

**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.

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

Note: The Every Student Succeeds Act (P.L. 114-95) amended 20 USC 7101-7122 to establish the Student Support and Academic Enrichment Grants program, which may be used for several specified purposes including activities to improve school conditions for student learning. For participating districts, 20 USC 7118 requires parent/guardian involvement in program activities and encourages partnerships with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity. 20 USC 7116 specifies stakeholder groups that must be consulted in the development of the grant application, including parents/guardians, teachers, principals, other school leaders, specialized instructional support personnel, students, community-based organizations, local government representatives (e.g., law enforcement, juvenile court, child welfare agency, public housing agency), Indian tribes or tribal organizations, charter school leaders and staff, and others with relevant and demonstrated expertise in alcohol and drug prevention and intervention.

In addition, Education Code 51268 encourages districts to collaborate with county offices of education in the provision of education programs for alcohol and drug prevention and to coordinate program planning and implementation with health, social services, criminal justice, and other entities.

The following paragraph may be revised to reflect district practice.

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 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)*

Note: Items #1-4 below reflect some of the types of programs that may be funded through the Student Support and Academic Enrichment Grants program pursuant to 20 USC 7118, as amended by P.L. 114-95, and may be revised to reflect district practice.

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

**ALCOHOL AND OTHER DRUGS (continued)**

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)*

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.

**ALCOHOL AND OTHER DRUGS (continued)****Intervention, Referral, and Student Assistance Programs**

Note: Pursuant to 20 USC 7118, as amended by P.L. 114-95, programs which may be funded under the Student Support and Academic Enrichment Grants program include programs of counseling, mentoring, referral services, and other student assistance programs. The following section may be revised to reflect district practice.

In addition, Education Code 215 mandates that any district serving grades 7-12 adopt a suicide prevention policy which contains measures and strategies for addressing the needs of high-risk groups, including, but not limited to, youth with substance use disorders. See BP/AR 5141.52 - Suicide Prevention.

The Superintendent 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)*

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.

Note: Pursuant to Education Code 48900, a student's unlawful possession, use, sale, or furnishing of alcohol or a controlled substance is a ground for suspension or expulsion; see AR 5144.1 - Suspension and Expulsion/Due Process. Education Code 48915 requires immediate suspension and mandates expulsion for any student who sells drugs at school or while under school jurisdiction. In addition, Education Code 48902 requires districts to notify law enforcement of any acts which may involve the possession or sale of narcotics or a controlled substance. However, when suspension and expulsion are not mandated, districts

**ALCOHOL AND OTHER DRUGS (continued)**

should consider whether it is appropriate to use an alternative discipline that maintains safety and order on campus and corrects student misbehavior without unnecessarily excluding students from school or discouraging them from seeking assistance for substance abuse.

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**

Note: Pursuant to 20 USC 7116, as amended by P.L. 114-95, an application for Student Support and Academic Enrichment Grants must include a description of how the district will periodically evaluate program effectiveness based on identified program objectives and outcomes. The following paragraph may be revised to reflect district practice.

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 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/oese/oshs>*