

STUDENTS

Student Substance Abuse

The County Office of Education recognizes that the use of drugs, including alcoholic beverages, narcotics and hallucinogenic agents is detrimental to physical and mental health and may be symptomatic of underlying personal or academic problems. Students involved in the possession, sale, and/or use of substances as stated above shall be subject to disciplinary procedures which may result in suspension, expulsion, and/or referral to law enforcement.

It is the policy of the County Office of Education that instructional programs shall take positive action through education, counseling, parental involvement and/or medical referral in the handling of incidents in the schools involving the possession, sale, and /or use behavior-affecting substances and drug paraphernalia as defined in the Education Code. These substances shall include but shall not be limited to marijuana, LSD, glue, cocaine, PCP, alcohol, and barbiturates.

The County Office of Education prohibits possession or use of “tobacco products” by students while on County Office operated sites or while attending sponsored activities while under the supervision and control of County Office employees.

“Tobacco products” include any product containing tobacco or nicotine, including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, and nicotine delivery devices such as electronic cigarettes. Exceptions may be made for the use or possession of prescription nicotine products.

Prescription and non-prescription drugs which a student carries onto school property for ingestion as prescribed by a physician must be in the original containers and will be kept in the nurse’s office, site administrator’s office, or a secure location. Students involved in the possession, sale and/or use of behavior modifying substances shall be subject to disciplinary procedures which may result in suspension, expulsion, and/or referral to law enforcement.

Because keeping schools free of alcohol and other drugs is a concern common to the County Office and community, the County Office of Education supports cooperation among schools, parents/guardians, law enforcement, and other appropriate community organizations involved in preventing alcohol and other drug abuse.

Instruction

The County Office shall provide preventative instruction which helps student avoid the use of alcohol or other drugs. Comprehensive, age-appropriate K-12 instruction shall address the legal, social, and health consequences of drug and alcohol use.

Teachers shall be trained to answer students' questions related to alcohol and drugs and to help students obtain and use current and accurate information, develop and maintain a positive self-

concept, take positive actions to cope with stress, and use appropriate social and personal skills to resist involvement with alcohol and other drugs.

Intervention

The County Office of Education recognizes that there may be students on campuses who use tobacco products, alcohol, and other drugs and can benefit from intervention. The County Office of Education supports intervention programs that include the involvement of students, parents/guardians, and community agencies/organizations. Information about the signs of alcohol and other drug use and about appropriate agencies offering counseling and rehabilitation for students and their family members should be made available to students and parents/guardians. The County Office of Education believes that school personnel must be trained to identify symptoms which may indicate use of alcohol and other drugs.

Nonpunitive Self-Referral

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

Recovering Student Support

The County Office of Education desires to support recovering students in avoiding re-involvement with tobacco products, alcohol, and other drugs by providing school activities and support services which enhance recovery.

Enforcement/Discipline

The County Office of Education shall take appropriate action to help eliminate possession, use or sale of alcohol and other drugs, and related paraphernalia on school grounds, at school events, or in any situation in which the school is responsible for the conduct and well-being of students. Students possessing, selling, and/or using alcohol or other drugs or related paraphernalia shall be subject to disciplinary procedures which may result in suspension, expulsion, and/or referral to law enforcement. The County Office of Education supports the county-wide Memorandum of Understanding that has been developed with law enforcement and other public agencies.

Pursuant to Ed. Code 48900.5, the County Office of Education recognizes that other means of correction that address the student's use of tobacco products be implemented instead of suspension or expulsion. The County Office of Education may provide or refer students to counseling, intensive education, and other intervention services to assist in the cessation of tobacco use. Such intervention services shall be provided, as appropriate, as an alternative to suspension for tobacco possession.

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, County Office of Education policy, and administrative regulations.

Legal Reference:

BUSINESS AND PROFESSIONS CODE

25608 Alcohol on school property; use in connection with instruction

EDUCATION CODE

44049 Known or suspected alcohol or controlled substance abuse by student

48900 Grounds for suspension or expulsion (grounds)

48900.5 Suspension, restrictions on imposition; exception

48901 Smoking or use of tobacco or tobacco or nicotine products prohibited

48901.5 Electronic signaling device; possession or use prohibited

48902 Notification of law enforcement authorities; liability for making report; failure to notify

48909 Drug or poison use

49423 Administration of prescribed medication for pupil

49480 Continuing medication regimen for nonepisodic condition;
required notice to school employees

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

HEALTH AND SAFETY CODE

309.220-309.225 Adolescent family life program (Department of Health Services)

11032 Narcotics, restricted dangerous drugs and marijuana; construction of
terms used in other divisions

11353.6 Juvenile Drug Trafficking and Schoolyard Act of 1988

11357 Unauthorized possession of marijuana; punishment; prior conviction;
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

11965-11969.5 The School-Community Primary Prevention Program

11998-11998.3 Drug and Alcohol Abuse Master Plans

11999-11999.3 Substance abuse treatment funding

PENAL CODE

13864 Comprehensive alcohol and drug prevention education program

VEHICLE CODE

13202.5 Drug and alcohol related offenses be person under age of 21,
but aged 13 or over; suspension, delay, or restriction of driving privileges

WELFARE AND INSTITUTIONS CODE

828 Disclosure of information gathered by law enforcement agency (re minors)

828.1 School district police or security department; disclosure of juvenile criminal records

DRUG-FREE SCHOOLS AND COMMUNITY ACT OF 1986

20 U.S.C. §7201 et seq.

No Child Left Behind Act of 2001, PL 107-110 (HR 1) (Jan. 8, 2002)

Policy Approved May 2018

Supersedes policy adopted June 11, 2001