

POLICY

BOARD OF EDUCATION MOUNT OLIVE TOWNSHIP

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Alcohol, Tobacco and Other Drugs

Introduction

A primary objective of a school system is to assure a safe and healthy environment for learning, free from alcohol, tobacco and other drugs. Therefore, it is the expectation of the Mt. Olive Township Board of Education (the Board) that all students on school grounds, including on a school bus or at a school-sponsored function, are not under the influence of alcohol, tobacco or other drugs, unless medically prescribed. It is further the policy of this Board to identify and assist students whose use of alcohol or other drugs has affected their school performance and to prevent students use of such substances to the maximum extent practical including use on school grounds, school property, on school vehicles, or at school functions.

I. PURPOSE and DEFINITIONS

A. This policy seeks to addresses prevention, intervention, referral for evaluation, referral for treatment, continuity of care and discipline of students who are using, or are suspected of using alcohol, tobacco, and other drugs.

B. DEFINITION OF TERMS

The following terms, when used throughout this policy, shall be intended to be interpreted as follows:

1. Substances

To include but is not limited to:

- a.** Alcoholic beverage,
- b.** Anabolic steroids, including any product containing performance-enhancing chemicals,
- c.** Tobacco or tobacco products,
- d.** Any controlled dangerous substances, including any substance the distribution of which is specifically prohibited by law or, any controlled dangerous substance analog where any drug or substance which, when ingested, is metabolized or otherwise becomes a controlled dangerous substance in the human body or produces an effect substantially similar to a controlled dangerous substance in the human body.
- e.** Any over-the-counter and prescription medications which are improperly used to cause intoxication, inebriation, excitement, stupefaction or dulling of the brain or nervous system.
 - i.** Medication prescription drug or over-the-counter medication is exempt from this definition provided that such medications are administered only in accordance with Board Policy **5330**.



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2. Alcohol or Other Drug Assessment

Alcohol or Other Drug Assessment refers to those procedures utilized by the Student Assistance Counselor (SAC) to make a preliminary assessment of a student's need for educational programs, supportive services or referral for outside services, which extend beyond the Student Assistance Program by virtue of the learning, behavioral or health difficulties of the student or the student's family.

- i. Procedures for implementation of the Alcohol and Other Drug Assessment will be developed by the SAC of each building and submitted to the Board on an annual basis for review.

3. Intervention

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

4. Referral for Evaluation

Referral for Evaluation shall mean those programs and services offered to a student or his or her family after receipt of a written report of the Medical Examination indicating positive alcohol or drug use, or after a student admits such alcohol or drug use, which admission is not a Voluntary Student Request for Assistance, which are outside of the Student Assistance Program. Such programs may include in or out-of-state programs, licensed by the appropriate state regulatory agency or private practitioners certified by the appropriate alcohol and drug licensing board and trained to diagnose and treat adolescent substance abuse.

5. Evaluation

Evaluation refers to procedures used by agencies to whom the student is referred to make a determination of a student's need for educational programs and services.

6. Referral for Treatment Services

Referral for Treatment Services shall mean those programs and services offered to a student or to his or her family by the SAC to implement evaluation recommendations or in response to the family's request for assistance with a student's learning, behavior or health difficulty.



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7. **Medical Examination**

Medical Examination shall refer to the physical examination of a student, performed by a physician licensed in the state of New Jersey to practice medicine that is selected by the parent or school personnel pursuant to Section III(B)(8) of this Policy, which examination shall include a screening for alcohol and other drug use.

- i. The purpose of the medical examination is to ascertain whether a student is presently under the influence of alcohol or other drugs and/or to determine whether the alcohol or other drug use presently interferes with the students' physical and mental abilities to perform in school.

8. **"Immediate"**

All references to "immediate" when used in conjunction with "Medical Examination" shall mean "without a time delay".

9. **Substance Awareness Coordinator/Student Assistance Counselor**

An individual who holds the Educational Services Certificate with the Substance Awareness Coordinator endorsement issued by the New Jersey State Board of Examiners, employed by the Board of Education.

10. **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 or staff member following the discovery of a substance or substance paraphernalia or upon reasonable suspicion that the student is currently under the influence of alcohol or drugs. Information received by the SAC in a confidential setting, which identifies another student who may be abusing substances, may be interpreted as a voluntary request for assistance.

