

D(8)



ISLAND TREES PUBLIC SCHOOLS

Susan Hlavenka
Assistant Superintendent
for Business

ADMINISTRATIVE OFFICES, 74 Farnedge Road, Levittown, NY 11756-5202

516.520.2115 Phone
516.520.4970 Fax

MEMORANDUM

To: Dr. Charles Murphy
From: Susan Hlavenka *SH*
Date: September 25, 2012

RE: Agenda Item-
Award – Maintenance & Repair of District Fleet Vehicles

We held a RFQ opening for Maintenance & Repair of District Fleet Vehicles on September 19, 2012.

A total of three proposals were opened. The lowest proposal was from Division Car Care. Their references have been checked and we find them to be a responsible bidder. The report from the Better Business Bureau lists this vendor as “listed with no complaints”. A copy of the detailed results are attached for your reference. I am asking that the RFQ be awarded to the lowest bidder, Division Car Care.

Recommended Action: To award RFQ #673.013.003, Maintenance & Repair of District Fleet Vehicles, to Division Car Care, 40 Division Avenue, Levittown, NY 11756 and to authorize the district to issue a purchase order to be used on an as needed basis for vehicle maintenance & repairs for the 2012-2013 School Year.

**OFFICIAL TENDER
FORM OF PROPOSAL**

Maintenance & Repair of District Fleet Vehicles

FOR: Maintenance & Repair of District Fleet Vehicles

RFQ NO.: 673.013.003

TO: BOARD OF EDUCATION
ISLAND TREES U.F.S.D.
ADMINISTRATIVE OFFICES
74 FARMEDGE ROAD
LEVITTOWN, NY 11756-5202

PROPOSAL OF: Division Car Care
(NAME OF VENDOR)
40 Division Ave.
(ADDRESS)
Levittown NY 11756
516-731-8900
(TELEPHONE)
9/6/12
(DATE)
John Kenner
(SIGNATURE)

I have received and examined the specifications for the referenced RFQ.

Labor Rate Per Hour

Fifty Five DOLLARS
(BID IN WORDS)

\$ 55.00
(BID IN NUMBERS)

NONCOLLUSIVE BIDDING CERTIFICATION

Firm Name Division Car Care

Business Address 40 Division Ave Levittown NY 11756

Telephone Number (516) 731-8900 Date of Bid 9/6/12

I. General Bid Certification

The bidder certifies that he/she will furnish, at the prices herein quoted, the materials, equipment and/or services as proposed on this bid.

II. NonCollusive Bidding Certification

By submission of this bid proposal, the bidder certifies that he/she is complying with Section 103-d of the General Municipal Law as follows:

Statement of noncollusion in bids and proposals to political subdivision of the state. Every bid or proposal hereafter made to a political subdivision of the state or any public department, agency or official thereof where competitive bidding is required by statute, rule, regulation, or local law, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury: Noncollusive bidding certification.

"(a) By subdivision of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best knowledge and belief:

(1) The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;

(2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and

(3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition."

(b) A bid shall not be considered for award nor shall any award be made where (a) (1) (2) and (3) above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where (a) (1) (2) and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his/her designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning subparagraph one (a).

2. Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one of the section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to noncollusion as the act and deed of the corporation.

John Kewman
Signature (Authorized)

President
Title

STUDENT HEALTH SERVICES

The Board of Education recognizes that good student health is vital to successful learning and realizes its responsibility, along with that of parent(s) or guardian(s), to protect and foster a safe and healthful environment for the students.

The school shall work closely with students' families to provide detection and preventive health services. In accordance with law, the school will provide vision, hearing, and scoliosis screening. Problems shall be referred to the parent(s) or guardian(s) who shall be encouraged to have their family physician provide appropriate care.

Schools shall also provide emergency care for students in accidental or unexpected medical situations.

A permanent student health record shall be part of a student's cumulative school record and should follow the student from grade to grade and school to school along with his/her academic record. This record folder shall be maintained by the school nurse.

Communicable Diseases

It is the responsibility of the Board to provide all students with a safe and healthy school environment. To meet this responsibility, it is sometimes necessary to exclude students with contagious and infectious diseases, as defined in the Public Health Law, from attendance in school. Students will be excluded during periods of contagion for time periods indicated on a chart developed by the school nurse.

