

SUBSTANCE ABUSE

M

The procedures in this regulation shall be followed every time a student is reported as possibly being under the influence of alcohol or other drugs. These procedures are intended to be supplemental to the requirements of Board Policy and the law.

A. Medical Emergency

Whenever the referred student appears to be in a state of medical emergency or otherwise medically compromised, the following procedures shall govern:

1. Administrator/Person in Charge
 - a. The student shall not be left alone at any time.
 - b. Emergency services shall be immediately contacted through 911.
 - c. The student's parent(s) or legal guardian(s) shall be immediately contacted and informed that the student has been reported as suspected of being under the influence of alcohol or other drugs and that he/she may be in a state of medical emergency.
 - d. The Superintendent shall be immediately contacted and informed of the situation.
 - e. If student is classified, the Child Study team or the Director of Student Support Services shall be contacted.
 - f. If the school nurse is available, verify that the nursing assessment has been completed.
 - g. The student should be transported to the emergency room of the nearest hospital via ambulance.
 - (1) The ambulance crew should make the ultimate decision on which hospital the student should be taken to.



- (2) In the event that Chilton is the closest hospital, the ambulance crew should be informed of the district's arrangement with Chilton Hospital.
- (3) A staff member should remain with the student at the hospital until a parent(s) or legal guardian(s) arrives at hospital if a school nurse or other school medical staff member is not available.

2. School Nurse

- a. The student shall not be left alone at any time.
- b. The physical assessment should be completed and all findings documented. At least two copies of all documents should be made.
- c. The Health Services Supervisor should be contacted.
- d. When available a school nurse or other school medical staff member shall accompany the student to the hospital and shall remain there until the parent(s) or legal guardian(s) of the student arrives. A copy of the student's emergency card should be brought to the hospital, as well as any required forms and paperwork.
- e. In the event that a school nurse or other school medical staff member is not available, a staff member shall accompany the student to the hospital and shall remain there until the parent(s) or legal guardian(s) of the student arrives.
- f. The Student Assistance Counselor shall be notified.

B. Non-Medical Emergency

1. Parent(s) or legal guardian(s) Immediately Available

Whenever there is no indication that the referred student is in a state of medical emergency or otherwise medically compromised the following procedures shall govern provided the administrator is able to contact the student's parent(s) or legal guardian(s) within two hours of the initial referral of the student and the student's parent(s) or legal guardian(s) is



able to arrive at the student's school in sufficient time to ensure that the student will be medically examined within two hours of the initial referral of the student.

2. Administration/Person in Charge
 - a. The student shall not be left alone.
 - b. The student's parent(s) or legal guardian(s) shall be immediately contacted and informed that:
 - (1) The student has been reported as suspected of being under the influence of alcohol or other drugs;
 - (2) The parent(s) or legal guardian(s) has an obligation to have the student immediately medically examined for the purpose of determining whether or not the student is in fact under the influence of alcohol or other drugs and that such examination must include a chemical screen; and;
 - (3) The medical examination and chemical screen may be performed by either a physician selected by the parent(s) or legal guardian(s) or at Chilton Occupational Health pursuant to the arrangement between the Board and Chilton Occupational Health.
 - c. The Superintendent shall be immediately contacted and informed of the situation.
 - d. If student is classified the Child Study Team or the Director of Student Support Services shall be contacted.
 - e. If the school nurse is available, verify that the nursing assessment has been completed.
 - f. Upon arrival at the school, the parent(s) or legal guardian(s) shall be given a twenty four hour Medical Exclusion Letter.
 - g. The parent(s) or legal guardian(s) shall be responsible for transporting the student to the location where the medical



examination will be performed, regardless of whether it is to be performed by a private physician or Chilton Occupational Health.

- h. If the parent(s) or legal guardian(s) has elected to have the medical examination performed by a private physician who is immediately available, the parent(s) or legal guardian(s) shall be given a copy of the physician packet. If such physician is not available to complete the medical examination within two hours of the initial referral of the student, then the parent(s) or legal guardian(s) will be instructed to have the student medically examined by another physician who is available to perform the medical examination within two hours. The parent(s)' or legal guardian(s)' refusal to submit and/or failure to comply with the required medical examination within the two-hour window will result in a violation of the Board's Substance Abuse Policy and shall be considered in violation of the child neglect laws pursuant to N.J.S.A. 9:6-1 et seq.

