

Policy 3513.4: Drug And Alcohol Free Schools

Status: ADOPTED

Original Adopted Date: 10/01/2017 | **Last Reviewed Date:** 10/01/2017

The Governing Board recognizes the need to keep district schools free of drugs and alcohol in order to create a safe and healthy environment conducive to learning and promote student health and well-being. The Board prohibits the possession, use, or sale of drugs and alcohol at any time in district-owned or leased buildings, on district property, and in district vehicles, unless otherwise permitted by law.

The following substances are prohibited on all district property:

1. Any substance which may not lawfully be possessed, used, or sold in California

 2. Cannabis or cannabis products (Health and Safety Code 11362.3; 21 USC 812, 844)

 3. Alcoholic beverages, unless approved by the Superintendent or designee for limited purposes specified in Business and Professions Code 25608
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Prescription medication, except for prescribed cannabis, may be administered at school in accordance with law, district policy and regulations, and written statements by the parent/guardian and the student's authorized health care provider as applicable.

Information about the district's drug- and alcohol-free schools policy and the consequences for violations shall be communicated clearly to employees, parents/guardians, students, and the community.

Enforcement/Discipline

The Superintendent or designee shall take appropriate action to eliminate the possession, use, or sale of alcohol and other drugs and related paraphernalia in district facilities, on district property, in district vehicles, or at school-sponsored activities. As appropriate, he/she may direct anyone violating this policy to leave school property and/or refer the matter to law enforcement.

Students and employees who violate the terms of this policy may be subject to discipline and/or referred to assistance programs in accordance with law and Board policy.

State	Description
Bus. Code 25608	<u>Alcohol on school property; use in connection with instruction</u>
Ed. Code 44940	<u>Compulsory leave of absence for certificated persons</u>
Ed. Code 44940.5	<u>Procedures when employees are placed on compulsory leave of absence</u>
Ed. Code 45123	<u>Employment after conviction of controlled substance offense</u>
Ed. Code 45304	<u>Compulsory leave of absence for classified persons</u>
Ed. Code 48900	<u>Grounds for suspension or expulsion</u>
Ed. Code 48900.5	<u>Suspension, limitation on imposition; exception</u>

Ed. Code 48901	<u>Smoking or use of tobacco prohibited</u>
Ed. Code 48901.5	<u>Prohibition of electronic signaling devices</u>
Ed. Code 48902	<u>Notification of law enforcement authorities; civil or criminal immunity</u>
Ed. Code 48909	<u>Narcotics or other hallucinogenic drugs</u>
Ed. Code 48915	<u>Required recommendation for expulsions</u>
Gov. Code 8350-8357	<u>Drug-free workplace</u>
H&S Code 104559	<u>Tobacco use prohibition</u>
H&S Code 11053-11059	<u>Controlled substances; standards and schedules</u>
H&S Code 11353.6	<u>Juvenile Drug Trafficking and Schoolyard Act</u>
H&S Code 11362.1	<u>Possession and use of cannabis; persons age 21 and over</u>
H&S Code 11362.3	<u>Limitations on possession and use of cannabis</u>
H&S Code 11362.79	<u>Limitations on medical use of cannabis</u>
Pen. Code 13860-13864	<u>Suppression of drug abuse in schools</u>
Veh. Code 13202.5	<u>Drug and alcohol related offenses by person under age of 21, but aged 13 or over</u>

Federal

20 USC 7101-7122
21 USC 812
21 USC 844
41 USC 8101-8106

Management Resources

Court Decision

Website

Description

Student Support and Academic Enrichment Grants
Schedule of controlled substances
Penalties for possession of controlled substance
Drug-Free Workplace Act
Description
Ross v. RagingWire Telecommunications, Inc., 42 Cal. 4th 920 (2008)
CSBA District and County Office of Education Legal Services

Code

1250
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1330.1
3513.3
3513.3
3515.2
3515.2
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4112.41
4112.41
4112.42
4112.42
4117.7
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4119.21
4119.21-E(1)
4159
4212.41
4212.41
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4212.42
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4219.21
4219.21-E(1)
4259
4312.41
4312.41
4312.42
4312.42

Description

Visitors/Outsiders
Visitors/Outsiders
Advertising And Promotion
Use Of School Facilities
Use Of School Facilities
Joint Use Agreements
Tobacco-Free Schools
Tobacco-Free Schools
Disruptions
Disruptions
Drug And Alcohol-Free Workplace
Employee Drug Testing
Employee Drug Testing
Drug And Alcohol Testing For School Bus Drivers
Drug And Alcohol Testing For School Bus Drivers
Employment Status Reports
Dismissal/Suspension/Disciplinary Action
Dismissal/Suspension/Disciplinary Action
Professional Standards
Professional Standards
Employee Assistance Programs
Employee Drug Testing
Employee Drug Testing
Drug And Alcohol Testing For School Bus Drivers
Drug And Alcohol Testing For School Bus Drivers
Dismissal/Suspension/Disciplinary Action
Dismissal/Suspension/Disciplinary Action
Professional Standards
Professional Standards
Employee Assistance Programs
Employee Drug Testing
Employee Drug Testing
Drug And Alcohol Testing For School Bus Drivers
Drug And Alcohol Testing For School Bus Drivers

4317.7	<u>Employment Status Reports</u>
4319.21	<u>Professional Standards</u>
4319.21-E(1)	<u>Professional Standards</u>
4359	<u>Employee Assistance Programs</u>
5030	<u>Student Wellness</u>
5131	<u>Conduct</u>
5131.6	<u>Alcohol And Other Drugs</u>
5131.6	<u>Alcohol And Other Drugs</u>
5131.62	<u>Tobacco</u>
5131.62	<u>Tobacco</u>
5141.21	<u>Administering Medication And Monitoring Health Conditions</u>
5141.21	<u>Administering Medication And Monitoring Health Conditions</u>
5144	<u>Discipline</u>
5144	<u>Discipline</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.2	<u>Suspension And Expulsion/Due Process (Students With Disabilities)</u>
5145.11	<u>Questioning And Apprehension By Law Enforcement</u>
5145.12	<u>Search And Seizure</u>
5145.12	<u>Search And Seizure</u>
6142.8	<u>Comprehensive Health Education</u>
6142.8	<u>Comprehensive Health Education</u>
6145	<u>Extracurricular And Cocurricular Activities</u>
6145	<u>Extracurricular And Cocurricular Activities</u>
6145.2	<u>Athletic Competition</u>
6145.2	<u>Athletic Competition</u>