

CONTROLLED SUBSTANCE

Possessing, using, selling, being under the influence of or otherwise furnishing to others a controlled substance, alcohol, intoxicant or related paraphernalia, at school, at any school event, activity, field trip or on any school district property or adjacent public property, is a significant risk factor for any student and is considered to be a threat to the educational process.

~~For the offenses indicated~~For violations of Board policy, Education Code, or law, the student, under guidelines indicated below, may shall be subject to developmentally appropriate interventions and discipline. Interventions and discipline, include, but are not limited to, drug prevention education, counseling, parent meetings, loss of privileges, community service, suspension and expulsion~~academic probation or a behavior contract, an obligation to complete the district counseling requirement, community service, prohibition from participation in cocurricular and extracurricular school activities, suspension, transfer to another school, and expulsion.~~

The school administrator and/or designee shall implement curriculum and supports to prevent, discourage and eliminate the use or possession of controlled substances, drugs, or alcohol on campus and at school activities. School administrators shall use a variety of interventions to address substance use/abuse such as research-based drug prevention education, counseling intervention and discipline.

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

Alcohol and Drug Prevention Instruction

The curriculum of all elementary and secondary schools shall include instruction on the effects upon the human body, as determined by science, of alcohol, narcotics, dangerous drugs and other dangerous substances as defined in Health and Safety Code 11032. Instruction shall be sequential in nature and suited to meet the needs of students at their respective grade level. (Education Code 51203, 51260)

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)

Secondary school instruction shall also include a study of the effects of alcohol and other drugs upon prenatal development. (Education Code 51203)

Intervention

District staff shall intervene whenever students use a controlled substance, alcohol, intoxicant or related paraphernalia, at school, at any school activity or on any school district or adjacent property. Staff members who have 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 observes or suspects that a student may be under the influence of alcohol or drugs, he/she shall notify the parent/guardian. (Education Code 44049)

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)

Schools shall provide developmentally appropriate intervention and counseling support for any student in possession of or using a controlled substance, alcohol, intoxicant or related paraphernalia, at any school activity or on any school district or adjacent property.

~~The initial administrative response to drug offenses shall be to address the psychoeducational needs of the student. Discipline and interventions should be developmentally appropriate and include parent conferences, student counseling, and Student Study Team. Referrals to school-based or community-based programs shall also be considered.~~

Discipline and Intervention Procedures Governing Use, Possession, Being Under the Influence of a Controlled Substance Alcohol, Intoxicant or Related Paraphernalia at School (Grades 1-12)

Students possessing, using or selling a controlled substance, alcohol, intoxicant or related paraphernalia at school, at any school activity or on any school district or adjacent property shall be subject to disciplinary procedures including suspension or expulsion in accordance with law, Board policy and administrative regulations.

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). Whenever students are to be questioned by a law enforcement officer, either as a suspect or a witness, staff shall comply with Administrative Regulations 5145.11 regarding the questioning and apprehension of students. This includes, but is not limited to, notifying the parent, completing the Police on Campus Reporting Form (Board Policy 5144.1), sending the completed form to the Student Services' office, and retaining one copy in an administrative file created specifically for these reports.

~~The rights and responsibilities section of the school district suspension form shall be observed by the school principal or designee. This includes the parent's right to have access to student records and the parent's or student's right to an appeal following the district's appeal procedures. When make-up work can be reasonably provided, the student may be allowed to complete assignments and tests missed during a suspension.~~

1. Elementary School - First Offense:

If the Superintendent or designee determines, in the presence of hard evidence, that the student possessed, used, or was under the influence of a controlled substance, alcohol, intoxicant or related paraphernalia, the following steps shall be taken.

a. ~~A~~The student ~~in possession of a controlled substance, alcohol, intoxicant or related paraphernalia,~~ shall be suspended for ~~three~~one (1) days.

b. After the suspension, the Principal or designee shall hold a return from suspension meeting with the student and parent/guardian to identify potentially on-going issues and develop an Action Plan designed to determine what, if any,

developmentally appropriate interventions are necessary.

c. If a student is attending school in the district on an interdistrict permit, the principal will meet with the parents at the end of the five one (1) day suspension; the permit may be revoked and the student directed to enroll in his/her neighborhood school.

