

STUDENT DRUG AND ALCOHOL ABUSE

The Board of Education endorses the Congressional finding that drug abuse education and prevention programs are essential to reduce the demand for and use of drugs throughout the nation. The Board further certifies that it will provide drug and alcohol prevention programs in compliance with the Drug Free Schools and Communities Act (DFSCA). This policy describes the program elements that will be implemented to inhibit the use of illicit drugs and the abuse of alcohol by Niskayuna students.

Philosophy and Goals

The Board of Education recognizes that the use of drugs and the abuse of alcohol by students constitute a grave threat to their physical and mental well-being and significantly impede the learning process. The Board also recognizes that schools and local organizations have special responsibilities to work together to combat the scourge of drug and alcohol abuse. In conjunction with family members and community agencies, the Board will endeavor to develop a program that can bring significantly closer the goal of a drug-free generation and a drug-free society.

Prevention

The district shall provide an age-appropriate developmentally based drug and alcohol education program for students in all grades from early childhood through grade 12. This program shall be developed by the Health Education Coordinator with the approval of the Superintendent of Schools and shall satisfy the requirements of Section 804 of the Education Law and the Commissioner's Regulations. This program shall convey to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful.

Intervention

The district shall provide assessment and counseling services for students who are high risk of becoming or who have become drug or alcohol abusers. All members of the teaching staff shall be given drug awareness training to help them identify youth at high risk.

The school Principal, with the support of the Health Education Coordinator, is responsible for compiling and disseminating information about drug and alcohol counseling and rehabilitation and re-entry programs that are available.

Confidentiality between students and counselors or other staff members shall be maintained in accordance with the Family Educational Rights and Privacy Act and Niskayuna Policy 5500.

Discipline Measures

The Niskayuna Code of Conduct shall clearly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students on school premises or as part of any school activity. These codes shall include an age-appropriate explanation of the practices and procedures the district will enforce to eliminate the sale or use of drugs and alcohol on school premises.

The codes shall include a clear statement that sanctions up to and including expulsion and referral for prosecution will be imposed on students who violate the

standards given in the Code of Conduct. The codes shall also describe the sanctions (consistent with local, state and federal law) that may be imposed.

Dissemination, Implementation, and Monitoring

All students and parents shall be given a copy of the Code of Conduct annually. The material distributed should include a notice that compliance with the standards of conduct prohibiting drug use and alcohol abuse is mandatory. Staff members in each school are expected to discuss the code with their students and to convey to them the message that drug use is not permissible.

The Superintendent and the Board of Education shall conduct a biennial review of the Niskayuna drug education program to:

1. determine its effectiveness and to implement changes to the program if they are needed, and
2. ensure the sanctions required by the Code of Conduct for the unlawful possession, use or distribution of illicit drugs and alcohol are consistently enforced.

Ref: Drug-Free Schools and Communities Act, 20 USC §§3171 et seq.
 Drug-Free Schools and Campuses, 34 CFR Part 86
 Public Law 101-226
 Education Law §§804; 912-a; 3214
 General Municipal Law §239-u
 Mental Hygiene Law §19.07(c)
 Penal Law §§220.00 et seq.
 Public Health Law, Article 33
 8 NYCRR §§100.2(c); 135.3
New Jersey v. T.L.O., 105 S.Ct. 733 (1985)
Odenheim v. Carlstadt-East Rutherford Region School District, 211 N.J.Super. 54, 510 AD2d 709 (1985)
People v. Scott D., 34 NY2d 483 (1974)
Matter of Wilson, 28 EDR 254
Matter of Pollnow, 22 EDR 547 (1983)
Matter of Vetter, 20 EDR 547 (1981)
Matter of Rodriguez, 8 EDR 214 (1969)

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