

STUDENTS

ALCOHOL AND OTHER DRUGS

Instruction

The curriculum of all elementary and secondary schools 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)

Instruction shall be provided by appropriately trained instructors who have demonstrated competencies, as determined by the 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.

Drug Use and Abuse

The administration shall practice the following procedures relative to student drug use and abuse on school property or whenever the student is under the jurisdiction of the schools.

Use or Possession

1. No internal medication is to be administered to students by school personnel except as prescribed by a doctor. (Education Code 49423)

(cf. 5141.21 – Administering Medication)

AR 5131.6 (b)

2. All medication which a student has on prescription for ingestion as prescribed by a doctor must be in their original containers and kept in the nurse's or principal's office, whichever provides greater security.
3. Upon reasonable evidence of drug use, the student will be suspended from school until the student's doctor authorizes the student's return to school under stated conditions as recommended by the doctor.

(cf. 5144.1 – Suspension and Expulsion/Due Process)

4. In any first offense in which students illegally use or possess prescription or non-prescription drugs, including alcohol, marijuana, or inhalants, at school or at school activities, the following will result:
 - a. Suspension from school for at least three (3) days.
 - b. Referral to the proper police authority.
 - c. A parent conference.
 - d. A schedule of regular appointments with a school counselor or other school official.

In addition, the following action may be taken:

- a. Referral to an appropriate community counseling program with the expectation that there will be at least one counseling session during the time of the suspension.
 - a. Transfer to another school or alternative education program as appropriate.
 - b. Recommendation for expulsion.
5. A second incidence of use or possession of illegal drugs at any school or school activity will result in a recommendation for expulsion as provided for in Education Code 48900.

Selling or Providing

When there is reason to believe that a student is selling or is in possession of drugs, the following procedures listed below will be followed:

1. The school administrator will escort the student to the school office and confront him/her with suspicion. The administrator may notify the police before taking the student to the office. The student should be removed from a classroom by a school administrator or designee when there is reasonable cause.

AR 5131.6 (c)

2. For reasonable suspicion, a search for drugs may be made by the administrator. This may include searching the student's locker and/or other District-owned facilities such as science drawers, shop lockers, etc. Such search should be conducted by the administrator with at least one other certificated person as witness. No school staff member should search a student, but may ask the student to volunteer for self-search. Attempt shall be made to notify the student's parent/guardian.

(cf. 5145.12 – Search and Seizure)

3. The student may be interrogated by the school administrator without notifying the student of his/her rights, but if the administrator believes that a law has been broken, the police will be notified.

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 principal or designee.

If the 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).

In severe cases, the principal or designee is authorized to call an ambulance to remove the student to the hospital. Parents will be notified of this action and shall be responsible for the incurred expenses.

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 principal 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: 10/15/08

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California