3. School Nurse

- a. The student shall not be left alone at any time.
- b. The physical assessment should be completed and all findings documented. At least two copies of all documents should be made.
- c. The Health Services Supervisor should be contacted.
- d. If the parent(s) or legal guardian(s) has elected to have the medical examination performed by a private physician who is immediately available, the parent(s) or legal guardian(s) shall be given a copy of the physician packet. If such physician is not available to complete the medical examination within two hours of the initial referral of the student, then the parent(s) or legal guardian(s) will be instructed to have the student medically examined by another physician who is available to perform the medical examination within two hours. The parent(s)' or legal guardian(s)' refusal to submit and/or failure to comply with the required medical examination within the two-hour window will result in a violation of the Board's Substance Abuse Policy and shall be considered in



violation of the child neglect laws pursuant to N.J.S.A. 9:6-1 et seq.

- e. When available a school nurse or other school medical staff member shall accompany the student to the hospital and shall remain there until the parent(s) or legal guardian(s) of the student arrives. A copy of the student's emergency card should be brought to the hospital, as well as any required forms and paperwork.
- f. In the event that a school nurse or other school medical staff member is not available, a staff member shall accompany the student to the hospital and shall remain there until the parent(s) or legal guardian(s) of the student arrives.
- g. The Student Assistance Counselor shall be notified.

4. Parent(s) or legal guardian(s) Not Immediately Available

Whenever there is no indication that the referred student is in a state of medical emergency or otherwise medically compromised the following procedures shall govern provided the administrator is able to contact the students parent(s) or legal guardian(s) within two (2) hours of the initial referral of the student and the student's parent(s) or legal guardian(s) is able to arrive at the students school in sufficient time to ensure that the student will be medically examined within two hours of the initial referral of the student.

5. Administration /Person in Charge

- a. The student shall not be left alone at any time.
- b. The administrator shall attempt to contact the student's parent(s) or legal guardian(s) for two hours.
- c. The Superintendent shall be immediately contacted and informed of the situation.
- d. If student is classified, the Child Study Team or the Director of Student Support Services shall be contacted.



- e. Arrange for the student to be transported to Chilton Occupational Health where the student will be medically examined for the purpose of determining whether the student is in fact under the influence of alcohol or other drugs.
 - f. The administrator or his/her designee shall accompany the student to Chilton Occupational Health. A copy of the student's emergency card should be brought to the hospital, as well as any required forms and paperwork. The student shall be taken to the Occupational Health Department and all appropriate forms and paperwork shall be delivered to appropriate hospital staff member.
 - g. Transportation shall be via ambulance service. In the event that ambulance service is not immediately available, the student shall be transported in a Board owned vehicle. When possible at least one staff member shall accompany the student and the driver of the vehicle for the purpose of monitoring the student during transportation. In the event that a Board owned vehicle is not immediately available, the student shall be transported via emergency services through 911.
6. School Nurse
- a. The student shall not be left alone at any time.
 - b. The physical assessment should be completed and all findings documented. At least two copies of all documents should be made.
 - c. The Health Services Supervisor should be contacted.
 - d. When available a school nurse or other school medical staff member shall accompany the student to the hospital and shall remain there until the parent(s) or legal guardian(s) of the student arrives. A copy of the student's emergency card should be brought to the hospital, as well as any required forms and paperwork.
 - e. In the event that a school nurse or other school medical staff member is not available, a staff member shall accompany the



student to the hospital and shall remain there until the parent(s) or legal guardian(s) of the student arrives.

- f. The Student Assistance Counselor shall be notified.

The purpose of the above procedures is to ensure the health and safety of the referred student and the school community and to determine whether or not the student is in fact under the influence of alcohol or other drugs.

Students with Disabilities

For students with disabilities, subject to Individualized Education Programs in accordance with 20 U.S.C. § 1400 et seq., the Individuals with Disabilities Educational Improvement Act, and accommodation plans under 29 U.S.C. §§ 794 and 705(2), student discipline and the code of conduct shall be implemented in accordance with the components of the applicable plans and N.J.A.C. 6A:14-2.8 and 20 U.S.C. §1415(k).

