

**ALCOHOL AND OTHER DRUGS**

The Board of Trustees 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/Principal or designee shall develop comprehensive programs and activities to foster safe, healthy, and drug-free environments that support academic achievement.

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 4020 - Drug and Alcohol-Free Workplace)*  
*(cf. 5137 - Positive School Climate)*

The district's alcohol and drug prevention and intervention programs shall be coordinated with other school and community-based services and programs and shall promote the involvement of parents/guardians. The Superintendent/Principal or designee may collaborate with the county office of education, community-based organizations, health providers, law enforcement agencies, local child welfare agencies, postsecondary institutions, businesses, and other public and private entities in program planning, implementation, and evaluation.

*(cf. 1020 - Youth Services)*  
*(cf. 1220 - Citizen Advisory Committees)*  
*(cf. 6020 - Parent Involvement)*

Prevention and intervention programs and activities may include, but are not limited to: (20 USC 7118)

1. Evidence-based drug and violence prevention activities and programs that educate students against the use of alcohol, tobacco, cannabis, smokeless tobacco products, and electronic cigarettes

*(cf. 5131.62 - Tobacco)*

2. Professional development and training for school staff, specialized instructional support personnel, and interested community members on drug prevention, education, early identification, intervention mentoring, recovery support services, and, where appropriate, rehabilitation referral

*(cf. 4131 - Staff Development)*  
*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*

3. School-based mental health services, including early identification of drug use and referrals to counseling services, and/or partnerships with public or private health care entities that have qualified mental and behavioral health professionals

*(cf. 5141.6 - School Health Services)*

**ALCOHOL AND OTHER DRUGS** (continued)

4. Programs and activities that provide mentoring and school counseling to all students, including students who are at risk of drug use and abuse

**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 prohibited. Instruction shall not include any message on responsible use of drugs or alcohol when such use is illegal. (Health and Safety Code 11999.2)

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

**Intervention, Referral, and Student Assistance Programs**

The Superintendent/Principal or designee shall inform school staff, students, and parents/guardians 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.

*(cf. 5141.52 - Suicide Prevention)*

**Enforcement/Discipline**

Students shall not possess, use, or sell alcohol or other drugs and related paraphernalia on school grounds or at school-sponsored activities.

*(cf. 3513.3 - Tobacco-Free Schools)*

*(cf. 3513.4 - Drug and Alcohol Free Schools)*

*(cf. 5131 - Conduct)*

*(cf. 5131.61 - Drug Testing)*

*(cf. 5131.63 - Steroids)*

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

*(cf. 5145.12 - Search and Seizure)*

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

The Superintendent/Principal 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.

Any student found by the Board to be selling a controlled substance listed in Health and Safety Code 11053-11058 shall be expelled in accordance with BP/AR 5144.1 - Suspension and Expulsion/Due Process. A student found to have committed another drug or alcohol offense, including possession or intoxication, shall be referred to appropriate behavioral interventions or student assistance programs, and may be subject to discipline on a case-by-case basis.

*(cf. 5144 - Discipline)*

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

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

### **Program Evaluation**

The Board and Superintendent shall agree upon performance measures that will be used to monitor and determine the effectiveness of district programs in reducing drug and alcohol use. The Superintendent/Principal or designee shall periodically report to the Board on the effectiveness of district activities in achieving identified objectives and outcomes. (20 USC 7116)

*(cf. 0500 - Accountability)*

#### *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*

*Legal Reference continued: (see next page)*

**ALCOHOL AND OTHER DRUGS (continued)**

*Legal Reference: (continued)*

EDUCATION CODE (continued)

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

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

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

7101-7122 Student Support and Academic Enrichment Grants

*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>

Office of Safe and Healthy Students: <https://www2.ed.gov/about/offices/list/ose/osh>

**ALCOHOL AND OTHER DRUGS**

**Instruction**

The curriculum of the school shall include instruction on the effects upon the human body, as determined by science, of tobacco, alcohol, narcotics, dangerous drugs as defined in Health and Safety Code 11032, and other dangerous substances. Instruction shall be sequential in nature and suited to meet the needs of students at their respective grade level. (Education Code 51203, 51260)

*(cf. 5131.62 - Tobacco)*

In grades 1-6, instruction in drug education should be given in health courses required by Education Code 51210. (Education Code 51260)

In grades 7-12, instruction in drug education shall be conducted in health courses and in any other appropriate area of study required by Education Code 51220. (Education Code 51260)

*(cf. 6142.8 - Comprehensive Health Education)*

Secondary school instruction shall also include a study of the effects of alcohol and other drugs upon prenatal development. (Education Code 51203)

*(cf. 6143 - Courses of Study)*

Instruction shall be provided by appropriately trained instructors who have demonstrated competencies, as determined by the Superintendent/Principal or designee, in the following areas: (Education Code 51260)

1. The ability to interact with students in a positive way
2. Knowledge of the properties and effects of tobacco, alcohol, narcotics, dangerous drugs, and shared drug apparatus
3. Effective teaching skills and competency in helping students to express opinions responsibly and to become aware of their values as they affect drug-use decisions

**Intervention**

District staff shall intervene whenever students use alcohol or other illegal drugs while on school property or under school jurisdiction. Staff members who have a reasonable suspicion that a student may be under the influence of alcohol or drugs shall immediately notify the Superintendent/Principal or designee.

If the Superintendent/Principal or designee, in his/her professional capacity or in the course of his/her employment, knows, observes or suspects that a student may be under the influence of alcohol or drugs, he/she may notify the parent/guardian. (Education Code 44049)

AR 5131.6(b)

**ALCOHOL AND OTHER DRUGS** (continued)

School staff shall not disclose confidential information provided during counseling by a student 12 years of age or older. A school counselor may report such information to the Superintendent or parent/guardian only when he/she believes that disclosure is necessary to avert a clear and present danger to the health, safety or welfare of the student or other persons living in the school community. The school counselor shall not disclose such information to the parent/guardian if he/she believes that the disclosure would result in a clear and present danger to the student's health, safety or welfare. (Education Code 44049, 49602)

*(cf. 5022 - Student and Family Privacy Rights)*

*(cf. 5141 - Health Care and Emergencies)*

*(cf. 6164.2 - Guidance/Counseling Services)*

Regulation

approved: December 11, 2019

**CUDDEBACK UNION ELEMENTARY SCHOOL DISTRICT**

Carlotta, California