~~b. The student shall be placed on a behavior contract.~~

~~(1) Students shall complete 24 hours of a drug prevention education program or substance abuse counseling program offered by the district. If a parent/guardian would like his/her child to participate in an alternate program, the program must be preapproved by the administrator or designee. If a parent/guardian would like his/her child to attend private counseling or a private drug prevention education program, he/she must get the administrator or designee's preapproval. Private programs will not be funded by the district. Parent/guardian shall attend 12 hours of substance abuse counseling designed for parents.~~

~~(2) The student shall complete 15 hours of school or community service. If community service is determined the community agency must be preapproved by the school.~~

~~(3) To be eligible to participate in the end of the school year promotion ceremony, the student shall provide documentation showing that he/she has satisfactorily complied with all requirements of the behavior contract.~~

~~If a student has been on a behavior contract for a period of time not long enough to have complied with all requirements the behavior contract, then he/she shall provide documentation showing that he/she has made satisfactory progress towards compliance with all requirements of the behavior contract that could have been completed prior to the promotion ceremony.~~

~~(4) If the student does not complete and provide documentation for all of the above measures, he/she will remain on behavior contract with loss of privileges until all are completed.~~

2. Elementary School - Second or Subsequent Offense:

If the Superintendent or designee determines, in the presence of hard evidence, that for a second time the student possessed, used, or was under the influence of a controlled substance, alcohol, intoxicant or related paraphernalia the following steps shall be taken:

a. The student shall be suspended for ~~five~~ three (3) days.

b. While the student is suspended, the student and his/her parent/guardian shall meet with a counselor trained in identifying drug or alcohol dependency, and/or co-occurring mental health issues. The counselor shall be a person identified by the Principal or designee. The counselor shall provide the parent/guardian with recommendations for developmentally appropriate interventions that the parent/guardian shall provide to the Principal or designee at the return from suspension meeting.

c. After the suspension, the Principal or designee shall hold a return from suspension meeting with the student and parent/guardian to review the

recommendations from the counselor and develop an Action Plan based on these recommendations. The Principal or designee's determination of the Action Plan is final.

~~b. The principal may recommend that the student be expelled from the district unless it is determined that expulsion is inappropriate under the particular circumstances of the case. During the period when the student is awaiting the expulsion hearing, make-up work or an alternate school placement will be provided.~~

de. If a student is attending school in the district on an interdistrict permit, the principal will meet with the parents at the end of the ~~five~~ three (3)-day suspension; the permit shall be revoked and the student directed to enroll in his/her neighborhood school.

3. Middle School - First Offense:

If the Superintendent or designee determines, in the presence of hard evidence, that the student possessed, used, was under the influence of a controlled substance, alcohol, intoxicant or related paraphernalia, the following steps shall be taken.

~~a. The student in possession of a controlled substance, alcohol, intoxicant or related paraphernalia, shall be suspended for three (3) days.~~

~~b. The student shall be placed on a behavior contract.~~

b. While the student is suspended, the student and his/her parent/guardian shall meet with a counselor trained in identifying drug or alcohol dependency, and/or co-occurring mental health issues. The counselor shall be a person identified by the Principal or designee. The counselor shall provide the parent/guardian with recommendations for developmentally appropriate interventions that the parent/guardian shall provide to the Principal or designee at the return from suspension meeting.

c. While the student is suspended, he/she shall complete an online education program that addresses the effects of alcohol, tobacco and drug use and how usage affects a person's life. The student shall complete the program before resuming attendance in his/her classes. Appropriate accommodations may be made for a student with an Individualized Education Plan (IEP) or Section 504 Accommodation Plan.

d. After the suspension, the Principal or designee shall hold a return from suspension meeting with the student and parent/guardian to review the recommendations from the counselor and develop an Action Plan based on these recommendations. The Principal or designee's determination of the Action Plan is final.

~~(1) The student shall complete 24 hours of a drug prevention education program or substance abuse counseling program offered by the district. If a parent/guardian would like his/her child to participate in an alternate program, the program must be preapproved by the administrator or designee. If a parent would like his/her child to attend private counseling or a private drug prevention education, he/she must get the administrator or designee's preapproval. Private programs will not be funded by the district. Parent/guardian shall attend 12 hours of substance abuse counseling designed for parents.~~

- (2)e. The student shall complete ~~15~~ five (5) hours of school or community service. ~~If community service is determined the~~ The community ~~agency service~~ agency service must be preapproved by the ~~school~~ Principal or designee.
- (3)f. To be eligible to participate in the culmination/promotion ceremony, a student on ~~a behavior contract~~ an Action Plan shall provide documentation showing that he/she has satisfactorily complied with all requirements of the ~~contract~~ Plan.
- If a student has been on ~~a behavior contract~~ an Action Plan for a period of time not long enough to have complied with all requirements of the ~~behavior contract~~ Plan, then he/she shall provide documentation showing that he/she has made satisfactory progress towards compliance with all requirements that could have been completed prior to the ceremony.
- (4) — If the student does not complete and provide documentation for all of the above measures, he/she will not be allowed to participate in the ceremony and will remain on the ~~behavior contract~~ Action Plan with loss of privileges until all requirements are completed.
- g. If a student is attending school in the district on an interdistrict permit, the principal will meet with the parents at the end of the three (3)-day suspension; the permit shall be revoked and the student directed to enroll in his/her neighborhood school.

