

DRUGS AND ALCOHOL POLICY

The Board of Education at Burlington County Institute of Technology recognizes that drug and alcohol abuse presents a growing problem in society. Schools play a vital role in the effort of the community to control this problem. The Board recognizes that an educational and therapeutic approach to the problem is more effective than one which is solely punitive in nature.

Drug and alcohol use or abuse interferes with the teaching/learning process and poses a serious safety hazard. Therefore, the use, possession, or sale of any type or quantity of drug, drug paraphernalia, or alcoholic beverage by a student or staff member is strictly prohibited at Burlington County Institute of Technology for any school function.

For purposes of this policy "drugs" shall mean:

- A. All dangerous controlled substances as so designated and prohibited in New Jersey statutes; all chemicals which release toxic vapors as defined and prohibited in New Jersey statutes; all chemicals which release toxic vapors as defined and prohibited in New Jersey statutes
- B. All alcoholic beverages
- C. Any prescription drug, except those for which permission for use in school has been granted pursuant to board policy
- D. Any drug, drug paraphernalia, or substances represented as a controlled dangerous substance or those substances appearing to be controlled dangerous substances as prohibited by law.
- E. Any anabolic steroids.

DISTRICT REGULATIONS ON DRUG AND ALCOHOL ABUSE

Staff and Administrative Procedures

- Police may be notified of pupils in possession of items outlined above, and pupils may be charged with violations of criminal law; said items may be turned over to the police.

Medical Aspects

- New Jersey Statute 18A:40-4.1 (an act to provide for medical examination of school pupils) will be invoked for those pupils who may be under the influence of drugs or certain toxic chemical compounds. In addition, any student in possession of drugs or certain chemical compounds may be subject to the same type of medical examination as noted in New Jersey Statute 18A:40-4.1

Due Process Procedures and Sanctions

- In case of possible substance abuse or illegal possession, all applicable student due process rights will be observed. Any student who is suspected of possession or being under the influence of drugs or certain intoxicating chemical compounds can be subject to an interrogation and/or search by school officials, as well as a mandatory drug test. Disciplinary action for students who are determined to be under the influence or in possession of drugs or certain intoxicating chemical compounds will be decided according to district policy.

Any pupil or staff member caught selling, distributing, or in possession with intent to distribute drugs or certain intoxicating chemical compounds on school grounds or at a school function will be suspended from school. A recommendation for expulsion will be made to the Board of Education. The police will be contacted to investigate the incident.

REFERRALS TO COUNTY AGENCIES

Upon request, the Adult Education Office can provide referrals to various agencies throughout the county to assist students and staff members in a variety of areas.

DRUG AND ALCOHOL COUNSELING, TREATMENT, AND REHABILITATION

BCIT urges individuals with substance abuse problems to seek assistance and support. Students and staff members are encouraged to seek help through available national and community resources and hotlines including, but not limited to, the following examples:

- National Council on Alcoholism and Drug Dependence, Inc. (NCAD)
 - Telephone: 1-800-NCA-CALL (622-2255)
 - Website: <https://ncadd.org/>
- Substance Abuse and Mental Health Services Administration (SAMHSA)
 - Telephone: 1-800-662-HELP (4357)
 - Website: <http://www.samhsa.gov/>
 - Treatment Finder: <https://findtreatment.samhsa.gov/>
- National Institute on Alcohol Abuse and Alcoholism (NIAAA)
 - Telephone: 1-800-662-HELP (4357)
 - Website: <http://www.niaaa.nih.gov>
 - Treatment Finder: <http://www.niaaa.nih.gov/alcohol-health/support-treatment>
- National Institute on Drug Abuse (NIDA)
 - Telephone: 1-800-662-HELP (4357)
 - Website: <http://www.drugabuse.gov/>

Alcoholics Anonymous (AA)

- Telephone: see local telephone directories
 - Website: <http://www.aa.org/>
-
- Al-Anon
 - Telephone: 1-888-425-2666
 - National Cocaine Hotline
 - Telephone: 1-800- COCAINE (262-2463)

OUTSIDE DRUG/ALCOHOL COUNSELOR RESOURCE LIST

<p>Margaret A. Bittle, MS Ed., LPC, CADC 9 Bank Street Medford, NJ 08055 609-859-2738 609-654-6968 FAX</p>	<p>Marsha L. Mark, LCSW 2101 Rabbit Run Road Marlton, NJ 08053 856-985-7227</p>
<p>Marjorie A. Copeland, LCSW 733 Route 70 East Building 4, Suite 406 Marlton, NJ 08053 856-810-1015 856-810-1275 FAX</p>	<p>Michael V. Palmer, M.Ed.,LPC, NCC Healthmark Counseling, Inc 101 Route 130, Madison Building, Suite 321 Cinnaminson, NJ 08077 856-829-3385 856-829-8985 FAX</p>
<p>Catherine A. Crawford, MA, MS Alternatives in Counseling, Inc. 205 A Fourth Ave Haddon Heights, NJ 08035 215-295-0869 215-295-0332 FAX</p>	<p>Dr. Steven R. Silverstein, LPC, CAC, CADC Alternatives in Counseling, Inc. 205 A Fourth Avenue Haddon Heights, NJ 08035 570-905-4290 856-547-0247 FAX</p>
<p>Cindy Faust, MSW, LCSW Mt. Laurel Center for the Family Ramblewood Center Suite 12, 1155 Route 73 Mount Laurel, NJ 08054 856-722-9772 856-722-9721 FAX</p>	<p>Princeton Behavioral Health 351 New Albany Rd Moorestown, NJ 08057 Admissions: 888-437-1610 856-779-2300 856-608-6940 FAX</p>
<p>Cynthia C. Kelly, MA, LPC 12000 Lincoln Drive West Building 4, Suite 407 Marlton, NJ 08053 856-810-0264</p>	<p>Hampton Behavioral Health Center 650 Rancocas Rd Westampton, NJ 08060 Open 24 hours 800-603-6767</p>

District Policy

7435- ALCOHOLIC BEVERAGES ON SCHOOL PREMISES

Section: Property

Date Created: October, 2013

Date Edited: October, 2013

The knowing possession, without legal authority, or knowing consumption of any alcoholic beverage by any person on school premises is a disorderly persons offense.

The Board of Education prohibits the possession and consumption of an alcoholic beverage, without the express written permission of the Superintendent, by any person in any school building and on school property or at any school sponsored activity.

The Board will report to law enforcement officials and prosecute as appropriate any person who violates law and this policy, except that any student who possesses or uses or is under the influence of alcohol on school premises or at any school sponsored activity will be treated in accordance with law and Policy Nos. 3218, 4218, and 5530.

School district employees who violate this policy or are present on school premises or at any school sponsored activity while under the influence of alcohol will be subject to discipline, which may include dismissal or certification of tenure charges, as appropriate.

N.J.S.A. 2C:33-15 et seq.

N.J.S.A. 18A:40A-12

N.J.S.A. 24:21-2 et seq.

Adopted: 31 October 2013

District Policy

7436- DRUG FREE WORKPLACE (M)

Section: Property
Date Created: October, 2013
Date Edited: October, 2013

M

The Board of Education prohibits the unlawful manufacture, distribution, dispensing, possession or use of any controlled dangerous substance by any person in any school building, on school grounds, or during any activity or event sponsored by the Board.

Every employee of this district must, as a condition of employment, agree to be bound by this policy. An employee who violates the prohibitions or reporting requirements of this policy will be subject to discipline, which may include dismissal, or certification of tenure charges, as appropriate. An employee whose involvement with drugs results in a conviction for a crime of the third degree or above or for an offense touching his/her position will be deemed to have forfeited his/her public employment, pursuant to N.J.S.A. 2C:51-2.

An employee who is convicted of a drug related offense must report the conviction to the Superintendent within five days of its occurrence. The Superintendent will, within ten days of the date on which notice of the conviction is received, report any such conviction resulting from drug use in the workplace to any Federal agency from which the district has received funds through a grant.

The Board directs the Superintendent to establish and maintain a program to:

1. Alert employees as to the dangers of drug abuse in the workplace;
2. Inform employees of the prohibitions against drugs set forth in this policy;
3. Inform employees of available drug counseling, rehabilitation, and assistance programs;
and
4. Warn employees of the penalties that may be imposed for violations of prohibitions set forth in this policy.

The Board will report to law enforcement officials and prosecute as appropriate any employee or visitor who violates the prohibitions of this policy. A student or employee who violates this policy will be treated in accordance with law and Policy Nos. 3218, 4218, and 5530.

This policy will be distributed to each district employee, including all those engaged in the performance of services under a Federal grant, and will be prominently posted in the district.

41 U.S.C.A. Chapter 10
34 CFR 85.600 et seq.
N.J.S.A. 2C:33-15 et seq.
N.J.S.A. 24:21-2 et seq.

Adopted: 31 October 2013

District Policy

3218- SUBSTANCE ABUSE (M)

Section: Teaching Staff Members
Date Created: October, 2013
Date Edited: March, 2015

M

The Board of Education recognizes a teaching staff member who reports to work under the influence of drugs or alcohol poses a significant threat to their health, safety, and welfare and the health, safety, and welfare of others, including students and other staff members. The Board strongly advises any teaching staff member that has a dependency on a substance as defined in this Policy to seek appropriate treatment. The Board has an obligation and the right to maintain a safe and healthy work environment and adopts this Policy as an important component toward maintaining a safe environment in the school district. A teaching staff member is prohibited from possession, use, distribution, or being under the influence of any substance during work hours or at a school-sponsored function where the teaching staff member has been assigned job responsibilities.

For the purposes of this Policy, “substance” or “substances” means alcoholic beverages, any controlled dangerous substances, including anabolic steroids as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, 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. 2C:35-10.4, and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.

Any teaching staff member who reports to work or attends a school-sponsored function where the teaching staff member has assigned job responsibilities under the influence of or in possession of any substance will be subject to appropriate discipline, which may include termination of a non-tenured teaching staff member or the filing of tenure charges for a tenured teaching staff member in accordance with law.

A teaching staff member shall be required to submit to an immediate medical examination to include a substance test if the Principal or designee has reasonable suspicion to believe a teaching staff member is under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member has been assigned job responsibilities. Refusal of a teaching staff member to consent to the medical examination and substance test will be determined to be a positive result.

In the event a teaching staff member's medical examination and substance test results are negative for a substance, any documents or records pertaining to the requirement for the examination and test and results will not be maintained by the school district. Any required examination and testing shall be paid for by the Board. The teaching staff member will be afforded the opportunity to have any test results confirmed using acceptable test confirmation practices. This confirming test shall be paid for by the teaching staff member.

In accordance with the requirements of N.J.A.C. 6A:16-6.3(a), any teaching staff member who, in the course of their employment, has reason to believe a school staff member 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. Either the Principal or the staff member shall notify the Superintendent of Schools who shall notify, as soon as possible, the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information. The Superintendent or designee shall provide to the County Prosecutor or designee all known information concerning the matter, including the identity of the staff member involved.

In accordance with the provisions of N.J.A.C. 6A:16-6.3(a)3, the Superintendent or designee shall not disclose the identity of a teaching staff member who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or drug abuse problem, provided the teaching staff member is not reasonably believed to be involved or implicated in drug-distribution activities. An admission by a teaching staff member in response to questioning initiated by the Principal or designee or following the discovery by the Principal or designee of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall not constitute a voluntary, self-initiated request for counseling and treatment.

42 CFR Part 2

N.J.A.C. 6A:16-6.3; 6A:32-6.3

Adopted: 31 October 2013

Revised: March 26, 2015

District Policy

4218- SUBSTANCE ABUSE (M)

Section: Support Staff

Date Created: October, 2013

Date Edited: March, 2015

M

The Board of Education recognizes a support staff member who reports to work under the influence of drugs or alcohol poses a significant threat to their health, safety, and welfare and the health, safety, and welfare of others, including students and other staff members. The Board strongly advises any support staff member that has a dependency on a substance as defined in this Policy to seek appropriate treatment. The Board has an obligation and the right to maintain a safe and healthy work environment and adopts this Policy as an important component toward maintaining a safe environment in the school district. A support staff member is prohibited from possession, use, distribution, or being under the influence of any substance during work hours.

For the purposes of this Policy, “substance” or “substances” means alcoholic beverages, any controlled dangerous substances, including anabolic steroids as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, 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. 2C:35-10.4, and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.

Any support staff member who reports to work under the influence of or in possession of any substance will be subject to appropriate discipline, which may include termination or the filing of tenure charges for a tenured support staff member in accordance with law.

A support staff member shall be required to submit to an immediate medical examination to include a substance test if the support staff member’s supervisor has reasonable suspicion to believe a support staff member is under the influence of a substance during work hours. Refusal of a support staff member to consent to the medical examination and substance test will be determined to be a positive result.

In the event a support staff member’s medical examination and substance test results are negative for a substance, any documents or records pertaining to the requirement for the examination and test and results will not be maintained by the school district. Any required examination and testing shall be paid for by the Board. The support staff member will be afforded the opportunity to have any test results confirmed using acceptable test confirmation practices. This confirming test shall be paid for by the support staff member.

In accordance with the requirements of N.J.A.C. 6A:16-6.3(a), any support staff member who, in the course of their employment, has reason to believe a school staff member 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. Either the Principal or the staff member shall notify the Superintendent of Schools who shall notify, as soon as possible, the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information. The Superintendent or designee shall provide to the County Prosecutor or designee all known information concerning the matter, including the identity of the staff member involved.

In accordance with the provisions of N.J.A.C. 6A:16-6.3(a)3, the Superintendent or designee shall not disclose the identity of a support staff member who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or drug abuse problem, provided the support staff member is not reasonably believed to be involved or implicated in drug-distribution activities. An admission by a support staff member in response to questioning initiated by the Principal or designee or following the discovery by the Principal or designee of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall not constitute a voluntary, self-initiated request for counseling and treatment.

42 CFR Part 2

N.J.A.C. 6A:16-6.3; 6A:32-6.3

Adopted: 31 October 2013

Revised: March 26, 2015

District Policy

5530- SUBSTANCE ABUSE (M)

Section: Students

Date Created: October, 2013

Date Edited: September, 2016

M

The Board of Education recognizes that a student's abuse of harmful substances seriously impedes that student's education and threatens the welfare of the entire school community. The Board is committed to the prevention of substance abuse and the rehabilitation of substance abusers by educational means, but will take the necessary and appropriate steps to protect the school community from harm and from exposure to harmful substances. Accordingly, the Board will establish and maintain a comprehensive substance abuse intervention, prevention, and treatment referral program in the schools of this district.

Definitions N.J.S.A. 18A:40A-9
 N.J.A.C. 6A:16-1.3; 6A:16-4.1

For the purposes of this policy:

“Substance” means alcoholic beverages, controlled dangerous substances, including anabolic steroids, as defined at N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, 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 at N.J.S.A. 2C:35-10.4 and over-the-counter and prescription medications which are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.

“Substance abuse” means the consumption or use of any substance for purposes other than for the treatment of sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings.

“Evaluation” means 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 of learning, behavior, or health difficulties of the student or the student's family.

“Intervention” means those programs, services, and actions taken to identify and offer help to a student at risk for learning, behavior, or health difficulties.

“Referral for treatment” means those programs and services offered to a student or his or her family to help implement the recommendations of an evaluation or in response to the family's request for assistance with a learning, behavior, or health difficulty.

“School grounds” means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the school district or community provider and structures that support these buildings, such as school district wastewater treatment facilities, generating facilities, and other central services facilities including, but not limited to, kitchens and maintenance shops. School grounds also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and recreational places owned by local municipalities, private entities or other individuals during those times when the school district has exclusive use of a portion of such land.

Discipline N.J.S.A. 18A:40A-10; 18A:40A-11
 N.J.A.C. 6A:16-4.1(c)2.; 6A:16-6.3(a)

The Board prohibits the use, possession, and/or distribution of alcohol or other drugs on school grounds, including on school buses or at school-sponsored functions according to N.J.S.A. 18A:40A-9, 10, and 11.

A student who uses, possesses, or distributes a substance, on or off school premises, will be subject to discipline. Discipline will be graded to the severity of the offenses, the nature of the problems and the student’s needs. Discipline may include suspension or expulsion. The Board may establish consequences for a student not following through on the recommendations of an evaluation for alcohol or other drug abuse and related behaviors. The Superintendent and/or designee will notify the appropriate law enforcement agency pursuant to N.J.A.C. 6A:16-6.3(a).

Instruction N.J.S.A. 18A:40A-1 et seq.
 N.J.A.C. 6A:16-3.1

The Board shall provide a comprehensive program of prevention, intervention, referral for evaluation, referral for treatment, and continuity of care for student alcohol, tobacco, and other drug abuse.

Identification, Evaluation, and Intervention

N.J.S.A. 18A:40A-11 through 18A:40A-17
N.J.A.C. 6A:16-3.1; 6A:16-4.1; 6A:16-4.2; 6A:16-4.3

Any educational staff member or other professional to whom it appears that a student may be under the influence of alcohol or other drugs on school grounds, including on a school bus or at a school-sponsored function shall report the matter in accordance with N.J.A.C. 6A:16-4.3(a)1.

An immediate medical examination shall be conducted within 2 hours from time of parent contact where the student should go directly from the school district to Work Net or family physician. and a written medical clearance report from the the medical evaluation shall be furnished to the parent(s) or legal guardian(s) of the student, the Building Principal or designee and the Superintendent in accordance with N.J.A.C. 6A:16-4.3(a)2 - 4.3(a)8.

If the written report of the drug screen examination is not provided within twenty-four hours of the referral of the student, the student shall be allowed to return to school until such time as a positive determination of alcohol or other drug use is received from the physician.

If the written report of the medical evaluation verifies that alcohol or other drugs do not interfere with the student's physical or mental ability to perform in school, the student shall be immediately returned to school. If there is a positive determination from the medical examination indicating the student's alcohol or other drug use interferes with his or her physical or mental ability to perform in school, the student shall be returned to the care of the parent(s) or legal guardian(s) as soon as possible and attendance at school shall not resume until a written report verifies the student's alcohol or other drug use no longer interferes with his or her physical and mental ability to perform in school.

Removal of a student with a disability shall be in accordance with N.J.A.C. 6A:14.

While a student is at home because of the medical evaluation or after the student returns to school, an appropriately certified school staff member(s) will conduct an alcohol and other drug assessment of the student and a reasonable investigation of the situation and may initiate referral alcohol or other drug abuse treatment in accordance with N.J.A.C. 6A:16-4.3(a)12, 4.3(a)13, and 4.3(a)14.

Whenever any teaching staff member, certified or non-certified school nurse, or other educational personnel shall have reason to believe a student has used or may be using anabolic steroids, that person shall report the matter in accordance with N.J.A.C. 6A:16-4.3(b)1.

The Building Principal or designee upon receiving such report shall immediately notify the parent(s) or legal guardian(s) and Superintendent and shall arrange for an examination of the student as soon as possible to determine whether the student has been using anabolic steroids in accordance with N.J.A.C. 6A:16-4.3(b)2.

The Superintendent will disclose to law enforcement authorities the identity of the student pursuant to the requirements of N.J.A.C. 6A:16-4.3(b)3.

A written report of the examination shall be provided by the examining physician to the parent(s) or legal guardian(s), Building Principal, and Superintendent.

If it is determined the student has used anabolic steroids, an appropriately certified school staff member(s) shall interview the student and others to determine the extent of the student's involvement with and use of anabolic steroids and the possible need for referral for treatment in accordance with N.J.A.C. 6A:16-4.3(b)5.

If the results of a referral for evaluation have positively determined the student's involvement with and use of anabolic steroids represents a danger to the student's health and well-being, an appropriately certified school staff member(s) shall initiate a referral for treatment to agencies and/or private practitioners as outlined in N.J.A.C. 6A:16-4.3(b)6.

In-Service Training N.J.S.A. 18A:40A-15(b)

The Board directs the Superintendent to develop a program of in-service training for all teaching staff members involved in the instruction of students. The Board will provide time for the conduct of the program during the usual school schedule. In-service training shall prepare teachers to instruct students on substance abuse and inform teachers about the nature of substances, the symptomatic behavior associated with substance abuse, the availability of rehabilitation and treatment programs, the legal aspects of substance abuse, and Board policy and regulations on substance abuse.

Outreach to Parents N.J.S.A. 18A:40A-16; 18A:40A-17
N.J.A.C. 6A:16-4.1(c)7.

