

**CONTROLLED SUBSTANCE**

The Board of Education believes p~~Possession or use of drugs or alcohol on a school campus represents-is~~ a significant risk factor for any student. The Board desires to keep district schools free of alcohol, intoxicants and other drugs and believes that every effort should be made to inform students of risk factors inherent in controlled substance use.

The Board of Education strongly encourages any student who is using alcohol or drugs to inform his/her parent/guardian or any faculty or staff member such as a teacher, counselor or administrator. Students who self-refer and disclose past use of alcohol or drugs in order to seek assistance or intervention shall not be disciplined for such past use.

A student possessing, using or selling, being under the influence of, or otherwise furnishing to others a controlled substance, alcohol, intoxicant of any kind, or related paraphernalia at school, any school event, activity, field trip or on any school district property or adjacent public property shall be subject to disciplinary procedures including suspension or expulsion in accordance with law, Board policy and administrative regulations. ~~The student shall also be placed on academic probation or a behavior contract and referred to a counseling program. The student may also be transferred to an alternative placement. High School students shall be restricted from cocurricular and extracurricular activities. The student may also be transferred to another school or an alternate educational setting.~~

School administrators shall use a variety of developmentally appropriate interventions and discipline to address substance abuse, such as drug prevention education, counseling, parent meetings, loss of privileges, community service, suspension and expulsion.

~~The Board desires to keep district schools free of controlled substances, alcohol, intoxicants of any kind, or, related paraphernalia, and believes that every effort should be made to inform students of the risks inherent in substance use.~~

Drug and alcohol education is a critical aspect of prevention. The school administrator and/or designee shall implement curriculum and supports to prevent, discourage and eliminate the use or possession of drugs, alcohol or tobacco and related paraphernalia at school, at any school event, activity, field trip or on any school district property or adjacent public property. These programs should be based on student needs and educationally sound and legally acceptable educational practices. Additionally, these programs should be developmentally and culturally appropriate instruction.

All secondary schools should include substance abuse support for students along with their drug prevention education program. The student support program should identify, assist and when appropriate, refer students with substance abuse problems to counseling and/or community resources.

The initial administrative response to drug offenses shall be to address the psychoeducational needs of the students. Interventions should include, but not be limited to, parent conferences, Student Study Team, referrals to school-based or community-based programs ~~shall be considered.~~

The principal or designee shall notify law enforcement of any student violating this policy. This notification shall be made within one school day after suspension or expulsion (Education Code 48902).

## Distribution Guidelines

1. The above policy and procedure shall be distributed to all students Grades 1 – 12 at the beginning of each school year and to transfer students at the time of enrollment.
2. Within the first ~~40~~30 days of school, each principal shall implement procedures to ensure that all students have acknowledged that they have received a copy of the above policy and indicated their obligation to share the contents of the policy with the parent/guardian.
3. Each principal will ensure that all elementary school students in the fourth and fifth grades and middle and high school students are explicitly informed of the provisions of the controlled substance policy through assemblies, presentations and/or direct instruction in appropriate classes.

### Legal Reference:

#### EDUCATION CODE

35160.5 District policy rules and regulations; requirements; matters subject to regulation

44049 Known or suspected alcohol or controlled substance abuse by student

51262 Use of anabolic steroids; legislative finding and declaration

#### CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

#### CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

#### COURT DECISIONS

*Brown v. Shasta Union High School District*, No. C061972, 2010 WL 3442147 (Cal. App. 3d Sept. 2, 2010)

*Board of Education of Independent School District No. 92 of Pottawatomie County v. Earls*, (2002) 122 S.Ct. 2559

*Vernonia School District v. Acton*, (1995) 115 S.Ct. 2385

*Hartzell v. Connell*, (1984) 35 Cal. 3d 899

### Management Resources:

#### OFFICE OF NATIONAL DRUG CONTROL POLICY PUBLICATIONS

*What You Need To Know About Drug Testing in Schools*, August 2002

#### WEB SITES

California Department of Education: <http://www.cde.ca.gov>

National Institute on Drug Abuse: <http://www.nida.nih.gov>

Office of National Drug Control Policy: <http://www.whitehousedrugpolicy.gov>

U.S. Department of Education: <http://www.ed.gov>

## Policy

adopted: August 19, 2009

revised: June 2, 2011; January 19, 2012

## SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

Santa Monica, California