4. Middle School - Second or Subsequent Offense:

If the Superintendent or designee determines, in the presence of hard evidence, that for a second time the student possessed, used, or was under the influence of a controlled substance, alcohol, intoxicant or related paraphernalia, the following steps shall be taken:

- a. The student shall be suspended for five (5) days.
- b. After the suspension, the Principal or designee shall hold a return from suspension meeting with the student and parent/guardian to review the Action Plan in place, or prepare a new Action Plan, as appropriate. The Action Plan may include an involuntary transfer to another school or program, as determined by the Principal or designee. The Principal or designee's determination of the Action Plan is final.
- cb. The principal ~~may~~ shall recommend that the student be expelled from the district, unless ~~it is the Principal or designee~~ it is the Principal or designee determines ~~that expulsion is inappropriate~~ that expulsion is inappropriate ~~should not be recommended~~ should not be recommended under the ~~particular~~ particular circumstances ~~of the case~~. During the period when the student is awaiting the expulsion hearing, make-up work or an alternate school placement ~~will~~ shall be provided.
- d. The student shall complete ten (10) hours of school or community service. The community service must be preapproved by the Principal or designee.
- e. Section 3(f) regarding promotion/culmination applies for a student who commits a second offense.
- fe. If a student is attending school in the district on an interdistrict permit, the ~~P~~ Principal will meet with the parents at the end of the five (5)-day suspension; ~~;~~

the permit shall be revoked and the student directed to enroll in his/her neighborhood school.

5. High School - First Offense:

If the Superintendent or designee determines, in the presence of hard evidence, that the student possessed, used, or was under the influence of a controlled substance, alcohol, intoxicant or related paraphernalia, the following steps shall be taken.

a. The student shall be suspended for three (3) days.

~~a. A student in possession of a controlled substance, alcohol, intoxicant or related paraphernalia, shall be suspended for five days. (Enrollment at Saturday School cannot be used in lieu of suspension.)~~

b. While the student is suspended, the student and his/her parent/guardian shall meet with a counselor trained in identifying drug or alcohol dependency, and/or co-occurring mental health issues. The counselor shall be a person identified by the Principal or designee. The counselor shall provide the parent/guardian with recommendations for developmentally appropriate interventions that the parent/guardian shall provide to the Principal or designee at the return from suspension meeting.

c. While the student is suspended, he/she shall complete an online education program that addresses the effects of alcohol, tobacco and drug use and how usage affects a person's life. The student shall complete the program before resuming attendance in his/her classes. Appropriate accommodations may be made for a student with an Individualized Education Plan (IEP) or Section 504 Accommodation Plan.

d. After the suspension, the Principal or designee shall hold a return from suspension meeting with the student and parent/guardian to review the recommendations from the counselor and develop an Action Plan based on these recommendations. The Principal or designee's determination of the Action Plan is final.

~~b. The student shall be placed on academic probation for a period of four weeks. The terms of academic probation include participation in a drug prevention or substance abuse counseling program, community service and the loss of the privilege to participate in cocurricular activities, extracurricular school activities, and graduation and senior activities. Students in cocurricular activities shall be considered excused from their cocurricular activities for the duration of academic probation. Teachers may assign an alternate assignment in lieu of participation, but students shall not be penalized or lose academic credits for non-participation related to academic probation requirements.~~

~~(1) The student shall complete 24 hours of a drug prevention education program or substance abuse counseling in a program offered by the district. If a parent/guardian would like his/her child to participate in an alternate program, the program must be preapproved by the administrator or designee. If a parent/guardian would like his/her child to attend private counseling or a private drug prevention education, he/she must get the administrator or designee's preapproval. Private programs will not be funded by the district. Parent/guardian shall attend 12 hours of substance abuse counseling designed for parents.~~

~~(2)e.~~ The student shall complete ~~40~~ ten (10) hours of community service. The community service must be from a community agency preapproved by the ~~school~~ Principal or designee.

~~(3) — At the end of the four week academic probation period, the student must submit documentation to demonstrate satisfactory effort to comply with the requirements of academic probation. Upon providing documentation demonstrating satisfactory effort to comply with the requirements of academic probation, the student may resume participation in cocurricular and extracurricular school activities. The student shall have an additional six weeks to complete the remaining academic probation requirements. If the student is unable to provide documentation of appropriate effort toward fulfillment of academic probation requirements, the student shall remain on academic probation with loss of privileges until the academic probation contract is complete.~~

f. To be eligible to participate in the graduation ceremony, ~~the a~~ student on academic probation an Action Plan shall provide documentation showing that he/she has satisfactorily complied with all requirements of the ~~probation contract~~ Plan.