In the case of removal for drug offenses, the district shall provide services to a student with a disability consistent with 20 U.S.C. § 1415(k) and its implementing regulations at 34 C.F.F. §§ 300.1 et seq. However, the period of removal to an interim alternative educational setting in accordance with 20 U.S.C. § 1415(k) shall not be for a period of more than 45 calendar days.

Handling of Alcohol or Other Drugs

1. A student's person, effects, including vehicles parked on school grounds or school storage places may be searched for substances in accordance with Policy No. 5770 and applicable laws regarding searches in school.
2. A school employee who seizes or discovers a substance, or an item believed to be a substance or drug paraphernalia, shall immediately notify and turn it over to the Principal or designee.
 - a. The Principal or designee shall immediately notify the Superintendent or designee who in turn shall notify the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information.
 - b. In accordance with the provisions of N.J.A.C. 6A:16-6.4(a), the school employee, Principal or designee shall safeguard the alcohol, other



drug, or paraphernalia against further destruction and shall secure the alcohol, other drug, or paraphernalia until it can be turned over to the County Prosecutor or designee.

- c. The Principal or designee shall provide to the County Prosecutor or designee all information concerning the manner in which the alcohol, other drug, or paraphernalia was discovered or seized, including;
 - (1) The identity of all persons who had custody of the substance or paraphernalia following its discovery or seizure; and
 - (2) The identity of the student believed to have been in possession of the substance or paraphernalia.
- d. The Principal or designee shall not disclose the identity of a student who voluntarily and on his or her own initiative turned over the alcohol, other drug, or paraphernalia to a school employee, provided there is reason to believe the student was involved with the alcohol, other drug, or paraphernalia for the purpose of personal use and not distribution activities, and further provided the student agrees to participate in an appropriate treatment or counseling program.
 - (1) For the purposes of N.J.A.C. 6A:16-6.4, an admission by a student in response to questioning initiated by the Principal or teaching staff member, or following the discovery by the Principal or teaching staff member of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia shall not constitute a voluntary, self-initiated request for counseling and treatment.

Reporting Students to Law Enforcement Agencies

1. Subject to N.J.A.C. 6A:16-6.5, any staff member who, in the course of his or her employment, has reason to believe that a student has unlawfully possessed or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia shall report the matter as soon as possible to the Principal or, in the absence of the Principal, to the staff member responsible at the time of the alleged violation.



2. Either the Principal or the responsible staff member shall notify the Superintendent, who in turn shall notify as soon as possible the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information.
3. The Superintendent or designee shall provide to the County Prosecutor or designee all known information concerning the matter, including the identity of the student involved.
4. The Superintendent or designee; however, shall not disclose the identity of a student who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or other drug abuse problem, provided the student is not reasonably believed to be involved or implicated in drug-distribution activities.
5. For the purpose of N.J.A.C. 6A:16-6.3, an admission by a student in response to questioning initiated by the Principal or teaching staff member, or following the discovery by the Principal or teaching staff member of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall not constitute a voluntary, self-initiated request for counseling and treatment.
6. The Superintendent or designee may disclose to law enforcement authorities the identity of a student suspected to be under the influence of alcohol and/or controlled dangerous substances, pursuant to N.J.A.C. 6A:16-4.3(a), or a student suspected to have used or who may be using anabolic steroids, pursuant to N.J.A.C. 6A:16-4.3(b), and who is referred for a medical examination, pursuant to N.J.A.C. 6A:16-4.3(a) or (b), as appropriate, for the purposes of providing appropriate health care for the student and for determining whether the student is under the influence of alcohol or other drugs or has been using anabolic steroids. The Superintendent or designee shall disclose to law enforcement authorities the identity of a student reasonably believed to be in possession of a controlled dangerous substance or related paraphernalia or a student reasonably believed to be involved or implicated in distribution activities regarding controlled dangerous substances.
7. Law enforcement authorities shall not be notified of the findings if a student's alcohol or other drug test, pursuant to N.J.A.C. 6A:16-4.3(a)3i and N.J.A.C. 6A:16-4.3(b)3i and N.J.A.C. 6A:16-4.3(a)4, was obtained as result of the district Board of Education's voluntary random drug testing policy, pursuant to N.J.S.A. 18A:40A-22 et seq. and N.J.A.C. 6A:16-4.4.



