the at the time of the examination. The results of a urine screen for drugs of abuse will be forthcoming.

This clearance does not preclude further assessment procedures.

Sincerely,

Physician Name and Title (Please Print)

Physician's Stamp and Signature

SUBSTANCE ABUSE (continued)

TOWNSHIP OF UNION PUBLIC SCHOOLS

PHYSICIAN'S EXAMINATION FORM

To the attending physician:

Student Name: _____ Date: _____

School: _____ Time Released: _____

There is reason to suspect the above named student is under the influence of a controlled or other banned substance. N.J.S.A. 18A:40A-12 requires an immediate medical examination of any student thought to be under the influence of alcohol or a controlled or other banned substance. In addition, Township of Union Public School Policy requires a urine diagnostic screening in conjunction with the medical exam. (Immediate is interpreted as within two hours of initial suspicion being reported.) N.J.S.A. 18A:40A-12 states: "The pupil will be examined as soon as possible for the purpose of diagnosing whether the pupil is under such influence. A written report must be provided within twenty-four hours by the attending physician to the parent or guardian and to the Principal or administrative designee of the pupil's school."

In your examination, please include a urine/diagnostic screening for the following:

- | | | | |
|--------------|-----------|-----------|----------|
| Alcohol | Ecstasy | Mescaline | Steroids |
| Amphetamines | Heroin | Methadone | Valium |
| Barbiturates | LSD | Opiates | Cocaine |
| | Marijuana | PCP | |

Other: _____

A copy of the results of the urine/diagnostic screening must be attached to the medical report.

Physician Name and Title _____
(Please Print)

Address _____

City _____ State _____ Zip Code _____

Time of Exam _____

Physician's Signature and Stamp

SUBSTANCE ABUSE (continued)

UNION TOWNSHIP PUBLIC SCHOOLS

STUDENT ASSISTANCE PROGRAM - RECORDS RELEASE AUTHORIZATION

I, _____ hereby give permission to
(Student's Name)

_____ to release from my files the results
(Name of program which is to make disclosure)

of my medical exam, urine screen and pertinent recommendations.

This information is to be released to _____ School to the following staff only:

- Administrator
- Nurse
- Student Assistance Counselor

The purpose or need for such disclosure is to ensure the student's safety and well-being while in school; as per N.J. State Law and Administrative Code.

This information may be given as needed.

This consent is subject to revocation at any time and will otherwise expire on: _____
Date

RECORDS RELEASE AUTHORIZATION

Signature of Student Date

Signature of Parent/Guardian Date

Signature of Witness Date

SUBSTANCE ABUSE (continued)

TOWNSHIP OF UNION PUBLIC SCHOOLS
PARENT/GUARDIAN RESPONSIBILITIES

I, _____ parent/guardian of _____

verify I have received the Student Assistance Program parent packet.

The packet consists of the following:

- Parent/Guardian Responsibilities
- Physician's letter and Medical Report Form
- List of available treatment facilities

Parent/Guardian Responsibilities:

1. Verify receipt of Parent Packet
2. Have student examined by a physician within two hours from identification. Urine screen must be included in this exam.
3. Obtain the completed physician's letter and medical report within twenty-four hours from the examining physician.
4. Arrange a meeting with the Principal or administrative designee. A physician's letter and medical report must be presented to the Principal in order for the student to re-enter the school.
5. Attend a re-entry conference with the Student Assistance Counselor
6. In addition to the above, if the student has been placed in an in-patient treatment facility, upon his/her release from the facility the parent/guardian must:
 - a. Obtain a note from the facility stating the child has been released and is able to return to school.
 - b. Contact the Student Assistance Counselor to schedule a re-entry conference.

If the test results are negative, the student shall be permitted to resume classes immediately. No legal action can be taken against any individual involved in the process (N.J.S.A. 18A:40A-14)

If the test results are positive, please refer to the district controlled substances policy contained in this packet.

I have read the information and understand my responsibilities in the assessment and treatment process. I have received a copy of the district policy on controlled substances.

Parent/Guardian Signature

Date

Time

Policy

WEAPONS AND DANGEROUS INSTRUMENTS

The Township of Union Board of Education prohibits the possession and/or use of firearms, other weapons, or instruments that can be used as weapons on school property, on a school bus, at any school function, or while enroute to or from school or any school function.

For the purpose of this policy "weapon" includes but is not limited to those items enumerated in N.J.S.A. 2C:39-1r. The principal shall make the final determination that a particular object is a dangerous instrument in any case where there is a question of its possession or use posing a threat to students, staff or property.

