

5535 - PASSIVE BREATH ALCOHOL SENSOR DEVICE

The Board of Education recognizes that a pupil's abuse of harmful substances seriously impedes that pupil's education and threatens the welfare of the entire school community. The Board is committed to the prevention of substance abuse and the rehabilitation of substance abusers by educational means, but will take additional necessary and appropriate steps to protect the school community from harm and from exposure to harmful substances.

In keeping with its commitment to protect all pupils and the school community from the harm of alcohol use, the Board of Education authorizes the use of a passive breath alcohol sensor device (PBASD) in certain circumstances. A PBASD enables school district staff to check an approximate alcohol level quickly and efficiently without requiring the pupil's active participation. A PBASD may be used in certain circumstances as defined in this Policy and as determined by the Building Principal or designee or the staff member(s) in charge of a school related or school sponsored event or activity. The purpose for using a PBASD is to protect pupils who may be under the influence of alcohol, other pupils, staff, and community members attending such events and to deter the use of alcohol by pupils.

The Board authorizes PBASD screening before, during, and after school activities/events including, but not limited to: dances, athletic events, proms, class trips, drama productions, graduation ceremonies, or school assemblies when the Building Principal or designee has reason to believe the use of alcohol by pupils may be present. When it is determined a PBASD will be used, every pupil or pupil participating in such event will be screened.

If the PBASD screening indicates the presence of alcohol on a pupil, a second screening will be conducted. If the second screening indicates the presence of alcohol on a pupil, the matter shall be reported to the Building Principal or designee and the certified or noncertified school nurse, or the school physician according to the reporting, notification, and examination requirements of N.J.S.A. 18A:40A-12, N.J.A.C. 6A:16-4.3, and Policy and Regulation 5530 – Substance Abuse.

In addition, a PBASD may be used to screen a pupil upon a report to the Building Principal or designee certified or noncertified school nurse, or the school physician if an educational staff member or other professional believes a pupil may be currently under the influence of alcohol on school property or at a school function provided an adult pupil and/or the pupil's parent/legal guardian consents to such screening. Notwithstanding the results of the PBASD screening under these circumstances, the Building Principal or designee must comply with the reporting, notification, and examination procedures of N.J.A.C. 6A:16-4.3 and Policy and Regulation 5530 – Substance Abuse.

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A PBASD will only be used in accordance with the guidelines of this Policy. The Building Principal or designee shall be responsible for the proper training of school staff members in the use of the PBASD in accordance with the manufacturer's specifications.

N.J.S.A. 40A-12

N.J.A.C. 6A:16-4.1 et seq.

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