If a student has been on academic probation an Action Plan for a period of time not long enough to have complied with all requirements of ~~academic probation the Plan~~, then he/she shall provide documentation showing that he/she has made satisfactory progress towards compliance with all requirements ~~of academic probation~~ that could have been completed prior to the graduation ceremony. If the student does not complete and provide documentation for all of the above measures, he/she will not be allowed to participate in the ceremony.

g. If a student is attending school in the district on an interdistrict permit, the Principal will meet with the parents at the end of the three (3)-day suspension; the permit shall be revoked and the student directed to enroll in his/her neighborhood school.

~~(4) — If the student fails to complete all of the above by the last day of the semester in which the probation was scheduled to end, student will be transferred to another school in the district for the entire next semester. At the end of that semester, the student will be returned to his/her home school if the student has completed the terms of probation requirements.~~

~~If a student has been on academic probation for a period of time not long enough to have complied with all requirements of academic probation by the last day of the semester, then he/she shall provide documentation showing that he/she has made satisfactory progress towards compliance with all requirements of academic probation that could have been complied with prior to the semester end.~~

6. High School - Second or Subsequent Offense:

If the Superintendent or designee determines, in the presence of hard evidence, that for a second time, the student possessed, used, or was under the influence of a controlled substance, alcohol, intoxicant or related paraphernalia, the following steps shall be taken:

- a. The student shall be suspended for five (5) days. ~~The rights and responsibilities section of the district suspension form shall be observed by the principal or designee. Parent will be notified of the allegation and evidence. This includes the parent's right to have access to student records and the parent's or student's right to appeal following the district's appeal procedures. When make-up work can be reasonably provided, the student may be allowed to complete all assignments and tests missed during the suspension.~~
- b. After the suspension, the Principal or designee shall hold a return from suspension meeting with the student and parent/guardian to review the Action Plan in place, or prepare a new Action Plan, as appropriate. The Action Plan may include an involuntary transfer to another school or program, as determined by the Principal or designee. The Principal or designee's determination of the Action Plan is final.
- c. The ~~P~~principal ~~may shall~~ recommend that the student be expelled from the district, unless ~~it is~~ the Principal determines ~~ed~~ that expulsion ~~is inappropriate~~ should not be recommended under the ~~particular~~ circumstances ~~of the case~~. During the period when the student is awaiting the expulsion hearing, make-up work or an alternate school placement ~~will~~ shall be provided.
- d. The student shall complete 15 hours of school or community service. The community service must be preapproved by the Principal or designee.
- e. Section 5(f) regarding graduation applies for a student who commits a second offense.
- f. If a student is attending school in the district on an interdistrict permit, the principal will meet with the parents at the end of the five (5)-day suspension, ~~;~~ the permit shall be revoked and the student directed to enroll in his/her neighborhood school.

Discipline and Procedures for Governing Sales of a Controlled Substance Alcohol, or Intoxicant (Grades 1-12)

In cases where the principal or Superintendent determines, in the presence of hard evidence, that the student sold ~~or provided~~ a controlled substance, alcohol, or intoxicant to others, the following steps shall be taken:

1. The student shall be suspended for five (5) days. (Enrollment at Saturday School cannot be used in lieu of suspension.)
2. The Santa Monica Police Department or the Los Angeles County Sheriff shall be notified.
3. The principal shall inform the Superintendent or designee of the incident and actions taken.
4. The Superintendent or designee shall recommend that the student be expelled from school, unless the principal finds, and so reports to the Superintendent or designee in writing, that expulsion is deemed inappropriate under the terms of a Special Education student's Manifestation Determination meeting. During the period when the student is awaiting the expulsion hearing, make-up work or an alternate school placement ~~will~~ shall be provided.

Definitions of Evidence

1. Hard Evidence:

- a. An admission by the student of possessing, using, selling, being under the influence of, or otherwise furnishing to others a controlled substance, alcohol, intoxicant or related paraphernalia
- b. Discovery of the controlled substance, alcohol, intoxicant or related paraphernalia in the student's person or in possessions such as cars, lockers, or backpacks under the student's control.
- c. Eyewitness testimony of any school personnel of the actual possession, sale, use or furnishing to others.
- d. Eyewitness testimony of two or more students of the actual possession, sale, use or furnishing to others.

2. Soft Evidence:

Soft evidence is more subjective; it involves all other forms of evidence and is usually based on observation of student behavior.

Soft Evidence Procedures

Soft evidence cases will usually involve situations in which the student is suspected of being under the influence of a controlled substance, alcoholic beverage or intoxicant of any kind. In such a case, the administrator ~~shall~~ may consult with the school nurse ~~and may require the completion of the Behavioral Observation Form shown in the Discipline Handbook to determine safety needs of the student.~~

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 fourth and fifth graders, 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.