11. **CORE Team**

The CORE Team is a building based interdisciplinary committee, appointed by the Principal or their designee, whose members provide for the planning and delivery of Intervention and Referral Services that are designed to assist students who are experiencing learning, behavior or health difficulties and to assist staff who have difficulties in addressing students' learning, behavioral or health needs.



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- i. Team members shall receive training to identify specific high-risk behaviors that may be preventing a student from reaching success including, but not limited, to behaviors typically associated with the use of alcohol or other drugs.
- ii. The I & RS committee may serve as a CORE Team when seeking to rule out alcohol and other drug abuse and may make recommendations including assessment, evaluation or random drug testing. Recommendations made by the CORE Team are to be maintained in confidence.

12. Parent

Parent shall refer to the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s) or parent surrogate(s) of a student. When parents are divorced, "parent" shall refer to the person(s) or agency having legal custody of the student, as well as natural or adoptive parent(s) of the student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.

13. Parent Requests for ATOD Services

The District offers parents the option of confidential consultation by district SAC's regarding concerns for their child's involvement with alcohol, tobacco or other drugs or when concerned their child may be impacted by someone else's use of ATOD. Information regarding such programs shall be posted on and, can be downloaded from the District's home page or made available upon request from the SAC.

II. PREVENTION

A. The purpose of the prevention component of the program shall be to:

1. Keep students from using alcohol, tobacco and other drugs;
2. Reduce or eliminate the incidence and prevalence of student alcohol, tobacco and other drug abuse;
3. Increase the age of onset of student's first use of alcohol, tobacco or other drugs;
4. Reduce the factors that place students at risk for involvement with alcohol, tobacco or other drugs through school and community-based planning processes;
5. Contribute to the development of school environments and alternative activities that are alcohol, tobacco and other drug-free;
6. Increase the knowledge and skills of students, staff and community members for avoiding the harmful effects of alcohol, tobacco and other drug use;
7. Actively involve staff, parents and community members in the development and implementation of prevention program plans.



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B. Review and Availability of Policy

1. The Board shall review the effectiveness of this ATOD policy and the Unified Memorandum of Agreement entered into with the appropriate law enforcement agency as referenced herein, on an annual basis.
 - i. In conducting its review, the Board, or its designee, will consult with the County Superintendent, local community members, and the County Prosecutor's office and such other community agencies and private practitioners as recommended by the Chief School Administrator of his/her designee.
 - ii. The Board shall solicit input from students and parents regarding ATOD policy and program effectiveness.

2. Availability of Policy

This policy will be included in the District's faculty policy handbook, student agendas, on the District's web page and shall be electronically disseminated to parents annually.

3. Qualified Service Organization Agreements

Agreements with community agencies and services as referenced herein, may be found in the office of the Substance Awareness Coordinator.

C. Student Assistance Program

The District's Student Assistance Program serves to coordinate the delivery of prevention, intervention, referral for evaluation, referral for treatment and continuity of care services.

- i. Substance Awareness Coordinators (SACs) employed by the District, shall assist the school district in the effective implementation of the requirements of this policy and the regulatory requirements set forth by the Department of Education.

D. Educational Programs

The Board, upon recommendation of the Superintendent, in conjunction with the Building Administrators, SACs, SROs and the Supervisor of Physical Education and Health, shall approve educational programs on alcohol, tobacco and other drug abuse for parents and guardians which programs shall be offered at times and places convenient to the parents and guardians of enrolled students.



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The Curriculum for each grade and for each school within the District shall continue to incorporate educational information as to the use and abuse of alcohol, tobacco, other drugs and anabolic steroids in accordance with the Core Curriculum Standards of the Department of Education, particularly, the Comprehensive Health Education and Physical Education Standard.

E. Training

The Board shall ensure that all educational staff members receive in-service training in alcohol, tobacco and other drug abuse prevention and intervention.

- i. The in-service training shall be updated annually in order to ensure educational staff members have the most current information available on the subject of substance abuse and the District's comprehensive alcohol, tobacco and other drug abuse program, policies and procedures.
- ii. The Board shall review the in-service training program, on an annual basis to ensure all appropriate District personnel have received the requisite training.

