

Student Substance Abuse

The Board of Education of the Newburgh Enlarged City School District is committed to the prevention of alcohol, tobacco products, and other substance use/abuse. This policy describes the philosophy of the District and the program elements the District will use to promote healthy life styles for its students and staff and to inhibit the use/abuse of alcohol, tobacco products and other substances.

No person may use, possess, sell, or distribute alcohol, tobacco products or other illegal substances, nor may she/he use or possess drug paraphernalia, on school grounds, in school vehicles or at school-sponsored events, whether on or off school premises, except medications as prescribed by a physician. The terms “alcohol and other substances” shall be construed throughout this policy to refer to the use of all illegal substances; but not limited to: alcohol, tobacco products, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alikes, and any of those substances commonly referred to as “designer drugs.” The inappropriate use of prescription drugs and over-the-counter drugs is also prohibited.

Additionally, any person who has consumed or used any of the aforementioned substances is prohibited from entering or remaining on the school grounds or at school-sponsored events.

Philosophy

The District will use the following principles as guides for the development of its substance use/abuse prevention efforts and for any disciplinary measures related to alcohol and other substances:

- Alcohol, tobacco products, and other substance use/abuse is preventable and treatable.
- Alcohol and other substance use/abuse inhibits the District from carrying out its central mission of educating students.
- The behavior of the Board of Education, the administration, and all school staff should model the behavior asked of students.
- While the District can and must assume a leadership role in alcohol, tobacco and other substance use/abuse prevention, this goal will be accomplished only through coordinated, collaborative efforts with parents, students, staff, and the community as a whole.

Primary Prevention

The intent of primary prevention programming is to prevent the onset of alcohol, tobacco, and other substance use by students. The components of this programming shall include:

1. A sequential K-12 prevention curriculum that provides for:
 - Accurate and age-appropriate information about alcohol, tobacco products, and other substances, including the physical, psychological, and social consequences of their use/abuse.
 - Information about the relationship of alcohol and other substance use/abuse to other health compromising behaviors such as AIDS, teenage pregnancy, eating disorders, child abuse, suicide, and dropping out of school.
 - Helping students develop appropriate life skills to resist the use of alcohol, tobacco products and other substances and to promote healthy life styles.

- Helping students identify personal risk factors for alcohol and other substance use/abuse and the steps needed for risk reduction.
 - Helping students develop a positive self-concept.
 - Helping students identify when they are under stress and how to manage or reduce stress through non-chemical means.
2. Training parents and guardians to use the information and skills necessary to reinforce the components of this policy in the home and community.
 3. Community education about the issues of alcohol, tobacco, and other substance use/abuse as a basis for providing a consistent message to District youth.
 4. Positive alternatives to alcohol and other substance use/abuse, such as peer leadership programs, service projects, and recreational and extra-curricular activities. Such activities will be planned in collaboration with students, parents, community members, and agencies.

Intervention

The intent of intervention programming is to eliminate any existing use/abuse of alcohol, tobacco products and other substances, and to identify and provide supportive services to Kindergarten through 12th grade students at high risk for such use/abuse. The components of such programming shall include:

1. Providing alcohol, tobacco products and other substance use/abuse assessment and counseling services to students.
2. Developing a referral process between District schools and community providers.
3. Identifying and referring students to appropriate community or other agencies when their use/abuse of alcohol, tobacco products and/or other substances requires counseling and/or treatment.
4. Providing services to students in or returning from treatment to assure that the school environment supports the process of recovery initiated in the treatment program.
5. Providing individual, group, and family counseling targeted at students at high risk for alcohol and/or substance use/abuse.
6. Ensuring confidentiality.

Employee Assistance Program

The Board recognizes that the problems of alcohol, tobacco products and other substance use/abuse are not limited to the student population but affect every segment of society. The Board, in collaboration with the District's collective bargaining units, has established an Employee Assistance Program that provides appropriate, confidential prevention, intervention, assessment, referral support, and follow-up services for District staff who seek assistance with alcohol and other substance use/abuse related problems, emotional problems, mental illness, and

other human problems. District staff have been informed about the services they can receive through the Employee Assistance Program.

Disciplinary Measures

Disciplinary measures for students found to have used or to be using, in possession of, or distributing alcohol, tobacco products and/or other substances, and for students possessing drug paraphernalia are outlined in the District’s Code of Conduct. Similar disciplinary measures for District staff are addressed in Education Law Sections 1711 (5)(e), 3020-a, and 913.

Students who are disciplined for any of these infractions will be mandated to participate in the intervention services established by this policy, or, in the case of District staff, will be referred to the Employee Assistance Program.