It is the responsibility of the Superintendent of Schools, working through district health personnel, to enforce this policy and to contact the county or local health department when a reportable case of a communicable disease is identified in the student or staff population.

Administering Medication to Students

Neither the Board nor district staff members shall be responsible for the diagnosis or treatment of student illness. The administration of prescribed medication to a student during school hours shall be permitted only when failure to take such medicine would jeopardize the health of the student, or the student would not be able to attend school if the medicine were not made available to him/her during school hours, or where it is done pursuant to law requiring accommodation to a student's special medical needs (e.g., Section 504 of the Rehabilitation Act of 1973). "Medication" will include all medicines prescribed by a physician.

Before any medication may be administered to or by any student during school hours, the Board requires:

1. the written request of the parent(s) or guardian(s), which shall give permission for such administration and relieve the Board and its employees of liability for administration of medication; and
2. the written order of the prescribing physician, which will include the purpose of the medication, the dosage, the time at which or the special circumstances under which medication shall be administered, the period for which medication is prescribed, and the possible side effects of the medication.

Students are allowed to carry and apply parentally provided sunscreen without a prescription from a medical provider, assuming that the sunscreen is FDA approved and that the sunscreen is not treating a medical condition. Parents need to provide the district with written permission for students to use sunscreen.

Both documents shall be kept on file in the office of the school nurse.

Regulations

The Superintendent shall develop comprehensive regulations governing student health services. Those regulations shall include the provision of all health services required by law, procedures for the maintenance of health records, and procedures for the administering of medication to students.

Ref: Education Law §§310 (provisions for appeal of child denied school entrance for failure to comply with immunization requirements); 901 et seq. (medical and health services); 6909 (emergency treatment of anaphylaxis)
 Public Health Law §§613 (annual survey); 2164 (immunization requirements)
 8 NYCRR § 64.7 (administration of agents to treat anaphylaxis); Part 136 (school health services program)
Administration of Medication in the School Setting Guidelines, State Education Department, revised April 2002
Immunization Guidelines: Vaccine Preventable Communicable Disease Control, State Education Department, revised August 2000

Adoption date: February 27, 2008

Amended date:

STUDENT HEALTH SERVICES REGULATION

A. Immunization

Children must receive immunizations for diphtheria, polio, measles, mumps, rubella, hepatitis B, Haemophilus Influenzae Type b (Hib), pertussis, tetanus, pneumococcal disease (for children born on or after January 2008), and varicella prior to entering or being admitted to school.

Parents must provide acceptable proof indicating required receipt of all vaccines in accordance with law and regulations. A child may be excluded from the immunization requirements based on a physician determined health reason or condition. This medical exemption must be signed by a physician licensed to practice in New York State. A child may also be excluded from the immunization requirements because the child's parent/guardian holds a genuine and sincere religious belief which is contrary to the practice of immunization.

A child will not be admitted to school or allowed to attend school for more than 14 days without an appropriate immunization certificate or acceptable evidence of immunization. This period may be extended to 30 days on a case-by-case basis by the Building Principal if the child is transferring from another state or country and can show a good faith effort to get the necessary certification or other evidence of immunization.

When a student transfers out of the district, the parent/guardian will be provided with an immunization transfer record showing the student's current immunization status which will be signed by the school nursing personnel or the school physician. A transcript or photocopy of the immunization portion of the cumulative health record will be provided to the new educational institution upon request.

B. Administering Medication to Students in School

The administration of prescribed medication to a student during school hours is permitted only when the medication is necessary to allow the student to attend school or failure to administer the medication would seriously affect the student's health.

Parent(s) or guardian(s) must present the following information:

1. a note from the family doctor containing the following information: student's name, the date and name of the medicine, dosage and time to be administered, and list of possible side effects;
2. a note from the parent(s) or guardian(s) giving the school nurse, teacher, Principal or other school staff permission to administer the medication; or
3. a medication request form filed with the school/nurse.