F. Confidentiality of Student Records

1. All information concerning a student's involvement in a school-based Student Assistance Program, which is alcohol or other drug related, shall be kept strictly confidential according to the requirements of 42 CFR Part 2 and N.J.S.A. 18A 40A-7.1 and 7.2. No person having legitimate access to such reports or records shall disclose any information relative to a student's participating in such program, except as authorized by law.
2. Confidentiality shall be maintained for all students participating in a school-based Student Assistance Program which services reveal that the student's parent or other person residing in the student's household is dependent upon or illegally using substances pursuant and subject to the limitations set forth in N.J.S.A. 18A:40A-7.1 and 7.2.
 - i. The transmission of any information or records including faxes or other electronic transmission, which is in the possession of a Substance Awareness Coordinator, or is obtained through a student's participation in the District's Student Assistance Program is prohibited without the written consent of the student.



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3. Nothing in this section shall preclude the immediate disclosure to the administration of information about illegal activity learned by any school employee outside of the District's Student Assistance Program.

III. INTERVENTION

- A. The purpose of the intervention, referral for evaluation and referral for treatment components of the program shall be to:

1. Identify students who are at risk for, or who have exhibited, alcohol, tobacco or other drug abuse or related problems;
2. Help students or their parents who have requested assistance for an alcohol, tobacco or other drug abuse problem;
3. Make a preliminary assessment of a student's need for educational programs, supportive services or treatment that extends beyond the general school program by virtue of the use of alcohol, tobacco or other drugs by the student or the student's parents;
4. Refer students for evaluation to make a positive determination regarding a student's need for alcohol, tobacco or other drug treatment; and
5. Help a student or student's parent follow-through on the recommendations of an evaluation, which has positively determined the harmful use of alcohol, tobacco or other drugs by the student or the student's parents.

- B. **Procedures For Students Suspected Of Being Under The Influence Of Alcohol Or Drugs Other Than Tobacco Or Tobacco Products**

1. Any educational staff member or other professional to whom it appears that a student may be currently under the influence or in possession of alcohol or other drugs on school grounds, including on a school bus or at a school-sponsored function, shall immediately report this matter to the principal, or their designee, and either the certified or non-certified school nurse, the school physician or the SAC.
2. The student shall be removed to a protective environment for observation and care by the certified or non-certified school nurse or responsible staff member.
3. The student's physical state shall be assessed by the certified or non-certified school nurse.
4. A search of the student's person, locker and/or belongings shall be conducted, pursuant to Section VI of this policy.
5. Nothing herein shall be construed to limit or condition the right of the principal or designee to seek emergency medical assistance for a student when acting *in loco parentis*, and for the welfare of the student.



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6. The referring staff member shall complete a Violence, Vandalism and Substance Abuse Incident Report.
7. The principal or their designee shall immediately notify the student's parent and the chief school administrator of the incident and provide them with a description of the situation and symptoms, including whether law enforcement has been contacted; and
 - a. The chief school administrator shall disclose the identity of a student to law enforcement authorities if it is reasonably believed that the student is in possession of a controlled dangerous substance or related paraphernalia or it is reasonably believed that the student is involved with, or implicated in, the distribution of controlled dangerous substances.
 - b. The chief school administrator or their designee may, but need not, disclose to law enforcement authorities the identity of a student suspected to be under the influence of alcohol or other drugs.
8. The principal or their designee, in consultation with the parent, shall arrange for an Immediate Medical Examination of the student by a physician of the parent's choosing ("Private Physician"). The parent shall provide the necessary contact information to the principal or designee in order to confirm the availability of the private physician to conduct an Immediate Medical Examination.
 - a. If the Private Physician is not available, the parent shall select one of the following medical care providers to administer the test.
 - i. The school physician or,
 - ii. The emergency room physician of a local hospital or,
 - iii. The Chester IMCC physician.
 - b. If the parent refuses to consent to the immediate Medical Examination of the student, a positive test result will be presumed.
9. The parent shall accompany their child to the Medical Examination.
 - a. If the parent is unavailable to escort the student to the Medical Examination, then the student shall be transported to the Medical Examination by school security. If school security is unavailable, Emergency Medical Services shall be called to transport the student to the Medical Examination.
 - b. A member of the school staff, designated by the principal, shall accompany and/or follow the student, and/or the student and their parent, to the Medical Examination.



