

### **Alcohol on Campus – Sample Policies**

*Source: Keenan & Associates*

#### **ALCOHOL-FREE SCHOOL POLICY (SAMPLE 1 – SIMPLIFIED)**

The use or possession of alcohol is prohibited on any school property, in any building owned or operated by the Board of Education, or at any activity sponsored by the school whether or not it is held on District property.

Policies of the CALANYWHERE School District Board of Education will be followed:

CALANYWHERE School District prohibits any unauthorized student use, possession, sale or distribution of alcohol, controlled substances or drug paraphernalia. The district further prohibits students from participating in visiting/resorting; that is, being knowingly and intentionally present where alcohol, controlled substances, imitation controlled substances, or drug paraphernalia are being used. These actions are prohibited in any school building or on any other property owned or operated by the District, or at any school-sponsored activity, or in any vehicle dispatched by the District to transport students to or from an activity. These prohibitions apply whether or not the actions occur during regular school hours.

#### **DISCIPLINARY ACTION:**

Disciplinary action, independent of any court action, will be taken by the school district in those cases where students have violated the District's policy.

#### **FIRST VIOLATION**

1. Suspension (two to five days determined by the school administrator)
2. Law enforcement referral (school resource officer)
3. Parent/guardian conference
4. Behavioral contract (signed by student, parent/guardian and school administrator)
5. Restriction from school activities
6. If the parent or guardian declines the initial conference, the District may place the student in another school, an alternative placement program, the Directed Studies Program, and/or additional suspension.

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## **SECOND VIOLATION**

In addition to the initial suspension, parent/guardian conference and law enforcement referral, other actions available would include:

1. Recommendation of expulsion
2. Referral to an appropriate community-counseling program with the expectation that at least one counseling session will be held during the time of suspension
3. Transfer/Alternative Placement

With any violation of the District's **Alcohol-Free School Policy**, students may not participate in school-sponsored activities or serve as an elected or appointed student body or class officer until all of the above procedures have been completed and the student is in acceptable standing with the school administration.

## **EXTRA-CURRICULAR PROGRAMS:**

Students participating in extra-curricular activities shall not use, possess, or be under the influence of drugs and alcohol. **Prior to participating in an extra-curricular activity, students shall sign an agreement to be drug and alcohol free. The parents or guardians will also sign, indicating that both the student and the parent understand the policy and that they accept the consequences, if it is violated. The school will be responsible for the application and enforcement of this policy while the student is at school, at school activities and at other times when the school authorities are informed of and can substantiate violations.** In each case, an appropriate follow up shall be made.

## **DEFINITIONS**

Extra-curricular activities include, but are not limited to, interscholastic athletes, rally committee, school music groups, drama and dance performance, elected positions (ASB, class officers, etc.) and other activities in which students are representing the school as an organized group. Students in these activities are defined as going to and from school, while on campus, during brunch or lunch whether on or off campus, school activities on or off campus, and going to or coming from these activities.

## **DISCIPLINARY ACTION:**

Participants in extra-curricular activities who violate the drug and alcohol policy will be subject to extra-curricular disciplinary action in addition to action delineated by existing District policies.

## **FIRST OFFENSE:**

The student will be suspended from the team or activity for one contest or one week. The student and the parent(s) will meet with the coach, or director and the Assistant Principal/Attendance and Discipline, if

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necessary, to determine the conditions of reinstatement. Enrollment and participation in an approved intervention counseling or education program may be accepted as an alternative to suspension. In this case, a time schedule for attendance and completion will be agreed upon. Responsibility for submitting verification of participation rests with the student. Failure to comply will result in reinstatement of the suspension for at least twice the original time.

### **SECOND OFFENSE:**

Any second offense will result in suspension from the team for the remainder of the season for athletes or the semester for those in other activities. A student who is suspended for a season or semester under this policy may not participate again in co-curricular activities until she/he completes a substance abuse program as outlined in the First Offense. Any subsequent offense will require a conference, including the student, the parent, the advisor/coach and a school, to establish a program of appropriate action.

### **VERIFICATION OF VIOLATION:**

Rumors cannot be a basis for restricting student participation unless they are discussed with the student and substantiated by the coach and/or advisors and administration.

### **USE OF SCHOOL FACILITIES**

#### **Application for Use of Facilities**

The Superintendent or designee shall maintain application procedures and regulations for the use of school facilities which: (Education Code 38130-39)

1. Encourage and assist groups desiring to use school facilities for approved activities.
2. Preserve order in school buildings and on school grounds, and protect school facilities. If necessary, a person may be designated to supervise this task.
3. Ensure that the use of facilities or grounds is not inconsistent with the use of the school facilities or grounds for school purposes and does not interfere with the regular conduct of schoolwork.

Any persons applying for the use of school property on behalf of any society, group or organization shall present written authorization from the group to make the application.

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Persons or organizations applying for the use of school facilities shall submit a statement of information indicating that the organization upholds the state and federal constitutions and does not intend to use school premises to commit unlawful acts.