Parent Training Program/Outreach Program

1. A substance abuse training program will be offered to the parents of students enrolled in the district. The program will be offered at times and places convenient to parents and on school premises or at in other suitable facilities.
2. The program shall, at a minimum, provide:
 - a. A thorough and comprehensive review of the substance abuse instruction curriculum to be taught to the children of the parents during the school year, with recommendations as to the ways in which the parent may enhance, reinforce, and supplement that program;
 - b. Information on the pharmacology, physiology, psychosocial, and legal aspects of substance abuse;
 - c. Instruction to assist the parent in the identification of the symptoms and behavioral patterns that might indicate a child may be involved in substance abuse;
 - d. Information on the state, local, and community organizations which are available for the prevention, early intervention, treatment, and rehabilitation of individuals who show symptoms of substance abusers; and
 - e. A review of the Board Policy and Regulations on substance abuse with attention to the role of parents.
3. The Board will establish an outreach program to provide substance abuse education for the parents of students in the district. In establishing the program, the Board shall consult with such local organizations and agencies as are recommended by the Commissioner. The Board shall insure the program is offered at times and places convenient to the parents of the district on school premises, or at other suitable facilities.



- a. In addition to the substance abuse education program required pursuant to N.J.S.A. 18A:40A-17, the Board shall provide assistance to parents who believe that their child may be involved in substance abuse.

Records and Confidentiality of Records

1. Notations concerning a student's involvement with substances may be entered on his/her records, subject to N.J.A.C. 6A:32-7.1 et seq. and Policy No. 8330.
2. Information concerning a student's involvement in a school intervention or treatment program for alcohol or other drug abuse shall be kept strictly confidential according to 42 CFR Part 2, N.J.S.A. 18A:40A-7.1 and 7.2, and N.J.A.C. 6A:16-3.2.
3. If student involved in a school-based drug and alcohol counseling program provides information during the course of a counseling session which indicates the student's parent or other person residing in the student's household is dependent upon or illegally using substances pursuant to N.J.S.A. 18A:40A-7.1 and 7.2, that information shall be kept confidential and may be disclosed only under the circumstances expressly authorized as follows:
 - a. Subject to the student's written consent, to another person or entity whom the student specifies in writing in the case of a secondary student, or to a member of the student's immediate family or the appropriate school personnel in the case of an elementary student;
 - b. Pursuant to a court order;
 - c. To a person engaged in a bona fide research purpose; except that no names or other information identifying the student or the person with respect to whose substance abuse the information was provided, shall be made available to the researcher; or
 - d. To the Division of Child Protection and Permanency (DCP&P) or to a law enforcement agency, if the information would cause a person to reasonably suspect that the student or another child may be an abused or neglected child in accordance with statute or administrative code.

Any disclosure made pursuant to 3a. and b. above shall be limited to that information which is necessary to carry out the purpose of the disclosure, and the person or entity to



REGULATION

WAYNE TOWNSHIP BOARD OF EDUCATION

PUPILS
R5530/Page 12 of 12
SUBSTANCE ABUSE

whom the information is disclosed shall be prohibited from making any further disclosure of that information without the student's written consent. The disclosure must be accompanied by a written statement from the Superintendent or designee advising the recipient that the information is being disclosed from the records the confidentiality of which is protected by P.N.J.S.A. 18A:40A-7.1 et seq. and that this law prohibits any further disclosure of this information without the written consent of the person from whom the information originated.

Nothing in this Policy or Regulation prevents the DCP & P or a law enforcement agency from using or disclosing the information in the course of conducting an investigation or prosecution. Nothing in this Policy or Regulation shall be construed as authorizing the violation of any Federal law.

The prohibition on the disclosure of information provided by a student shall apply whether the person to whom the information was provided believes that the person seeking the information already has it, has other means of obtaining it, is a law enforcement or other public official, has obtained a subpoena, or asserts any other justification for the disclosure of this information.

A person who discloses or willfully permits the disclosure of information provided by a student in violation of this Policy is subject to fines in accordance with N.J.S.A. 18A:40A-7.2

Each incident of substance abuse shall be reported to the Commissioner on the Electronic Violence and Vandalism Reporting System (EVVRS).

Issued: 15 October 2009
Revised: 19 April 2013
29 January 2015