The school nurse shall develop procedures for the administration of medication, which require that:

1. all medications will be administered by a licensed person unless the child is self-directed;
2. medications shall be securely stored in the office and kept in their original labeled container, which specifies the type of medication, the amount to be given and the times of administration; the school nurse shall maintain a record of the name of the student to whom medication may be administered, the prescribing physician, the dosage and timing of medication, and a notation of each instance of administration; and
3. all medications shall be brought to school by the parent(s) or guardian(s) and shall be picked up by the parent(s) or guardian(s) at the end of the school year or the end of the period of medication, whichever is earlier. If not picked up within five days of the period of medication, the medication shall be discarded.

An adult must bring the medication to school in the original container. The administering staff member should clearly label the medication with the time to be given and dosage.

Sunscreen

Students are permitted to carry and apply sunscreen without a medical provider's order under the following conditions:

1. the sunscreen is used to avoid overexposure to the sun and not for medical treatment of an injury or illness. If sunscreen is required to treat a medical condition, the procedures for administering medication (above) apply;
2. the sunscreen is FDA approved for over the counter use;
3. the student's parents or guardians provide written permission annually for the student to carry and use the sunscreen.

The school nurse will keep written permission for students on file and develop procedures pertaining to this policy.

Administering medication on field trips and at after-school activities. Taking medication on field trips and at after-school activities is permitted if a student is self-directed in administering their own medication. On field trips or at other after-school activities, teachers or other school staff may carry the medication so that the self-directed student can take it at the proper time.

If a student is going on a field trip but is not self-directed (i.e., fully aware and capable of understanding the need and assuming responsibility for taking medicine), then the district may:

- permit the parent or guardian to attend the activity and administer the medication.

- permit the parent to personally request another adult who is not employed by the school to voluntarily administer the medication on the field trip or activity and inform the school district in writing of such request.
- allow the student's health care provider to be consulted and, if he/she permits, order the medication time to be adjusted or the dose eliminated.

If no other alternative can be found, a school nurse or licensed person must administer the medication.

Administering epi-pen in emergency situations. The administration of epinephrine by epi-pen has become an accepted and extremely beneficial practice in protecting individuals subject to serious allergic reactions (e.g., individual has an anaphylactic reaction to a wasp sting or the ingestion of peanut butter).

Pursuant to Commissioner's regulations, registered professional nurses may carry and administer agents used in non-patient specific emergency treatment of anaphylaxis.

In addition, pursuant to SED guidelines, school nurses may provide training to unlicensed school staff in administering epi-pens, prescribed by a licensed prescriber, to a child who has been diagnosed with the potential for a severe reaction, in the event of the onset of a serious allergic reaction when a nurse is not available.

C. Student Medical Exams

In accordance with Section 903 of the state Education Law, each student shall have a physical exam given by the school doctor or family physician (including a Physician, Physician Assistant, or Nurse Practitioner) upon new entrance to school and at grades K, 2, 4, 7 and 10. Findings are to be kept on record at the school on forms that can be obtained from the school nurse.

D. Illness in School

If a student becomes ill in school:

1. The nurse will determine if the student should remain in the dispensary or return to class.
2. The nurse will call the parent, guardian or designated emergency contact if he/she feels the student should go home. In general, a parent or guardian will pick up the student from school.
3. The nurse will contact the Building Principal if he/she feels the child should be transported by bus to the home.
4. If there is to be a change in bus routing in order to carry the student to his/her home, that decision will be made by the administrator and the transportation supervisor.
5. If the route is to be changed, the transportation supervisor shall inform the bus driver.

6. If no parent, guardian or substitute parent picks up the student at school, or if no parent/guardian or substitute parent will be home, the student will remain in the nurse's office until such time as a parent, guardian or designated emergency contact becomes available to assume responsibility for the child.

E. Medical Emergency Record

All students shall have on file a medical emergency record which shall state the name and telephone numbers of the following:

1. the student's parent(s) or guardian(s) at home and work;
2. the student's next of kin;
3. a neighbor;
4. the family physician;
5. preferred hospital;
6. any allergies or serious health conditions.

Adoption date: February 27, 2008

Amended date:

D(14)

VI.

PROHIBITED STUDENT CONDUCT

The Board of Education expects all students to conduct themselves in an appropriate and civil manner with proper regard for the rights and welfare of other students, district personnel and other members of the school community and for the care of school facilities and equipment. The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on educating students so that they may grow in self-discipline.