Any student who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm on any school property, on a school bus, or at a school-based function shall be immediately removed from the school's regular education program pending a hearing before the board to remove the student from the regular education program for a period of not less than one calendar year. **The Superintendent may modify a student's removal on a case-by-case basis.** The principal/designee shall be responsible for the removal of such a student and shall immediately report the removal to the superintendent. ~~The superintendent may modify a student's removal on a case-by-case basis.~~ The principal shall also notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

A student found or observed on school property or at a school event in possession of a weapon or dangerous instrument other than a firearm shall be reported to the principal/designee immediately. The principal shall immediately inform the superintendent/designee and appropriate law enforcement officials with all known information concerning the matter, including the identity of the student involved.

Assault by a student with a weapon on a teacher, administrator, board member or other employee of the board is strictly prohibited and shall result in the student's immediate removal from the general education program for a period not exceeding one calendar year. Subject to a hearing before the board, the student shall be placed in an alternative education program.

The superintendent shall determine at the end of the year whether the student is prepared to return to the regular education program in accordance with procedures established by the Commissioner of Education.

Disciplinary action shall be taken against students who possess, handle, transmit or use firearms, other weapons, or dangerous instruments. Classified students shall be disciplined in accordance with their IEP and in compliance with law and administrative code. As in all disciplinary cases, due process will be provided (see policies 5114 Suspension and Expulsion and 5131 Conduct/Discipline).

A violence and vandalism report shall be filed whenever a student is found to be in possession of a firearm, other weapon, or dangerous instrument.

Remotely Activated Paging Devices (Beepers)

No student shall bring or possess a remotely activated paging device on any property used for school purposes without the written permission of the superintendent. Permission shall not be granted unless and until the student has established a reasonable basis for possessing the device.

WEAPONS AND DANGEROUS INSTRUMENTS (continued)

Student members of a volunteer fire company or first aid, ambulance or rescue squad may carry remotely activated paging devices provided that:

- A. The student is required to respond to an emergency; and
- B. A copy of the statement by the chief executive officer of the volunteer fire company or first aid, ambulance or rescue squad authorizing the possession of the paging device is in the possession of the student at all times while the student is in possession of the remotely activated paging device.

Implementation

The board directs the superintendent to develop regulations **for approval by the Board** to implement this policy.

Adopted: June 1999
 NJSBA Review/Update: April 2012
 Readopted: December 2013

Key Words

Weapons, Dangerous Instruments, Violence, Paging Devices, Beepers, Firearms

<u>Legal References:</u> <u>N.J.S.A. 2A:4A-60 et al.</u>	Disclosure of juvenile information; penalties for disclosure
<u>N.J.S.A. 2C:12-1</u>	Definition of assault
<u>N.J.S.A. 2C:33-19</u>	Paging devices, possession by students
<u>N.J.S.A. 2C:39-1</u>	Definitions
<u>N.J.S.A. 2C:39-5</u>	Unlawful possession of weapons
<u>N.J.S.A. 2C:39-6</u>	Exemptions
<u>N.J.S.A. 18A:6-1</u>	Corporal punishment of students
<u>N.J.S.A. 18A:36-19.2</u>	Student locker or other storage facility; inspections; notice to students
<u>N.J.S.A. 18A:37-1</u>	Submission of students to authority
<u>N.J.S.A. 18A:37-2</u>	Causes for suspension or expulsion of students
<u>N.J.S.A. 18A:37-2.1</u> through -2.5	Assaults by student upon teacher, administrator, board member or employee of board of education; suspension; expulsion proceedings ...
<u>N.J.S.A. 18A:37-7</u> through -12	<u>Zero Tolerance for Guns Act</u>
<u>N.J.A.C. 6A:14-2.8</u>	Discipline/suspension/expulsion
<u>N.J.A.C. 6A:16-1.1 et seq.</u>	Programs to Support Student Development
<u>See particularly:</u> <u>N.J.A.C. 6A:16-1.3, -1.4,</u> <u>-5.2, -5.4, -5.5, -5.6, -6.1,</u> <u>-6.2, -6.3(b), -6.4</u>	

P.L. 103-382, Improving America's Schools Act of 1994 Section 1702, Prohibits possession or discharge of a firearm in a school zone, Pub. L. 101-647

Attorney General's Executive Directive No. 1988-1, Memorandum of Agreement (revised, amended)

WEAPONS AND DANGEROUS INSTRUMENTS (continued)

State in re T.L.O., 94 N.J. 331 (1983), reversed on other grounds, New Jersey v. T.L.O., 569 U.S. 325 (1985).

See also Commissioners' Decisions indexed under "Students – Punishment of" in Index to N.J. School Law Decisions

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

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

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

Possible

<u>Cross References:</u>	*5114	Suspension and expulsion
	*5131	Conduct/discipline
	*5131.5	Vandalism/violence
	*5131.6	Drugs, alcohol, tobacco (substance abuse)
	*5145.11	Questioning and apprehension
	*5145.12	Search and seizure
	*6172	Alternative educational programs

*Indicates policy is included in the Critical Policy Reference Manual.