

Schools—Substance Abuse—Education and Prevention—N.J. Stat. Ann. §§ 18A:40A-1 to -21 (West Supp. 1988).

The New Jersey Legislature has enacted legislation providing for substance abuse education, prevention, intervention, and treatment referral programs.¹ The legislature found that many students are involved in substance abuse; that there is an increased risk that more students will develop abuse problems; and that intervention may prevent, detect, and treat substance abuse.² It also found that “[s]chool-based initiatives have proven particularly effective” in helping students with substance abuse problems.³

The Act defines “substance abuse” as the consumption or use of any alcoholic beverages, controlled dangerous substances, or any chemical or chemical compound for nonmedical purposes.⁴

The Act provides that all public school teachers be trained to identify students who may be substance abusers. This training consists of identifying symptoms and behavioral patterns which suggest abuse, intervention strategies, and information on treatment organizations.⁵ New teachers will be required to pass an examination on substance abuse issues in order to receive certification.⁶

When a teacher, school nurse, or other official believes that a student is a substance abuser, the student will be reported to the school nurse or the substance abuse coordinator⁷ and to the principal of the school.⁸ The principal must notify the student’s parents and the superintendent of schools.⁹ A physical examination of the student is then required. This examination can be performed by the student’s personal physician, by the school’s

¹ N.J. STAT. ANN. §§ 18A:40A-1 to -21 (West Supp. 1988).

² *Id.* § 18A:40A-8.

³ *Id.* § 18A:40A-8(c).

⁴ *Id.* § 18A:40A-9. A “substance” is broadly defined in the Act.

⁵ *Id.* § 18A:40A-15.

⁶ *Id.* § 18A:40A-4.

⁷ The coordinator is a separate and distinct position in the school district and is responsible for supervising and directing the substance abuse programs in the district. *See id.* § 18A:40A-18.

⁸ *Id.* § 18A:40A-12.

⁹ *Id.*

medical inspector, or if neither is available, then by a physician at the emergency room of a local hospital.¹⁰ A written report of the results of the examination will be forwarded to the principal within twenty-four hours of the examination.¹¹

Students determined to be under the influence of a substance will be prohibited from returning to school until they are declared physically and mentally able to return by the person who conducted the original physical examination.¹² The substance abuse coordinator, or another trained staff member, will conduct an interview to determine the extent of the student's involvement with drugs. Interviews with the student's parents and teachers may also be conducted.¹³ The student will be referred to a treatment program if it is determined that the student's health and well-being is in danger.¹⁴

The Act also provides that selected teachers will receive additional training to teach educational classes on drug, alcohol, and other substance abuse to students.¹⁵ This training may also be made available to other instructional and supervisory personnel.¹⁶ Students will be provided with factual information on the effects of substance abuse, available treatment, and decision-making and coping skills.¹⁷

Education and outreach assistance will also be provided to parents and guardians.¹⁸ Consequently, local boards of education must establish policies and procedures to provide parents with this assistance.¹⁹

Finally, the Act mandates that local boards be provided with sufficient materials to assist nonpublic schools in educating students and their parents.²⁰

Anthony J. Verducci

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.* § 18A:40A-3(a).

¹⁶ *Id.* § 18A:40A-3(c). *See id.* § 18A:40A-3(a).

¹⁷ *Id.* § 18A:40A-2.

¹⁸ *Id.* § 18A:40A-16, -17.

¹⁹ *Id.* § 18A:40A-17(b).

²⁰ *Id.* § 18A:40A-5, -17(c).