The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the consequences for their conduct.

Students may be subject to disciplinary action, up to and including suspension from school, when they:

A. *Engage in conduct that is disorderly. Examples of disorderly conduct include but are not limited to:*

1. Running in hallways.
2. Making unreasonable noise.
3. Using language or gestures that are profane, lewd, vulgar or abusive.
4. Obstructing vehicular or pedestrian traffic.
5. Engaging in any willful act which disrupts the normal operation of the school community.
6. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
7. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy.

B. *Engage in conduct that is insubordinate. Examples of insubordinate conduct include but are not limited to:*

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
2. Lateness for, missing, or leaving school or class without permission.
3. Skipping detention.

- C. ***Engage in conduct that is disruptive. Examples of disruptive conduct include but are not limited to:***
1. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.
 2. Inappropriate public sexual contact.
 3. Display or use of personal electronic devices, such as, but not limited to, cell phones, I-pods, digital cameras, in a manner that is in violation of district policy.
- D. ***Engage in conduct that is violent. Examples of violent conduct include but are not limited to:***
1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator other school employee or attempting to do so.
 2. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student or any other person lawfully on the school property or attempting to do so.
 3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
 4. Displaying what appears to be a weapon.
 5. Threatening to use any weapon.
 6. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
 7. Intentionally damaging or destroying school district property.
- E. ***Engage in any conduct that endangers the safety, physical or mental health or welfare. Examples of such conduct include but are not limited to:***
1. Lying to school personnel.
 2. Subjecting other students, school personnel or any other person lawfully on school property or attending a school function to danger by recklessly engaging in conduct which creates a substantial risk of physical injury.
 3. Stealing or attempting to steal the property of other students, school personnel or any other person lawfully on school property or attending a school function.
 4. Defamation which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
 5. Discrimination which includes discrimination against any student by a student or students and/or an employee or employees on school property or at a school function including, but not limited to discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
 6. Harassment which includes a sufficiently severe action or a persistent, pervasive pattern of actions or statements directed at an identifiable individual or group which are intended

- to be, or which a reasonable person would perceive as ridiculing or demeaning. Harassment is also the creation of a hostile environment. (See policy, 0115, Student Harassment and Bullying Prevention and Intervention for a more complete definition.
7. Intimidation which includes engaging in actions or statements that put an individual in fear of bodily harm.
 8. Bullying which may be hostile activity which harms or induces fear through the threat of further aggression and/or creates terror. (See policy 0115 for a more complete definition.)
 9. Hazing which includes an induction, initiation or membership process involving harassment (see policy 0115 for a more complete definition).
 10. Selling, using or possessing obscene material.
 11. Using vulgar or abusive language, ethnic or racial slurs, cursing or swearing.
 12. Smoking a cigarette, cigar, pipe or using chewing or smokeless tobacco.
 13. Possessing, consuming, selling, offering, manufacturing, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-a-like drugs, and any synthetic version thereof, whether specifically illegal or not, commonly referred to as "designer drugs" which are substances designed and synthesized to mimic the intended effects and usages of, which are chemically substantially similar to, illegal drugs, which may or may not be labeled for human consumption.
 14. Inappropriately using or sharing prescription and over-the-counter drugs.
 15. Gambling.
 16. Indecent exposure, i.e. exposure to sight of the private parts of the body in a lewd or indecent manner.
 17. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
 18. Engage in inappropriate displays of affection. All forms of sexual behavior are prohibited.

F. *Engage in misconduct while on a school bus*

It is crucial for students to behave appropriately while riding on district buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting will not be tolerated. Misconduct at the bus stop will not be tolerated.

- G. ***Engage in any form of academic misconduct. Examples of academic misconduct include, but are not limited to:***
1. Plagiarism
 2. Cheating
 3. Copying
 4. Altering records
 5. Assisting another student in any of the above actions
- H. ***Engage in off-campus misconduct that interferes with, or can reasonably be expected to substantially disrupt the educational process in the school or at a school function. Examples of such misconduct include, but are not limited to:***
1. Cyberbullying (i.e., inflicting willful and/or repeated harm through the use of electronic text).
 2. Threatening or harassing students or school personnel over the phone or other electronic medium.
 3. Using message boards to convey threats, derogatory comments or post pornographic pictures of students or school personnel.


