

CHERRY HILL PUBLIC SCHOOLS
Cherry Hill, New Jersey

D-8

ADMINISTRATIVE PROCEDURE
SUBSTANCE ABUSE

In accordance with Board policy, the following procedures are established for pupils who are suspected or found to be under the influence/in possession of drugs, alcohol and/or steroids.

For purposes of these procedures, “substance” shall mean alcoholic beverages, controlled dangerous substances as defined in N.J.S.A. 24:21-2, anabolic steroids 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.

For the purposes of these procedures, “Substance abuse” shall mean the consumption or use of any substance as defined herein for purposes other than for the treatment of sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings.

For the purpose of these procedures, “constructive possession” shall mean the following: A student may be considered to be in constructive possession of a prohibited substance when, in analyzing the facts of a specific situation, one could reasonably infer that the student knowingly had access to and the ability to exercise control over the substance or is suspected of possession and possession with intent to sell or distribute substances. This includes, but is not limited to placing or arranging to have the substance placed in a locker.

A. INSTRUCTION

1. Teachers shall be guided by the drug, alcohol and steroid program approved by the Board of Education as a part of the health education curriculum in accordance with State regulations and Department of Education guidelines.
2. The District will provide in-service training to assist teaching staff members in identifying the pupil who uses drugs, alcohol and/or steroids, and in helping pupils with drug, alcohol and steroid-related problems in a program of rehabilitation.
3. Teachers and administrators will be requested to evaluate annually the effectiveness of the drug, alcohol and steroid education programs.
4. Education programs on the danger of anabolic steroids will be conducted appropriately according to the age, maturity, and grade level of students and in accordance with the Department of Education Chemical Health Guidelines pursuant to *N.J.S.A. 18a:40A-1*. Coaches will also educate their athletes before each athletic season on the dangers associated with the illegal use of anabolic steroids.

B. REPORTING, NOTIFICATION, AND EXAMINATION PROCEDURES FOR PUPILS SUSPECTED OF BEING UNDER THE INFLUENCE/ IS IN POSSESSION OF DRUGS, ALCOHOL OR STEROIDS

1. Teaching staff members and other educational personnel will be alert to the signs of a pupil's potential involvement with drugs, alcohol, or steroids, and shall respond to such signs in accordance with these procedures.
2. Whenever it shall appear to any teaching staff member, school nurse or other education personnel that a pupil may be under the influence of substances/ in possession of an illegal substance as defined above, that staff member shall report the matter as soon as possible to the school nurse (or the District medical inspector or a substance awareness coordinator), and to the Principal or, in his or her absence, the Principal's designee, meaning the person serving in the capacity as the administrator. In instances where the school nurse and the Principal are not in attendance, the staff member responsible for the school function shall be notified immediately. The staff member in charge will make every effort to contact a building administrator and take appropriate action. This referral requirement includes all suspected or known cases of possession and possession with intent to sell or distribute substances. In possession cases the matter should also be reported to the School Resource Officer/ Director of Security.
3. The staff member reporting suspected substance abuse shall complete a SUBSTANCE ABUSE REPORT FORM (SA1) to report all suspected "under the influence" cases to the school nurse and the building Principal or designee. The Principal or designee will summon the student according to normal school procedure. The reason for the summons will be confined to staff designated herein. The school nurse and building Principal or designee will determine if there is an immediate medical emergency requiring admittance to the hospital emergency unit. At that time the Administrator will conduct a Reasonable Suspicion Search of the student's locker, person and personal items.
4. The Principal is required to arrange for an immediate examination of the pupil who may be under the influence of a substance/or in possession of an illegal substance:
 - a. The Principal or designee shall immediately notify the Superintendent of Schools and the pupil's parents or guardians. Every effort shall be made to contact the student's parents or guardians (or at least one of them) using the home, work or emergency telephone number listed in the student's master control form. The Principal shall inform the parents/guardians that:
 - 1) They are required to respond to the school within one hour of notification;
 - 2) That the drug assessment must occur within two hours from the time they were contacted; in cases of possession, if the township police are involved, the drug assessment will take place after the student's custody is released back to the parents/guardian; and