Staff Development

The Board recognizes that if the administrative, instructional and non-instructional staff are to be responsible for implementing and modeling this policy, they must be trained about the components of an effective alcohol, tobacco products and other substance prevention program. Staff training will be an on-going process, including the following:

1. For All Staff: (a) awareness of personal risk factors for alcohol and other substance use/abuse so that they may identify personal use/abuse problems and seek assistance; and, (b) their role in implementing this policy, including how to identify students who exhibit high risk behaviors or who are using/abusing alcohol and other substances, and how to refer these students to the appropriate services established by this policy.
2. Additionally for Teachers: The knowledge and skills necessary to implement the District’s K-12 alcohol and other substance prevention curriculum.
3. For Intervention Staff: Appropriate staff training for those identified to carry out the intervention function to assure that their assessment, individual, group, and family counseling and referral skills support the needs of high risk, using, and abusing youth.

Implementation, Dissemination and Monitoring

The Board of Education charges the Superintendent to collaborate with District staff, parents, students, community members, organizations, and agencies, including alcohol and other substance abuse service providers, and the Orange County Department of Health in developing the specific programs and strategies necessary to implement this policy.

Upon adoption and amendment, copies of the policy will be distributed to, and reviewed with, all District staff, students, and parents annually, and will be disseminated to the community through its organizations.

Substance Abuse Policy

In our democratic society each person is ultimately responsible for his or her actions and accountable for those actions to the body of society. In a like manner, we, in education, are responsible for the education of all students and must stand accountable for that education. A formal policy for handling substance abuse and its resultant problems is necessary for the protection of the school community. This policy shall not limit the School District from other action, including legal action, which is deemed necessary and appropriate to protect the integrity of the school system. Therefore, the Board of Education of the Newburgh Enlarged City School District has established a substance and alcohol use and abuse policy to ensure that the students attending the Newburgh Schools will be educated in a drug and alcohol free environment.

The Newburgh Enlarged City School District:

1. Prohibits any alcohol, tobacco products and substance use and abuse by students in school, on or around school property, including vehicles, or at school sponsored events, whether on or off school property.
2. Maintains safe and appropriate facilities for learning free from substance abuse.
3. Recognizes chemical, tobacco products and alcohol dependency as a disease and the need for treatment.
4. Provides sound and developmentally appropriate educational programs directed at the problem of substance abuse itself.
5. Maintains facilities to provide students and their parents or guardians with assistance from our Guidance Department, Student Assistance Program and Medical Department.
6. Evaluates established policy and procedure in an ongoing effort to improve its effectiveness.
7. Distributes a copy of the student substance abuse policy to students and their parents or guardian at the start of each school year.

It is a violation of this policy for any student to be:

- A. Under the influence of controlled substance or alcoholic beverage in school, on or about school property, including vehicles, or at school sponsored events, whether on or off school property.
- B. In possession of, selling or distributing a controlled substance, alcoholic beverage or tobacco product in school, on or about school property or at school sponsored events.

Any student who is required to carry a prescription drug or an “over-the-counter” drug on his/her person during school hours shall immediately register such a drug with the school nurse who, if necessary, will administer the drug. The student will pick up such drug upon leaving school for the day.

Prohibition of Tobacco Promotional Items/Tobacco Advertising

Tobacco promotional items (e.g., brand names, logos and other identifiers) are prohibited on school grounds, in school vehicles, at school sponsored events, whether on or off school property, and in school publications.

In addition, tobacco advertising is prohibited in all school-sponsored publications and at all school sponsored events.

Administrative Regulation

The following procedures have been developed to assist building administrators in implementing the substance abuse policy. The purpose of this administrative regulation is to:

1. Take appropriate and expedient action against any student found to have violated this substance abuse policy;
2. Solicit the involvement of the student, his/her parents or guardian, in a counseling program designed to help the student; and
3. Apprise the Police Department of the violation.

Before disciplining any student, the student must be given notice of the charges against him/her. If she/he denies the charges, the student is to receive an explanation of the evidence and an opportunity to present his/her side of the story.

1. Investigating a Potential Substance Abuse Case

Whenever a teacher or member of the staff shall have reason to suspect that any student is: a) under the influence of a controlled substance or alcoholic beverage and/or b) in possession of, selling or distributing a drug or alcoholic beverage in school, on or about school property or at a school sponsored event, the teacher or staff member, as the case may be, shall immediately notify the building administrator. If available, the school nurse may help identify a student under the influence.