The Board will provide an outreach program to parent(s) or legal guardian(s) of students that includes information on the district's substance abuse curriculum, the identification of substance abusers, and rehabilitation organizations and agencies. The Superintendent is directed to develop the program in consultation with local agencies recommended by the Commissioner and to offer the program at times and in places convenient to parent(s) or legal guardian(s) on school premises or in other suitable facilities.

Records §408 of the Drug Abuse Prevention, Treatment, and
Rehabilitation Act, 42 U.S.C., and Implementing
Regulations, 42 CFR Part 2, N.J.S.A. 18A:40A-7.1

Notations concerning a student's involvement with substances may be entered on his/her records, subject to Policy No. 8330 regarding confidentiality and limited access. All such notations shall be expunged when they are no longer required for the counseling or discipline of the student or when the student leaves school. Information regarding a student's involvement in a school intervention or treatment program shall be kept strictly confidential in accordance with §408 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act, 42 U.S.C. 290 ee-3, and implementing regulations, 42 CFR Part 2.

If an elementary or secondary student involved in a school-based drug or alcohol counseling program provides information during the course of a counseling session in that program which indicates that the student's parent(s) or legal guardian(s) or other person residing in the student's household is dependent upon or illegally using a substance as that term is defined in N.J.S.A. 18A:40A-9, that information shall be kept confidential and may be disclosed only with 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; pursuant to a court order; 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 to the Division of Youth and Family Services or to a law enforcement agency, if the information would cause a person to reasonably suspect that the elementary or secondary student or another child may be an abused or neglected child.

Nonpublic School Students N.J.S.A. 18A:40A-5; 18A:40A-17c

The Board will lend to students attending nonpublic schools located in this district and to the parent(s) or legal guardian(s) of such students educational materials on substance abuse prepared and supplied by the Commissioner. The loan of such materials shall be at no cost to the district.

Civil Immunity N.J.S.A. 18A:40A-13, 18A:40A-14;
N.J.A.C. 6A:16-4.3(c)

No civil action of any kind shall lie against any employee, officer or agent of the Board because of actions taken under the education statutes on substance abuse, N.J.S.A. 18A:40A-1 et seq., provided the skill and care given is that ordinarily required and exercised by other such employees, officers and agents of the Board.

Any educational or non-educational school staff member who in good faith reports a student to the Building Principal or designee in compliance with N.J.A.C. 6A:16-4.3 shall not be liable in civil damages as a result of making such a report, as specified in N.J.S.A. 18A:40A-13 and 14.

Reporting Students to Law Enforcement Authorities
N.J.A.C. 6A:16-6.3(a)

The Superintendent, or designee, shall report students to law enforcement authorities if the staff member has reason to believe a student is unlawfully possessing or in any way involved in the distribution of controlled dangerous substances, anabolic steroids, or drug paraphernalia, pursuant to N.J.A.C. 6A:16-6.3(a). The Superintendent will not report students who have voluntarily sought treatment or counseling for a substance abuse problem provided the student is not involved or implicated in a current drug distribution activity.

The Superintendent or designee may, but need not 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 evaluation, 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, provided the student is not reasonably believed to be in possession of a controlled dangerous substance or drug paraphernalia, and is not reasonably believed to be involved or implicated in drug distribution activities.

Policy Review and Accessibility
N.J.S.A. 18A:40A-10; 18A:40A-11
N.J.A.C. 6A:16-4.2(a) & (b)

The Board will annually review the effectiveness of Policy and Regulation 5530 on student alcohol and drug abuse. The Board shall solicit parent(s) or legal guardian(s), student and community input, as well as consult in the review process with local alcohol or other drug abuse prevention, intervention and treatment agencies licensed by the New Jersey Department of Human Services.

This policy and regulation shall be made available annually, at the beginning of the school year, to all school employees, students, and parent(s) or legal guardian(s). Each newly hired employee and transferred student will be offered this policy and implementing regulations on his/her arrival in the district.

N.J.S.A. 18A:40A-1 et seq.; 18A:40A-7.1 et seq.
N.J.A.C. 6A:16-4.1 et seq.

Adopted: 31 October 2013
Revised: September 29, 2016