

HANOVER PARK REGIONAL HIGH SCHOOL DISTRICT**RANDOM ALCOHOL AND DRUG-TESTING OF STUDENTS**

It is the responsibility of the Board of Education of the Hanover Park Regional High School District to safeguard the health, character, citizenship, and personality development of the pupils enrolled in its schools. Furthermore, the Board has the responsibility to promote and maintain a safe, orderly learning environment within the schools of the District. The Board recognizes that the misuse of drugs, alcohol, and/or steroids by pupils threatens both the health and welfare of the pupils as well as their positive development. Such misuse also threatens the welfare of the entire school community. The Board of Education is therefore committed to the prevention of drug, alcohol, and/or steroid abuse and the rehabilitation of identified abusers.

Ongoing events within the communities of the Regional High School illustrate the opportunities for the misuse of drugs, alcohol, and/or steroids available to pupils. It is the belief of the Board of Education that the problem of illegal drug and alcohol use presents a continuing challenge in the schools of the District and a clear danger to the pupil population as a whole. The District's commitment to maintaining co-curricular activities, including athletics, and pupil on-campus parking in a safe, healthy and secure educational environment requires clear policy and supportive programs relating to the detection and prevention of substance abuse by district pupils involved in co-curricular activities, including athletics, and pupil parking. Consistent with legal rulings, it is the desire of the Board of Education to implement a random alcohol and drug testing procedure for pupils enrolled in District High Schools who elect to participate in co-curricular activities, including athletics, and for pupils granted on-campus parking privileges. It is the belief that ensuring the safety of all pupils participating in co-curricular activities, including athletics, and those pupils granted parking privileges is best accomplished by being proactive. These reasons have been set forth at a public hearing convened in May 2007.

Pupil participation in co-curricular activities, including athletics and pupil parking on-campus at either school is a privilege. Pupil participants, by virtue of their voluntary decision to participate in these co-curricular and athletic activities, and because of their position as school leaders and role models in the school community, have a heightened responsibility to be drug and alcohol free.

Consistent with the U.S. Supreme Court Ruling, *Board of Education of Independent School District No. 92 of Pottawatomie County et al v. Earls et al.*, 536 U.S. 822 (2002) and the New Jersey Supreme Court Ruling in *Joye v. Hunterdon Central Regional High School Board of Education*, 176 N.J. 568 (2003), and N.J.S.A:40A:22, it shall be the policy of the Hanover Park Regional High School District Board of Education to implement and maintain a program of random drug testing for pupils enrolled in the schools of the District who elect to participate in co-curricular activities, including athletics, and for pupils granted on campus parking privileges.

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The pupil random drug testing program shall be mandatory for all pupils who:

- a) Have violated the District's substance abuse policy effective upon the first violation of that policy in a school year.
- b) Elect to participate in co-curricular activities, including athletics, beginning with their participation in their first activity in any school year.
- c) Apply for and are granted a parking permit for on-campus parking effective the date the first parking permit is granted in the school year.

AND, the program shall be voluntary for all pupils who elect to participate with written parental consent or his/her own written consent if an adult pupil.

Once a pupil initially becomes subject to random drug testing in any school year, the pupil shall remain subject to testing for the remainder of that school year. However, pupils ceasing to participate in co-curricular activities, including athletics or pupils surrendering their on-campus parking privileges may file formal notice and withdraw from the random drug testing program. Students withdrawn from the testing program remain withdrawn for one (1) calendar year from the date of withdrawal with a built-in fifteen (15) day grace period for reconsideration.

Consent of the pupil and his/her parent(s)/guardian(s) to participate in random drug testing is required for the pupil to participate in co-curricular activities, including athletics, as well as to obtain a pupil parking permit.

The Principal or his/her designee shall oversee the Policy and Procedures for this program.

Primary emphasis in administering this program shall be directed toward deterrence and remediation rather than punishment of pupils who test positive for alcohol, non-prescribed medications, illegal drugs or their metabolites, and/or steroids. Consequences for a pupil who tests positive for illegal substances will follow the procedures enumerated in this policy. Consistent with court rulings relating to the loss of instructional time, this policy is NOT intended to be disciplinary or punitive in nature. No pupil shall be expelled or suspended from school as a sole result of any verified positive test conducted by the school under the Random Drug Testing Program established by this policy. Students' permanent records relating to students' Random Drug Testing results will not be shared with outside agencies, including colleges and universities, in accordance with applicable law.

This policy and its implementing regulations will supplement the District's existing comprehensive program of drug, alcohol, and steroid education, prevention, and intervention.

Nothing in this policy or the District's establishment of a random drug testing program for pupils shall replace the mandatory testing required by law for a pupil violating N.J.S.A. 40A-12 and/or the District's Substance Abuse Policy JFCH – Use of Alcoholic Beverages, Tobacco, Narcotics, and Other Drugs.

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This policy and its implementing regulations shall comply with federal confidentiality requirements established in 42 CFR Part II and all applicable rules and regulations adopted by the State Board of Education.

This policy and its implementing regulations shall be made available to all school employees, pupils and parent(s) or legal guardian(s) on an annual basis. Full details of the policy and its implementing regulations shall be on file in each school building and notification of its availability shall appear in annually in the District's "Information Handbook."

Policy References:

Student Health Services JHC

Use of Alcoholic Beverages, Tobacco, Narcotics, and Other Drugs JFCH

Legal References:

N.J.S.A. 40A:22;

Joye v. Hunterdon Central Regional High School Board of Education, 176 N.J. 568 (2003).

Adopted: 5/09/07