The administrator will question each student for the purpose of ascertaining the following:

- A. The kind and amount of drug or beverage consumed. This will be used to determine classification of offense as either major or minor.
- B. When and where such drug or beverage was last consumed.
- C. Whether the student still has in his/her possession, or subject to his/her immediate control, such drug or beverage.
- D. When, where, from whom and under what circumstances such drug or beverage was obtained.
- E. In the case of selling or distributing, the administrator will attempt to determine when, where, to whom, and under what circumstances such drug/beverage was sold or distributed. This shall also be a factor in determining an offense as major or minor.

Any questioning of students by the police shall be done in the presence of the student's parents or guardian, if available, and otherwise in the presence of a member of the administrative staff and resource people, e.g. guidance counselor, nurse and/or teacher.

An administrator may, with reasonable suspicion, search, or cause to search, the student's person, the area under his/her immediate control; seize and retain possession of any drugs or beverages still in the possession, or subject to the immediate control of the student.

Upon being informed by a staff member, that she/he has evidence indicating that a student has violated the substance abuse policy, and upon receiving any drugs, alcoholic beverages and/or other physical evidence, if any, seized by the staff member, the administrator shall:

- A. Make sure that the person first handling the alleged controlled substance, or beverage for evidence purposes, will be the only person to touch the evidence. Accordingly, under administrative supervision she/he will seal, sign and date an appropriate envelope or other container, as necessary, wherein the evidence shall be placed. The envelope or other container shall be placed in the safe of the school vault and turned over to the police as soon as possible.
- B. Unless the student is under the influence to the extent that it appears that she/he would be incapable of understanding or responding to the accusations, inform the student that she/he has been accused of possessing, using, selling, and/or distributing a controlled substance or alcoholic beverage, as the case may be. Ask the student whether the accusation is true. If the student denies the accusation, repeat the nature of the evidence against him/her and inform the student that she/he may, if desired, present his/her side of the story.

If the student is found to be under the influence to the extent that it appears that she/he would be incapable of understanding or responding to the accusation, the student's parents or guardian will be called and given an explanation of the charges and the condition of the student.

If the student elects not to give his/her side of the story, or if the student's explanation does not satisfy the administration, and in either case, the administrator is convinced that the student has violated the substance abuse policy, then the administrator shall:

- A. For a First Offense (Minor Infraction - involving a small amount relative to the type of controlled substance or beverage):
 1. Suspend the student for a period up to five (5) days.
 2. In the middle school and high school, involve the student and his/her parents or guardian in all procedures, as outlined by the Student Assistance Counselor for counseling and/or referral. On the elementary school level, involve the student and his/her parents or guardian with the school psychologist and/or social worker for counseling.
 3. Invite the student's parents or guardian to meet to discuss a plan for monitoring the behavior of such student. Other resource people may be involved in this conference, e.g., nurse, guidance counselor and/or teachers.
- B. For a Second Offense (Minor Infraction):
 1. The student will be suspended for five (5) days.
 2. The student will be brought to a Superintendent's Hearing.
 3. All procedures, as outlined in "A" above, for first minor infraction will be followed.
- C. For a Third Offense (Minor Infraction) or First Offense (Major Infraction - involving a large amount relative to the type of controlled substance or beverage):
 1. The student will be suspended for five days.
 2. The student will be brought to a Superintendent's Hearing.
 3. Invite the student's parents or guardian to meet and discuss a plan for monitoring the behavior of such student. Other resource people may be involved in this conference, e.g., nurse, guidance counselor and/or teachers.
 4. The student will be advised that the Newburgh Enlarged City School District may be charging him/her with a criminal offense, to be brought in the Newburgh City Courts.

If the student's explanation satisfies the building administrator that the student has not violated the substance and alcohol abuse laws, the incident shall be closed without penalty.

2. Searches of Students and School Property

- A. Every principal, assistant principal, or designee, of a school may conduct a search of a student on school premises if she/he has reasonable suspicion to believe that the student has in his/her possession an item, the possession of which constitutes a criminal offense under the laws of the State of New York. This search is conducted in the presence of a third party, all of whom shall be the same sex as the student in question.
- B. Every principal, assistant principal, or designee, of any school may conduct a search of the physical plant of the school and every appurtenance thereto, including student lockers.

3. Students Seeking Voluntary Substance/Alcohol Assistance

The school district will provide, without penalties, assistance to any student voluntarily seeking substance and/or alcohol treatment or advice. If a student voluntarily seeks information or assistance about illegal substance use, and has not been apprehended for such violation by school authorities, staff will take the following action:

- A. Immediately consider the best possible means of helping the student, including the use of members of the school staff, pupil personnel services, team conferences and/or referral to private and community resources.
- B. Parents/guardians are an important factor in helping the student, and should be involved as soon as it is considered to be appropriate.
- C. Ensure that students who voluntarily seek help or treatment will be given the opportunity to make up any school work that was missed.