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10. In the absence of the student's parent(s), the principal or their designee shall make provisions for the appropriate supervision of the student including but not limited to:
 - a. Waiting for transportation to and while waiting for and receiving the immediate Medical Examination;
 - b. Awaiting the results of the Medical Examination, if appropriate; and/or
 - c. Until the student is released to their parent(s) or other appropriate individual(s), including law enforcement personnel.

C. Contents and Verification of Medical Examination

1. The Medical Examination of a student suspected of being under the influence of alcohol or drugs other than an anabolic steroid shall, at a minimum, consist of: the collection of urine for analysis of alcohol and/or other drug use, a neurological examination, an examination and assessment of the student's mental status, an examination of the student's heart, lungs, eyes, nose and skin and shall be conducted immediately upon the student's presentation to the medical care provider.
2. The Medical Examination of a student suspected of having used or may be using or in possession of an Anabolic Steroid or any product containing performance enhancing chemicals, shall be performed by a physician specializing in the detection of Anabolic Steroid use and shall, at a minimum consist of: the collection of urine for screening and analysis of anabolic steroid use, neurological examination, examination of student's heart and lungs, eyes, nose, skin and student's mental status and shall be conducted immediately upon the student's presentation to the medical care provider.
3. **Written Report:** A written report of the Medical Examination, including a copy of the laboratory report, shall be furnished to the parent of the student, and the SAC for the school, by the examining physician within 24 hours of the referral of the student for suspected alcohol or other drug use. The report shall contain, at the minimum: The Physician's name and signature; identify the substances that were tested for and the test utilized; interpret the results of the tests; and provide recommendations.

The written report shall indicate whether the student's alcohol or other drug use interferes with the student's physical and mental ability to perform in school.



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The parent is required to authorize in writing the release of this written report to the S.A.C. or designee. Failure by a parent to comply with this requirement shall be treated as a policy violation and handled in accordance with Section III(F) of this policy.

4. If the Medical Examination is performed by the Private Physician, the parent shall provide verification from the physician, within 24 hours of the initial referral, that the Medical Examination was conducted in compliance with this Section. The physician's verification shall include at the minimum: the signature; printed name, address and phone number of the examining physician; date and time of the Medical Examination; shall indicate that the written report required herein is pending, and shall note the date by which the report will be provided. Refusal or failure by a parent or student to comply with this requirement shall be treated as a policy violation and handled in accordance with Section III(F).
5. If the written report is not furnished to the SAC within 24 hours of the initial referral of the student (or the private physician verification has not been received) and, there has been no admission of use by the student, the student is permitted to return to school, subject to removal if a positive result is received, only if the SAC receives written confirmation from the examining physician that the student has been examined in accordance with the minimal examination requirements.

D. Cost of Examination

1. When the Medical Examination is conducted by the Private Physician, all costs related to the examination shall be borne by the parent.
2. When the Medical Examination is conducted by the school physician, the emergency room physician of a local hospital, or the physician at IMCC of Chester, such examination shall be at the expense of the board of education.
3. The board of education will not pay for any transportation costs related to the examination.
4. All costs of treatment rendered during the Medical Examination or any costs associated with emergency medical care provided to the student under this policy shall be the sole responsibility of the parents.



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E. Results

1. Negative Results:

If the written report of the Medical Examination, including a copy of the laboratory report, comes back negative, then the student shall be immediately returned to school. A referral to the SAC may be made to more closely examine the behavioral issues which led to the request for the medical examination, and to rule out the need for further services or evaluations and/or referral.

2. Positive Results:

a. A Positive Result will be either assumed or found when:

- i.** a student admits to being under the influence of alcohol or other drug; or
- ii.** the results of the Medical Examination confirm that the student was under the influence of alcohol or other drugs; or
- iii.** when the student was in possession of a substance; or
- iv.** when the student or parent has refused to comply with any provision of this policy, including the refusal to consent to perform the required testing; or
- v.** during the time that the results of the Medical Examination are pending and a written report is not available;

b. When a positive result as to a student's alcohol or drug use, other than anabolic steroid or other performance enhancing drugs, is obtained, the student shall be immediately returned to the care of a parent. Attendance at school shall not resume until the SAC receives the written report of the immediate medical examination verifying that the student's alcohol or other drug use no longer interferes with his or her ability to perform in school. The student will be subject to disciplinary actions as a result of a violation of this policy and the Student Code of Conduct. Discipline will be in accordance with the Board's Suspension and Expulsion Policy.

c. When a positive result as to a student's use of an anabolic steroid or other performance enhancing drug is obtained, the student shall be returned to school, and will be subject to further administrative action, including disciplinary action as outlined in the Athletic Contract and/or as further determined appropriate by the Board of Education in accordance with Board policies. The District's SAC or individuals holding the appropriate endorsements, shall initiate a Referral for Evaluation and Services as set forth in N.J.A.C. 16-4.3(b)(6).