XIV.
**PUBLIC CONDUCT
ON SCHOOL PROPERTY**

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, “public” shall mean all persons when on school property or attending a school function including students, teachers and district personnel. The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this code is to maintain public order and prevent abuse of the rights of others. All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Unlawfully intimidate, harass or discriminate against any person on the basis of actual or perceived race, color, creed, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression).
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, sell, offer, manufacture, distribute or exchange alcoholic beverages, controlled or illegal substances, or any synthetic versions (whether or not specifically illegal or labeled for human consumption), or be under the influence of either on school property or at a school function.
10. Possess or use weapons in or on school property or at a school function except in the case of law enforcement officers or except as specifically authorized by the school district.

11. Loiter on or about school property.
12. Gamble on school property or at school functions.
13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by this code.
15. Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.
16. Smoking is prohibited on all school property or at school functions or related activities.

B. *Penalties*

Persons who violate this code shall be subject to the following penalties:

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty members. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.
4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law §75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 3 and 4. They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. *Enforcement*

The building Principal or his/her designee shall be responsible for enforcing the conduct required by this code. When the building Principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not impose any immediate threat of injury to persons or property, the Principal or designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The Principal or his or her designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct or if the person's conduct poses an immediate threat of injury to persons or property, the Principal or his or her designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person. The district shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

DRUG AND ALCOHOL ABUSE

The Board of Education is committed to the prevention of alcohol 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 to inhibit the use/abuse of alcohol and other substances.

No student may use, possess, sell, offer, manufacture, or distribute alcohol or other substances, nor may use or possess drug paraphernalia, on school grounds or at school-sponsored events, except drugs as prescribed by a physician. The term "alcohol and/or other substances" shall be construed throughout this policy to refer to the use of all substances including, but not limited to, alcohol, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any synthetic version thereof (whether or not specifically illegal or labeled for human consumption), commonly referred to as "designer drugs." Designer drugs are those substances which have been designed and synthesized to mimic the intended effects and usages of, and which are chemically substantially similar to, substances controlled by federal and/or state law as exemplified above. The inappropriate use of prescription and over-the-counter drugs shall also be prohibited.

Additionally, the following persons shall be prohibited from entering school grounds or school-sponsored events: any person exhibiting behavior, conduct, or personal or physical characteristics indicative of having used or consumed alcohol and/or other substances, or any person who school personnel have reasonable grounds to suspect has used alcohol and/or other substances.

In order to educate students on the dangers associated with substance abuse, the health education curriculum shall include instruction concerning drug abuse for grades K-12.

Any staff member observing or suspecting drug or alcohol possession or usage by students shall report the incident immediately to the Superintendent of Schools or his/her designee. The Superintendent or his/her designee shall then seek immediate action. Any drugs found shall be confiscated immediately, followed by notification of the parent(s)/guardian(s) of the student(s) involved and the appropriate disciplinary action taken, up to and including permanent suspension and referral for prosecution. In its effort to maintain a drug-free environment, the district shall cooperate to the fullest extent possible with local, state and/or federal law enforcement agencies.

Any staff member observing students exhibiting behavior or characteristics which are symptomatic of drug or alcohol use or abuse shall refer the student to the school nurse for evaluation. Parents/guardians shall be notified of the incident and if warranted, the student shall be sent home.

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 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, 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 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.

Cross-ref: 5300, Code of Conduct

Ref: Drug-Free Schools and Communities Act, 20 U.S.C. §§3171 et seq.

20 U.S.C. §114-5g

21 U.S.C. §812(c)

42 U.S.C. §§5101, 11841

34 CFR Part 86

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

10 NYCRR Part 9

New Jersey v. T.L.O., 469 U.S. 325 (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 (1988)

Matter of Pollnow, 22 EDR 547 (1983)

Matter of Vetter, 20 EDR 547 (1981)

Matter of Rodriguez, 8 EDR 214 (1969)

Adoption date: February 27, 2008

Amended date: