

**ALCOHOL AND OTHER DRUGS**

The Governing Board believes that the use of alcohol or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. The Superintendent or designee shall develop comprehensive programs and activities to foster safe, healthy, and drug-free environments that support academic achievement.

The Superintendent or designee shall develop, implement and evaluate a comprehensive prevention and intervention program that is coordinated with other school and community-based services and programs. The district's program shall be scientifically based and designed to prevent or reduce alcohol or other drug use and the possession and distribution of illegal drugs. It may include primary prevention activities such as decision-making skills and conflict management, instruction, referral to a rehabilitation program, enforcement/discipline, activities that promote the involvement of parents/guardians and coordination with appropriate community agencies and organizations.

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 1020 - Youth Services)*  
*(cf. 4020 - Drug and Alcohol-Free Workplace)*  
*(cf. 5138 - Conflict Resolution/Peer Mediation)*  
*(cf. 6020 - Parent Involvement)*

The Superintendent or designee shall develop and implement an evaluation process that includes ongoing assessment and analysis of objective data regarding the incidence of drug and alcohol use among district students, including discipline problems, and the prevalence of risk factors.

The Superintendent or designee shall consult with principals, teachers, other school personnel, students and parents/guardians when developing the district's program.

The Superintendent or designee shall clearly communicate to all students, staff and parents/guardians the district's policies, regulations and school rules related to the use of alcohol and other drugs on school campuses or at school activities.

*(cf. 5131.61 - Drug Testing)*  
*(cf. 5131.62 - Tobacco)*  
*(cf. 5131.63 - Steroids)*

Staff should encourage students to participate as responsible partners in efforts to maintain a safe, constructive school climate.

*(cf. 5137 - Positive School Climate)*

**ALCOHOL AND OTHER DRUGS** (continued)

District staff shall take every opportunity to cooperate with county and county office of education staff in planning and implementing collaborative alcohol and drug prevention programs.

*(cf. 1020 - Youth Services)*

*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*

**Instruction**

The district shall provide science-based preventative instruction which has been proven effective in helping students avoid the use of alcohol and other drugs.

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6143 - Courses of Study)*

All instruction and related materials shall consistently state that unlawful use of alcohol or other drugs is wrong and harmful. Instruction shall not include the concept of responsible use of drugs or alcohol when such use is illegal. (20 USC 7114, 7162; Health and Safety Code 11999.2)

The district may offer staff development activities for staff who implement the comprehensive drug and alcohol prevention and intervention program.

*(cf. 4131 - Staff Development)*

**Intervention, Referral and Student Assistance Programs**

School staff, students and parents/guardians may be informed about early warning signs which may indicate alcohol and other drug use and about appropriate agencies offering intervention programs, counseling, referral and other student assistance programs.

The Board strongly encourages any student who is using alcohol or drugs to discuss the matter with his/her parent/guardian or with any staff member. Students who disclose their use of alcohol or other drugs when seeking help from an intervention or recovery program shall not be disciplined for such use.

## **ALCOHOL AND OTHER DRUGS (continued)**

### **Enforcement/Discipline**

The Superintendent or designee shall take appropriate action to eliminate transference, introduction, possession, use or sale of alcohol and other drugs and related paraphernalia or sale of alcohol and other drugs and related paraphernalia or substances which are purported to be such drugs or alcohol on school grounds, at school events on school grounds or at school-sponsored activities or in any situation in which the school is responsible for the conduct and well-being of students.

*(cf. 5131 - Conduct)*

*(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)*

*(cf. 5145.12 - Search and Seizure)*

Students discovered to be under the influence or involved in the transference, introduction, possession, use, or sale of alcohol, narcotics, dangerous drugs, or other controlled substances will be subject to disciplinary procedures, including suspension or expulsion and/or referral to law enforcement in accordance with law, Board policy and administrative regulation. In addition, such students may be referred to an appropriate counseling program, transferred to an alternative placement, and/or be restricted from extracurricular activities, including athletics.

*(cf. 5144 - Discipline)*

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

School authorities may search students and school properties for the possession of alcohol and other drugs as long as such searches are conducted in accordance with law. The district may also use specially trained nonaggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or district policy. The dogs may sniff the air around lockers, desks, bags, items, or vehicles on district property or at district-sponsored events as long as they are not allowed to sniff any person.

Inspections shall be unannounced and may be made at the discretion of the Superintendent or designee. In addition, if faculty or staff have reasonable suspicion, through observation or information gained, to believe that a student may have consumed alcohol, the student may be asked to submit to an alcohol detection device such as a Breathalyzer<sup>®</sup>. The person administering the detection device must be trained, or defer the administration of the test to representatives of law enforcement. The device will also be regularly calibrated and certified to maintain accuracy.

In an effort to maintain a safe and orderly environment, the school site staff or law enforcement representatives may utilize alcohol detection devices at extracurricular events in a random fashion or as a condition of attendance when a special need exists, based upon past circumstances or reasonable cause, to deter or control the use of or being under the influence of alcohol.

**ALCOHOL AND OTHER DRUGS** (continued)

Students and parents/guardians shall be informed of this policy at the beginning of each school year. The Superintendent or designee shall clearly communicate to all students, staff, and parents/guardians the district's policies, regulations, and school rules related to the use of alcohol and other drugs on school campuses or at school activities. In all cases, students will be afforded due process.

*Legal Reference:*

EDUCATION CODE

- 44049 Known or suspected alcohol or drug abuse by student*
  - 44645 In-service training anabolic steroids*
  - 48900 Suspension or expulsion (grounds)*
  - 48900.5 Suspension, limitation on imposition; exception*
  - 48901 Smoking or use of tobacco prohibited*
  - 48901.5 Prohibition of electronic signaling devices*
  - 48902 Notification of law enforcement authorities; civil or criminal immunity*
  - 48909 Narcotics or other hallucinogenic drugs*
  - 48915 Expulsion; particular circumstances*
  - 49602 Confidentiality of pupil information*
  - 51202 Instruction in personal and public health and safety*
  - 51203 Instruction on alcohol, narcotics and restricted dangerous drugs*
  - 51210 Areas of study*
  - 51220 Areas of study, grades 7 to 12*
  - 51260-51269 Drug education*
  - 60041 Instructional materials*
  - 60110-60115 Instructional materials on alcohol and drug education*
- BUSINESS AND PROFESSIONS CODE
- 25608 Alcohol on school property; use in connection with instruction*

*Legal Reference continued: (see next page)*

**ALCOHOL AND OTHER DRUGS (continued)**

*Legal Reference continued:*

HEALTH AND SAFETY CODE

11032 Narcotics, restricted dangerous drugs and marijuana

11053-11058 Standards and schedules

11353.6 Juvenile Drug Trafficking and Schoolyard Act

11357 Unauthorized possession of marijuana; possession in school or on school grounds

11361.5 Destruction of arrest or conviction records

11372.7 Drug program fund; uses

11802 Joint school-community alcohol abuse primary education and prevention program

11998-11998.3 Drug and Alcohol Abuse Master Plans

11999-11999.3 Alcohol and drug program funding; no unlawful use

124175-124200 Adolescent family life program

PENAL CODE

13860-13864 Suppression of drug abuse in schools

VEHICLE CODE

13202.5 Drug and alcohol related offenses by person under age of 21, but aged 13 or over;

WELFARE AND INSTITUTIONS CODE

828 Disclosure of information re minors

828.1 Disclosure of criminal records; protection of vulnerable staff & students

UNITED STATES CODE, TITLE 20

5812 National education goals

7101-7184 Safe and Drug-Free Schools and Communities Act

*Management Resources:*

WEB SITES

California Department of Education, Alcohol, Tobacco and Other Drug Prevention:

<http://www.cde.ca.gov/ls/he/at>

California Healthy Kids: <http://www.californiahealthykids.org>

U.S. Department of Education, Office of Safe and Drug Free Schools:

<http://www.ed.gov/about/offices/list/osdfs/index.html>