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- d. Removal of a student with a disability shall be made in accordance with N.J.A.C. 6A:14-2.8 and only after the incident has been discussed with the student's Case Manager.
- e. If the student is at home pending the results of the Medical Examination and/or after the student returns to school after receiving a positive result, an Alcohol Or Other Drug Assessment and/or Referral for Evaluation and Services and other evaluations recommended by the District's S.A.C. or principal or chief school administrator may be conducted to make a determination of a student's need for program and services which extend beyond the Student Assistance Program.
 - i. This assessment shall include a reasonable investigation of the situation for the purpose of making a determination of the student's need for educational programs, supportive services or treatment that extend beyond the general school program by virtue of the use of alcohol, drug or anabolic steroid or other performance enhancing drugs by the student.
 - ii. The assessment and/or evaluation shall be performed by an appropriately certified or licensed professional.
 - iii. In developing the assessment and/or evaluation process, the SAC shall confer and consult with community agencies licensed by the New Jersey Department of Human Services, Division of Addiction Services, appropriate out-of-State agencies and/or private practitioners to ensure appropriate evaluation, referral and continuity of care for the student being assessed or evaluated.
 - iv. The findings of the assessment and/or additional evaluations alone shall not be used to prevent a student from attending school.

F. Non-Compliance

- 1. A parent's refusal or failure to comply with any provisions of this policy including those provisions requiring their consent or permission, shall be treated as a violation of the Compulsory Education Act, pursuant to N.J.S.A. 18A:38-25, 38-31 and child neglect laws pursuant to N.J.S.A. 9:6-1 *et seq.*
- 2. A student's refusal or failure to comply with any provision of this policy shall be treated as a violation of this policy and the Student Code of Conduct and handled in accordance with the discipline procedures hereunder.



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3. In the case of parent/student non-compliance, the student may be excluded from school and placed in an alternative educational placement. Attendance at school shall not resume until compliance with the provisions of this Policy have been met.
4. Right to Appeal:
Any parent may appeal any action taken against their child pursuant to this policy, first to the Chief School Administrator and if no resolution is had, to the Board. Such appeal must be in writing and signed by the parent.

G. Referral for Treatment

If at any time it is determined the student's use of alcohol or other drugs presents a danger to the student's health and well-being, the S.A.C., or individuals who hold the appropriate endorsements on the Educational Services Certificate, and who are trained in alcohol and other drug abuse treatment referral, shall initiate a referral for alcohol or other drug abuse treatment.

H. Educational Support

The District may provide additional educational support services as determined by the SACs in conjunction with the CORE team.

- i. Additional Intervention and Referral Services may be provided upon the recommendation of the CORE team and or SAC.

I. Prohibition of Student's Use or Possession of Tobacco or Other Smoking Paraphernalia

1. The use or possession by students of tobacco, tobacco products or smoking paraphernalia on school district property or facilities, in school buildings, on school buses, or at school district sponsored events is prohibited by law. 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.
 - a. Offenders shall be subject to disciplinary action. Discipline shall escalate for repeated violations.
 - b. Upon the first offense, complaints shall be filed in municipal court 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.



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2. There shall be no smoking or use of smokeless tobacco by anyone at any time, anywhere on Board 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. Separate policy prohibits students from leaving school grounds during the school day for any reason, including smoking.
3. 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 of a student's person or property is warranted the principal or designee shall authorize search and seizure procedures of the student's person, locker and belongings in accordance with the provisions of Section VI of this policy.

J. Incident Reporting

Any school employee who observes or has direct knowledge or reports a student for suspicion of being under the influence or in possession of alcohol, tobacco or other drugs, according to the requirements of N.J.S.A. 18A: 40A-12 and N.J.A.C. 6A: 16-4.3, shall submit a report describing the incident to the school principal, in accordance with N.J.S.A. 18A: 17-46.