- 3) They are responsible for transporting the student, at their expense, from the school to a physician or hospital of the parents/guardians' choice, or a physician/hospital designated as the provider of all assessment service for the Board of Education.
- b. If the parents/guardians refuse to cooperate, the Principal shall inform them that the District will notify the Division of Youth and Family Services regarding possible child neglect charges.
 - c. Upon meeting with the parents/guardians, the administrator in charge or his/her designee will explain these procedures and request that the parents/guardians sign Form SA2 RESPONSIBILITIES OF PARENTS WHEN A SON/DAUGHTER IS SUSPECTED OF BEING UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS and SA8 and SA9- Release of Information forms to return to school.
 - d. If a parent/guardian cannot be contacted at any of the telephone numbers, the Principal or designee shall contact the Director of Security, or if he or she is unavailable a School Resource Officer (SRO), and request transportation service, for the administrator/designee and the student, from the school to the drug assessment center for purpose of conducting the examination.
 - e. The student may be examined and tested by a physician of the parent's choice, at the parent's expense, or by the physician/hospital designated as the provider of all assessment services for the Cherry Hill Board of Education. If the student's physician is not immediately available, the examination will be at the Board's expense. The medical examination is to include a urine drug screening. A clinical assessment shall be conducted to determine whether the student ingested drugs and/or alcohol, and the possible need for further intervention. Provisions shall be made for the appropriate care of the pupil during the process of the medical evaluation. The school personnel making the arrangements for the examination will utilize FORM SA3 STUDENT SUBSTANCE ABUSE ASSESSMENT REFERRAL, as required by Kennedy Access Center. In instances when the parents/guardians elect to use a physician of their choosing, FORM SA3A PRIVATE PHYSICIAN WILL BE UTILIZED.
 - f. The screening analysis shall be performed by a laboratory certified by the National Institute on Drug Abuse or other appropriate and recognized certifying agency or authority. The routine screening threshold levels shall comply with the following minimum levels:

Amphetamines:	1000 ng/ml
Barbiturates:	200 ng/ml
Benzodiazepenes:	200 ng/ml
THC:	50 ng/ml
Cocaine/Crack:	300 ng/ml
Opiates (narcotics):	2000 ng/ml
PCP:	25 ng/ml
Alcohol:	50 mg/dl

- g. If a student tests positive for substance abuse and a parent/guardian is not available at the drug assessment center to transport the student home, the administrator/designee shall contact the transportation department for the purpose of arranging transportation for the student back to school. The student shall remain in the custody of a staff member until such time as a parent/guardian, or person identified as the Emergency Contact, responds to the school to take custody of the student.
4. The Principal is required to submit a Violence, Vandalism, and Substance Abuse report to the Director of Security, who then is responsible to report the violation to the Superintendent.
5. The Principal is required to report to the Director of Security/ School Resource Officer/ law enforcement authorities all pupils suspected of known cases of possession, and possession with intent to sell or distribute substances, as stated in Board of Education Policy 5131.6.
6. A written report of the medical examination shall be furnished to the parents/guardians and the Administrator/ Superintendent of Schools within 24 hours by the examining physician. The FORM SA4 DRUG SCREENING REPORT will be furnished for the physician's use in preparing the report. The findings of the report shall verify whether the student is positive or negative for under the influence of a substance and has had an immediate medical examination.
7. When the medical examination is performed by a physician other than the school physician or at the emergency room of the nearest hospital, the parent must verify, within 24 hours of notification from the District that the student is suspected of alcohol or other drug use/possession, that a medical examination was performed in compliance with this Procedure. The verification shall include, at minimum, the signature, printed name, address and phone number of the examining physician, the date and time of the medical examination and the date by which the report will be provided.
8. If the written report of the medical examination is not submitted to the School District within 24 hours, the pupil shall be allowed to return to school until such time as a positive diagnosis is received. The student may be assigned to an individual learning program for this time period.
9. If there is a positive diagnosis from the medical examination indicating that the pupil was under the influence of a substance, the student shall be returned to the care of a parent or guardian. Attendance at school shall not resume until a written report has been submitted from the parent/guardian of the pupil, to the from a physician/pupil's personal physician (at the family's expense) who has examined the pupil to diagnose alcohol or other drug use. The report shall certify that substance abuse no longer interferes with the pupil's physical and mental ability to perform in school

10. The Principal and SAC are required to refer the student and parents/guardians to the list of programs, approved by the Board, This referral requirement includes all suspected or known cases of possession and possession with intent to sell or distribute substances. The student must attend a minimum ten-week Board-approved program/and or be discharged at level of treatment recommended by program or private therapist.
11. If there is a positive diagnosis while the pupil is under the care of a parent or guardian, the Student Assistance Counselor (“SAC”) will make contact with the parent/guardian regarding transition back into school to provide assessment and referral. In order to make this determination the SAC, school nurse or other appropriately certificated staff member may also consult with such experts in the field of alcohol or other drug abuse as may be necessary and appropriate. If it is determined that the pupil’s involvement with and use of these substances represents a danger to the pupil’s health and well-being, the SAC, school nurse, or other appropriately certificated staff member shall refer the pupil to an appropriate treatment program which has been approved by the State Department of Health or the Local Advisory Council on Alcoholism and Drug abuse and/ or the Board of Education.
12. If there is a positive diagnosis loss of parking privilege, if applicable, for remainder of the year.
13. In the case of a negative diagnosis, the SAC, nurse, or other appropriately certificated staff member, will discuss the results of the complete assessment with the student and parent/guardian as well as the behaviors, which initiated the referral. The above-mentioned professional(s) will then determine the need for additional counseling, intervention or referral. Anyone who was directly involved with the identification of the student shall be informed of these findings by the Principal or his /her designee, provided written consent to release the information is obtained from the parent or adult pupil (in accordance with Federal Regulations 42 CFR).
14. When appropriate, the Child Study Team will be involved in the above process. While the student is at home because of disciplinary and/or medical reasons, the child study team will intervene to determine the student's eligibility for home instruction, develop an IEP when required, and provide additional assessment if needed. The child study team will assess the student's eligibility and need for special education and/or related services.
15. Refusal or failure by a parent/guardian to comply with the provisions of *N.J.S.A. 18A:40A-12* shall be deemed a violation of the Compulsory Education Act (*N.J.S.A. 18A:38-31*) and/or child neglect (*N.J.S.A 9:6-1 et seq.*) laws. The sanctions of Board Policy and this Procedure will be applied regardless of parental or student compliance.
16. Nothing in this procedure shall be construed to limit the authority of the Principal under the Board of Education Policy 5114: Suspension and Expulsion.

17. Parents and pupils shall be informed of and consent in writing to this requirement to immediately arrange for and complete a medical examination by a physician selected by the parent (at their expense). Student's admission of substance abuse is cause to be violation of the Policy 5131.6 despite any negative result from urine drug testing performed under Policy 5131.6 and constitute reasonable suspicion to warrant the medical examination as prescribed above. Such admission does not preclude the necessity for an assessment.

- 18/ In cases in which a student has admitted or acknowledged use of alcohol and /or other controlled substances and extraordinary circumstances preclude the performance of a medical examination/assessment, disciplinary action pursuant to this procedure may nonetheless be administered upon considering the totality of the circumstances. If the screening results are positive, the student will be subject to the same disciplinary and intervention/follow-up procedures as specified in this procedure.

C. PROCEDURE IN INSTANCES INVOLVING ANABOLIC STEROIDS:

1. Whenever any teaching staff member, school nurse or other educational personnel of any public school shall have reason to believe that a pupil has used or may be using anabolic steroids, that teaching staff member, school nurse or other educational personnel shall report the matter as soon as possible to the school nurse or medical inspector, as the case may be, or to a Student Assistance Counselor ("SAC"), and to the Principal or, in his or her absence, to his or her designee. Unless otherwise provided in this section, all provisions of this Administrative Procedure D-8 shall apply to cases involving anabolic steroids.

2. The Principal or his or her designee, shall immediately notify the parent or guardian and the Superintendent of Schools and shall arrange for an examination, within one hour, of the pupil by a doctor selected by the parent or guardian or by a physician at the Kennedy Access Center. (Parental Notification of Responsibilities Form: SA2A.) The pupil shall be examined as soon as possible for the purpose of diagnosing whether or not the pupil has been using anabolic steroids. (On Form SA3, Kennedy Access Center, the administrator will write under the Additional Lab Tests section, "Anabolic Steroids.")

3. A written report of that examination shall be furnished by the examining physician, to the parent or guardian of the pupil and to the Superintendent of Schools.

4. If it is determined that the pupil has been using anabolic steroids, the pupil shall be interviewed by a SAC or another appropriately trained teaching staff member for the purpose of determining the extent of the pupil's involvement with these substances and possible need for treatment. In order to make this determination, the SAC or other teaching staff member may conduct a reasonable investigation, which may include interviews with the pupil's teachers and parents. The SAC or other teaching staff member may also consult with such experts in the field of substance abuse as may be necessary and appropriate.

5. If it is determined that the pupil's involvement with and use of these substances represents a danger to the pupil's health and well-being, the SAC or other teaching staff member shall refer the pupil to an appropriate treatment program which has been approved by the Commissioner of Health.
6. Students taking non-medically prescribed anabolic steroids will be excluded from participation in all athletic and co-curricular activities until medical tests are negative and student has secured medical clearance.
7. Pursuant to Executive Order No. 72, signed by Acting-Governor Codey on December 20, 2005, the Department of Education in conjunction with the New Jersey Interscholastic Athletic Association (NJSIAA) were mandated to develop and implement a program of random testing for steroids of teams and individuals qualifying for championship games. The testing program became effective commencing the 2006-2007 school year. Any student testing positive for use of steroids or banned substances or for violating NJSIAA Testing Policy, will be penalized in accordance with NJSIAA policy including ineligible for one year and undergo steroids education. Also, any student testing positive or otherwise violating NJSIAA Steroid Policy will also be subject to sanctions and procedures in accordance with the Cherry Hill Board of Education Substance Abuse Policy No. 5131.6 and procedure D-8.

D. RE-ADMITTANCE PROCEDURES

1. While the student is at home because of the medical examination or after the student returns to school, a SAC or individuals who hold school nurse, school psychologist, school social worker, or student personnel services endorsements on the Educational Services Certificate and are trained to assess alcohol and other drug abuse shall:
 - a. Conduct an alcohol and other drug assessment of the student and 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; and
 - b. Cooperate with community agencies as defined in 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.
2. Before a pupil is readmitted to school following suspension for an incident involving substances, parents or guardians and the pupil shall have a re-admittance conference with the building Principal and the Student Assistance Counselor or appropriately certified staff, as indicated above, employed by the Board of Education. The latter shall inform the school's Core Team (where present) in order to establish an appropriate support/monitoring system for the returning student. (The Student Assistance Program Core Team is a school-based committee whose members assist the SAC with identification, data collection, intervention, referral and support.)

3. Before a pupil is permitted to return to school, the pupil and his/her parents or guardians must agree to participate in a prevention/intervention drug-counseling program shall be used for this counseling. The parents can elect to attend, at their own expense, an alternate early intervention program from a list of programs approved by the Board of Education.
 - a. The pupil and parents/guardians shall be informed that the Board of Education policy requires the pupil and parents/guardians to participate in the program.
 - b. The pupil and parents/guardians shall schedule an appointment with the Early Intervention Program before returning to school. Confirmation of the appointment is a condition for returning to school.
 - c. If confirmation is not received within a reasonable amount of time (to be determined by the Principal) the pupil shall be placed in an Alternative Education Program until confirmation is received. If the pupil or parents/guardians continue to refuse to participate, the pupil shall remain in an Alternative Education Program until such time as compliance with the participation requirement is demonstrated.
 - d. The Early Intervention Program interview shall help to determine the nature of the recommended additional counseling or intervention.
 - 1.) Verification shall be made on a regular basis to insure early intervention program sessions are being attended. The pupil shall return to school after the completion of the assigned suspension. If the program attendance is not being maintained, the pupil shall be placed in an Alternative Education Program and the case shall be referred to the Division of Youth and Family Services or, if appropriate, to the juvenile justice system.
 - 2.) If the recommendation of the Early Intervention Program is for treatment beyond that program's capability, then the parents/guardians shall agree with the recommended treatment and take immediate action to arrange for the treatment. Until this is done, the pupil shall be placed in an Alternative Education Program. If the parents/guardians refuse to agree with the recommendation of the Early Intervention Program, the case shall be referred to the Division of Youth and Family Services.
 - 3.) The parents/guardians can elect to receive a second opinion, at their own expense, if they disagree with the recommendation of the Early Intervention Program. The District SAC, in consultation with the Director- Special Education/Student Services, the School Physician, or the School Principal, as appropriate, must approve the program providing the alternate evaluation. The pupil shall not return to regular school until this appointment is made.

4. Before a pupil in Grades Kindergarten through 5 is permitted to return to school, the pupil and his/her parents or guardians must agree to family counseling through a program on the Board-approved list or, at the parents' own expense, through such other alternative program as the parents may choose, subject to approval by the District SAC or other appropriately certified District personnel. Confirmation of a scheduled appointment must be provided to the Guidance Counselor or Principal as soon as possible before or after the student's return to school, and proof of attendance at such counseling program must be submitted to the Guidance Counselor or Principal as a condition of the pupil's continued attendance at school.
5. For students at all grade levels, the Student Assistance Counselor or appropriately certified staff member shall continue to advise the pupil and parents/guardians of all services available to meet their needs. The student assistance counselor shall provide follow-up counseling and support services for any student returning from treatment.
6. If required, the Child Study Team shall examine and recommend procedures designed to provide rehabilitation for the pupil. The Student Assistance Counselor, with the aid of the Core Team, the Child Study Team (if available) and out-of-District agencies including appropriate medical personnel, shall be responsible for the observation and support of the pupil following his/her return to school. The Student Assistance Counselor and/or a member of the Core Team shall be responsible for coordination of follow-up services.
7. If due to physical (physician's note required) or legal reasons it becomes necessary to prohibit a pupil from attending school, it shall be the responsibility of the building Principal, with the assistance of the Director of Special Education/Student Personnel Services, to place the pupil in an individualized program which may include home instruction pending the disposition of the case, or to find an alternative educational placement through the assistance of the Child Study Team. The Board of Education shall retain a legal obligation to educate the pupil.
8. If the disposition of a case places a pupil on probation, it shall be the responsibility of the Student Assistance Counselor or appropriately certified staff member and building Principal to supervise the pupil's progress in school and to work in close cooperation with parents and local law enforcement officials, including outside agencies, in an effort to fully rehabilitate the pupil.

E. Passive Alcohol Sensors (PAS)

1. PAS screening may occur before, during, and after any co-curricular or extra-curricular school sponsored activity/event including but not limited to: dances, proms, class trips, overnight trips, senior class trip, or when the building principal or designee has reason to believe the use of alcohol by pupils may be present.
2. If the PAS screening indicates the presence of alcohol in a pupil, a second screening will be conducted. If the second screening indicates the presence of alcohol on a pupil, the matter shall be reported to the building principal or designee who, in turn, will ensure that the reporting, urine testing and medical examination requirements set forth in Policy 5131.6 *Substance Abuse* shall be implemented.
3. When the co-curricular or extra-curricular activity is held in a remote location off school grounds, such as a prom or class trip, or in other situations where transportation to the emergency room of the nearest hospital for an immediate medical evaluation (to determine if the pupil is under the influence) is impractical, the medical evaluation required by Policy 5131.6 shall be conducted by a physician selected by the parent or guardian (at their expense).
4. If the parent/guardian refuses to arrange for and complete an immediate medical examination by a physician, a finding of a positive test for substance abuse under Section 15 shall result. "Immediate" for purposes of this procedure shall be defined as within two (2) hours of verbal notification to the parent/guardian that the PAS reading has indicated the presence of alcohol.
5. Parents and pupils shall be informed of and consent in writing to this requirement to immediately arrange for and complete a medical examination by a physician selected by the parent (at their expense). Student's admission of substance abuse is cause to be violation of the Policy 5131.6 despite any negative result from urine drug testing performed under Policy 5131.6 and constitute reasonable suspicion to warrant the medical examination as prescribed above. Such admission does not preclude the necessity for an assessment.
6. In cases in which a student has admitted or acknowledged use of alcohol and /or other controlled substances and extraordinary circumstances preclude the performance of a medical examination/assessment, disciplinary action pursuant to this procedure may nonetheless be administered upon considering the totality of the circumstances. If the screening results are positive, the student will be subject to the same disciplinary and intervention/follow-up procedures as specified in this procedure.
7. Any student who refuses to be screened with the PAS will be denied admittance/participation in the activity/event and the student's parent/guardian will be contacted to transport the student to the medical evaluation/assessment. If a student refuses such screening or tampers with or disrupts the PAS screening, the matter shall be handled as if the student tested positive for substance abuse.

F. PENALTIES

The following penalties shall be in effect on an annual basis for the use of any alcohol or other drug of abuse for pupils in **Grades K through 12:**

Under the Influence:

First Offense:	4 days Out of School Suspension – 2 Administrative Discretion (i.e.: Saturday School, In School Support Program (ISSP), detention, etc.)- Student Assistance Counselor for Assessment/Referral and Counseling
Second Offense:	5 days Out of School Suspension – , 3 Administrative Discretion (i.e.: Saturday School, ISSP, detention, etc.)- Assistance Counselor for Assessment/Referral and Counseling
Third and Subsequent Offense:	5 days Out of School Suspension- 5 Administrative Discretion (i.e.: Saturday School, ISSP, detention, etc.) plus Board of Education referral for a Hearing- Student Assistance Counselor for Assessment/Referral and Counseling.

Possession:

First Offense:	4 days Out of School Suspension- 6 Administrative Discretion (i.e.: Saturday School, ISSP, detention, etc.) the option (based on quantity and the recommendations from CST, SAC, Principal) to refer the matter to the Board of Education for Long Term Suspension, Student Assistance Counselor for Assessment/Referral and Counseling
Second and subsequent Offense:	10 Days Out of School Suspension plus referral to the Board of Education for Long Term Suspension Hearing, Student Assistance Assessment/Referral and Counseling, Campus Police and Director of Security.

Possession with Intent to Distribute or Sell:

First Offense and subsequent Offense:	10 Days Out of School Suspension plus referral to the Board of Education for Long Term Suspension Hearing, Student Assistance Assessment/Referral and Counseling, Campus Police and Director of Security.
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G. RECORDKEEPING REGARDING SELF-DISCLOSURE VS. DISCOVERY OF STUDENT SUBSTANCE ABUSE CONCERNS

1. In all cases involving drugs, alcohol, or steroids, voluntary student disclosures will be kept confidential in accordance with the requirements of 42 C.F.R. (Code of Federal Regulations), and exchange of information will be kept between student, SAC, and core team. Records will be confidential and kept separate and apart from general student files. These files will be kept locked. Feedback to referral sources will be limited to status of student progress only.

2. Disciplinary referrals, or cases which involve discovery of student chemical use by students, teachers, administrators, and other staff persons, will be recorded in student disciplinary files. Only the content of student disclosures made thereafter to a SAC or core team member will be kept as a part of the confidential substance awareness treatment program records. It must be noted that even under the strictest of confidentiality laws, a counselor is required to report a student whom he or she believes to:
 - a. Be suicidal;
 - b. Present an imminent threat of danger (assault, murder, rape, armed robbery intent, etc.);
 - c. Have been abused;
 - d. Be under the influence of drugs;
 - e. Be in need of emergency medical treatment.

Cross-reference:

Board of Education Policies:	5131.6	Substance Abuse
	5131.62	No Smoking
	5131	Conduct and Discipline

Board of Education Procedures: D-8: Substance Abuse

T-14: Tobacco

S-12: Suicide Ideation/ Homicidal Threat/Sudden Traumatic Loss

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