1. The report shall be on a form adopted for such purposes by the district board of education.
 - i. The form shall include all of the incident detail and offender information that are reported on the Electronic Violence, Vandalism, Substance Abuse Incident Reporting System.
2. For each incident report of a student for suspicion of being under the influence or in possession of alcohol, tobacco or other drugs, the principal shall:
 - i. Review the incident report for accuracy in indicating the incident type, offender information, student demographics and incident location;
 - ii. Forward a copy of the incident report to the chief school administrator; and
 - iii. Notify the chief school administrator of the action taken regarding the incident.



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3. The Board shall not discharge or subject to any manner of discrimination any school employee who files a report pursuant to this section.

K. Reporting Liability

Any educational or non-educational school staff member who in good faith reports a student to the principal or his or her designee, in compliance with the provisions of this Policy, shall not be liable in civil damages as a result of making such a report.

In response to every report by an educational staff member or other professional of suspected alcohol or other drug use, the principal or designee shall comply with the provisions of this policy.

IV. CONTINUITY OF CARE SERVICES

- A. The purpose of the continuity of care component of the program shall be to:
 1. Assist with the provision of educational programs and services for students in treatment; and
 2. Plan and provide supportive services for students who are returning from treatment.
- B. The District will be guided by and support recommendations for care and treatment made as the result of an Alcohol or Other Drug Assessment or Evaluation. The Board also recognizes that returning students need direction and support to maintain the expectations of the school district. Accordingly, in order to provide continuity of care services, and 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 offered by the SAC;
 2. Participate in a treatment program when recommended by appropriately certified or licensed professionals who make a positive determination of a student's need for program and services which extend beyond the general school program; and
 3. Cooperate with the recommendations made by appropriately certified or licensed professionals. A failure to so cooperate will be deemed non-compliance for the purposes of this policy.



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V. **LAW ENFORCEMENT OPERATIONS, ALCOHOL AND OTHER DRUGS**

1. The Board recognizes its responsibility to ensure continuing cooperation between school staff and law enforcement authorities in matters relating to the use, possession, and distribution of alcohol, other drugs and/or 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. Therefore, the Board shall meet with the chief school administrator and the chief of police annually to review and sign off on the understanding of the Uniform State Memorandum Of Agreement Between Education And Law Enforcement Officials as revised from time to time and the effectiveness of this Policy and the procedures adopted hereunder. This document shall be consistent with the format and content established by the Attorney General and the Commissioner of Education.

2. **School Resource Officer (SRO)/School-Based Community Service Programs**

The Board recognizes that the presence of a uniformed police officer can serve not only as a deterrent in fighting alcohol, tobacco and other drug use and sales but can also serve as a deterrent of other forms of criminal behavior. Besides enhancing school security and facilitating the handling of delinquent complaints, the assignment of a SRO at both the Middle and High School can help to further enhance the relationship between education and law enforcement officials. More importantly, the SRO program provides specially trained officers an opportunity to interact with students in a positive and constructive way. The SRO is hereby designated as the District's liaison with law enforcement authorities.

3. **Undercover Operations**

The chief school administrator may request that law enforcement authorities conduct an undercover operation in a particular school if he/she has reason to believe that alcohol or other drug trafficking is occurring in a school and that a less intrusive means of law enforcement intervention would be ineffective. The chief school administrator and building principal shall not discuss any aspect of the undercover operation until authorized to do so by law enforcement authorities.



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The chief school administrator and principal shall cooperate with law enforcement authorities in the planning and conducting of undercover school operations. Upon completion of an undercover operation, and with the consent of the appropriate law enforcement authority, the chief school administrator shall report to the Board regarding the nature and results of the operation.

4. 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 distributing substances or substance paraphernalia on school premises shall report same to the chief school administrator, principal or designee. The chief school administrator, principal or designee shall determine whether a further report the appropriate law enforcement agency is warranted. If, after consultation with the law enforcement official, it is determined that further investigation is necessary, the chief school administrator 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 chief school administrator 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 chief school administrator, principal or designee shall immediately notify the student's parent whenever a student is arrested for violating any laws.

Whenever the chief school administrator, 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 at its next regular meeting.

5. Police Presence At Extracurricular Activities

The chief school administrator is hereby authorized to contact the appropriate law enforcement agency and arrange for the presence of an officer(s) when he/she deems their presence necessary to deter illegal alcohol or other drug abuse or trafficking or to maintain order or crowd or traffic control at a school function.



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VI. STUDENT SEARCHES, POSSESSION AND/OR DISTRIBUTION, AND SECURING PHYSICAL EVIDENCE

1. Student Searches:

The principal or their 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 or alcoholic beverages or other substance as defined in this policy. This search may include, but is not limited to, a student's person, locker, belongings, or vehicle and shall comply with all legal standards as prescribed by statute, regulation and case law.

2. Possession and/or Distribution:

a. If as a result of the search, alcohol or other drug or item believed to be a controlled dangerous substance, including anabolic steroids, or drug paraphernalia is found on or in the student's or school's property, including a school bus, or at a school function, the individual discovering the item shall immediately notify and turn over the item or paraphernalia to the principal or designee.

1. The principal or their designee shall immediately notify the chief school administrator who in turn shall notify local law enforcement official designated by the county prosecutor to receive such information.

2. Securing Physical Evidence:

The principal or their designee shall ensure that the alcohol or other drug item or paraphernalia is safeguarded from further use and destruction, labeled and secured in a locked cabinet until turned over to local law enforcement.

3. The principal or their designee shall provide to law enforcement all information concerning the manner in which the alcohol or other drug item or paraphernalia was discovered or seized including:

i. The identity of all persons who had custody of the alcohol or other drug item or paraphernalia following its discovery or seizure; and

ii. The identity of any student or staff member believed to have been in possession of the alcohol or other drug item or paraphernalia.



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3. Voluntary Surrender Of Alcohol Or Other Drug Item Or Paraphernalia

The principal or their designee shall not disclose the identity of any student who voluntarily and on his or her own initiative turned over alcohol or other drug item or paraphernalia to a school employee, provided that there is reason to believe that the student was involved with the alcohol or other drug item 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.

4. Notification of Parent

The principal or their designee shall contact the student's parent as soon as possible to inform them of the incident, including whether or not law enforcement personnel have been or will be contacted.

Legal References:

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| N.J.S.A. 2A:62A-4 | Reports by educational personnel, immunity |
| N.J.S.A. 2C:29-3a | Hindering apprehension or prosecution |
| N.J.S.A. 2C:33-15 | Underage possession or consumption of alcoholic beverage |
| N.J.S.A. 2C:33-16 | Possession of alcoholic beverages on school property, penalty |
| N.J.S.A. 2C:33-17 | Offer or service of alcoholic beverage to underage person |
| N.J.S.A. 2C:35-1 <i>et seq.</i> | Drug Reform Act of 1987 |
| N.J.S.A. 2C:35-2 | Definition Controlled Dangerous Substances |
| N.J.S.A. 2C:35-5.2, 5.3 | Manufacture, Distribution of Certain Drugs |
| N.J.S.A. 2C:35-3 | Narcotics Trafficking |
| N.J.S.A. 2C:35-7 | Drug Free School Zones |
| N.J.S.A. 2C:35-10 <i>et seq.</i> | Possession, Use or Under the Influence of Controlled Dangerous Substances, Prescription Medications |
| N.J.S.A. 2C:35-10.4 | Definition Toxic Chemicals |
| N.J.S.A. 9:6-1 <i>et seq.</i> | Child Neglect Law; Parental Non-Compliance |
| N.J.S.A. 9:17A-4 | <i>Consent by minor to medical care or treatment</i> |
| N.J.S.A. 18A:25-2 | <i>Authority over Pupils</i> |
| N.J.S.A. 18A:36-19.2 | <i>Student Lockers, Inspection, Notice</i> |
| N.J.S.A. 18A:37-1 | <i>Submission to Authority</i> |
| N.J.S.A. 18A:37-2 | Suspension /Expulsion |
| N.J.S.A. 18A:38-25, 31 | Compulsory Education Act |
| N.J.S.A. 18A:40A | Substance Abuse |
| N.J.S.A. 18A:40A-1 | Instructional programs. |



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| N.J.S.A. 18A:40A-2 | Curriculum guidelines. |
| N.J.S.A. 18A:40A-3 | In-service training programs. |
| N.J.S.A. 18A:40A-6 | Evaluation of programs. |
| N.J.S.A. 18A:40A-7 | Rules and regulations. |
| N.J.S.A. 18A:40A-7.1 | Disclosure of information received in school drug or alcohol abuse counseling. |
| N.J.S.A. 18A:40A-7.2 | Penalty for improper disclosure. |
| N.J.S.A. 18A:40A-8 | Legislative findings and declaration. |
| N.J.S.A. 18A:40A-9 | Definitions. |
| N.J.S.A. 18A:40A-10 | Local boards to establish comprehensive substance abuse intervention prevention and treatment referral programs. |
| N.J.S.A. 18A:40A-11 | Local boards to establish policies and procedures for evaluation, referral and treatment of students abusing substances on school property. |
| N.J.S.A. 18A:40A-12 | Reporting, examining and treating pupils. |
| N.J.S.A. 18A:40A-13 | Limited liability for persons acting under color of this act. |
| N.J.S.A. 18A:40A-14 | Limited civil liability for persons acting under color of this act. |
| N.J.S.A. 18A:40A-15 | In-service training for public school teachers. |
| N.J.S.A. 18A:40A-16 | Parent training programs. |
| N.J.S.A. 18A:40A-17 | Outreach programs. |
| N.J.S.A. 18A:40A-18 | Employment of substance awareness coordinators. |
| N.J.S.A. 18A:40A-19 | Pilot early intervention programs for identifying and assisting pupils affected by family substance abuse problems. |
| N.J.S.A. 18A:40A-20 | Evaluation of programs. |
| N.J.S.A. 18A:40A-21 | Rules and regulations. |
| N.J.S.A. 18A:40A-22 | Random Drug Testing |
| N.J.S.A. 24:21-2 | Definitions |
| N.J.S.A. 26:3D-55 <i>et seq.</i> | Smoking Prohibited |
| N.J.A.C. 6A:9-13.2 | Substance Abuse Coordinator |
| N.J.A.C. 6A:14-2.8 | Discipline/Suspension/Expulsion |
| N.J.A.C. 6A:16-1.1 <i>et seq.</i> | Programs To Support Student Development |
| N.J.A.C. 6A:16-1.4 | Cooperation with Law Enforcement |
| N.J.A.C. 6A:16-3 | Comprehensive Alcohol, Tobacco and Other Drug Abuse Programs |
| N.J.A.C. 6A:16-4.1 <i>et seq.</i> | Procedures for Alcohol and Other Drug Abuse Intervention |
| N.J.A.C. 6A:16-4.4 | Voluntary Policy for Random Testing |
| N.J.A.C. 6A:16-6.1 <i>et seq.</i> | Law Enforcement Operations for Alcohol, Other Drugs, Reporting Requirements |
| N.J.A.C. 6A:16-7 | Student Conduct |
| N.J.A.C. 6A:16-8 | Intervention & Referral Services (I & RS) |



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34 C.F.R. 86
42 C.F.R. 2

Federal Mandates for Student Policy
Confidentiality Law For School-Based Alcohol/Drug
Abuse Programs/Records

The Uniform Memorandum of Agreement between Education and Law Enforcement Officials - (1999 Revised)

Manual for the Evaluation of Local School Districts

N.J. School Search Policy Manual, N.J Attorney General (1998)

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

41 U.S.C. 701 *et seq.* Drug Free Workplace Act of 1988

F.G. v. Bd. of Ed. of Hamilton, 1982 S.L.D. 382

G.L.H. v. Bd. of Ed. of Hopewell Valley Regional School District, et at., 1987

S.L.D. 891, 901, *aff'd as moot* St. Board 1987 S.L.D. 906

Honig v. Doe, 108 S. Ct. 592 (1988)

Palmer by Palmer v. Merluzzi, 868 F.2d 90 (3d. Cir. 1989)

State of New Jersey v. T.L.O., 469 U.S. 325 (1985)

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| Cross References: | 1330 | Use of school facilities |
| | 1410 | Local units |
| | 5114 | Suspension and expulsion/pupil due process |
| | 5125 | Pupil records |
| | 5141 | Health |
| | 5141.1 | Accidents |
| | 5141.2 | Illness |
| | 5141.21 | Administering medication |
| | 5144 | Discipline/punishment |
| | 5145.12 | Search and seizure |
| | 6142.7 | Drugs, alcohol and tobacco |
| | 6154 | Homework makeup work |

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