### **Civic Center Use**

Subject to district policies and regulations, school facilities and grounds shall be available to citizens and community groups as a civic center for the following purposes: (Education Code 38130-38139)

1. Public, literary, scientific, recreational, educational, or public agency meetings
2. The discussion of matters of general or public interest
3. The conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious organization
4. Child care programs to provide supervision and activities for children of preschool and AR 1330(b) elementary school age
5. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies
6. Supervised recreational activities including, but not limited to, sports league activities that are arranged for and supervised by entities, including religious organizations or churches, and in which youths may participate regardless of religious belief or denomination
7. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare
8. Other purposes deemed appropriate by the Governing Board

### **Restrictions**

School facilities shall not be used for any of the following activities:

1. Any use by an individual or group for the commission of any crime or any act prohibited by law
2. Any use of school facilities or grounds which is inconsistent with their use for school purposes or which interferes with the regular conduct of school or school work
3. Any use which is discriminatory in the legal sense
4. Any use, which involves the possession, consumption, or sale of alcoholic beverages, or any restricted substances on school property

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**Note:**

Effective January 1, 2015, AB 2073 created a new exception in the Alcoholic Beverage Control Act (ABC Act) with respect to the prohibition against the possession, consumption and sale of alcoholic beverages in any public school (K-14) or any grounds thereof. It provides that the prohibition against sale or consumption of alcoholic beverages on the grounds of a public schoolhouse does not apply if the alcoholic beverages are acquired, sold, or consumed pursuant to a special events permit for facilities owned and operated by an educational agency, county office of education, superintendent of schools, school district, or community college district at a **time when pupils are not on the grounds.**

**Damage and Liability**

Groups or persons using school facilities shall be liable for any property damages caused by the activity. The Board may charge the amount necessary to repair the damages and may deny the group further use of school facilities.

The Superintendent or designee shall require an Application and Permit for Use of Facilities, A Certificate of Insurance, and an appropriate Hold Harmless and Indemnification Agreement from all user groups.

Any nonprofit group that promotes youth and school activities using school facilities shall be liable for any injuries resulting from its negligence during such use. The group shall provide the District with a Hold Harmless and Indemnification Agreement for their negligence and shall bear the cost of insuring against this risk and defending against all claims arising from this risk.

All other groups using District facilities shall agree to Defend, Indemnify and Hold Harmless the District its Board, Employees, and Agents for any and all losses or injuries that may occur for any reason during such use, regardless of cause.

These groups shall sign the supplemental Hold Harmless and Indemnification Agreement (E 1330.2) for athletic activities, or if the activity or facility being used is determined by the District to be High Risk.

Groups other than those that promote youth and school activities may be required to include the district as additional insured on their liability policies.

**ADMINISTRATIVE REGULATION APPROVED\_\_\_\_\_**

**ALCOHOL-FREE SCHOOL POLICY (SAMPLE 2 – DETAILED)**  
**BOARD POLICY**

**Students**

**ALCOHOL AND OTHER DRUGS**

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The Governing Board believes that the use of alcohol or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. The Board desires to keep District schools free of alcohol and other drugs and desires that every effort be made to reduce student use of these substances. The Board perceives this effort as an important step towards preventing violence, promoting school safety and creating a disciplined environment conducive to learning.

The Superintendent or designee shall develop a comprehensive prevention and intervention program that includes instruction, referral to a rehabilitation program, enforcement/ discipline, activities that promote the involvement of parents/guardians and coordination with appropriate community agencies and organizations.

*(cf. 1020 - Youth Services)*

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 4020 - Drug and Alcohol-Free Workplace)*

*(cf. 6020 - Parent Involvement)*

The Superintendent or designee shall clearly communicate to all students, staff and parents/guardians the District's policies, regulations and school rules related to the use of alcohol and other drugs on school campuses or at school activities. Information about program needs and goals shall be widely distributed in the community.

*(cf. 1100 - Communication with the Public)*

*(cf. 5131.61 - Drug Testing)*

*(cf. 5131.62 - Tobacco)*

*(cf. 5144.1 - Suspension and Expulsion/ Due Process)*

The Board expects staff to conduct themselves in accordance with the District's philosophy related to alcohol and other drugs. Staff should help students see themselves as responsible partners in efforts to maintain a safe, constructive school climate.

*(cf. 5137 - Positive School Climate)*

## **Instruction**

The District shall provide preventative instruction that helps students avoid the use of alcohol and other drugs. Comprehensive, age-appropriate K-12 instruction shall address the legal, social, personal and health consequences of drug and alcohol use, promote a sense of individual responsibility, and inform students about effective techniques for resisting peer pressure to use alcohol and other drugs.

All instruction and related materials shall consistently state that unlawful use of alcohol or other drugs is wrong and harmful. Instruction shall not include the concept of responsible use when such use is illegal.

*(cf. 4131 - Staff Development)*

*(cf. 6142.2 - AIDS Prevention Instruction)*

*(cf. 6142.8 - Comprehensive Health Education)*

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*(cf. 6143 - Courses of Study)*

### **Intervention, Referral and Recovering Student Support**

The Board believes that effective interventions should be available to assist students who use alcohol or other drugs. School staff, students and parents/guardians shall be informed about signs and symptoms which may indicate alcohol and other drug use and about appropriate agencies offering intervention programs, counseling and rehabilitation for students and their family members. The District shall help recovering students to avoid reinvolverment with alcohol and other drugs by providing school and/or community service activities designed to increase students' sense of community.

*(cf. 6142.4 - Learning Through Community Service)*

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

### **Enforcement/Discipline**

The Superintendent or designee shall take appropriate action to 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. School authorities may search students and school properties for the possession of alcohol and other drugs in accordance with law, Board policy and administrative regulations.

*(cf. 5145.11 - Questioning and Apprehension)*

*(cf. 5145.12 - Search and Seizure)*

Students possessing, using or selling alcohol or other drugs or related paraphernalia at school or at a school event shall be subject to disciplinary procedures including suspension or expulsion in accordance with law, Board policy and administrative regulations. Such students also may be referred to an appropriate rehabilitation program.

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

#### *Legal Reference:*

##### BUSINESS AND PROFESSIONS CODE

25608 *Alcohol on school property; use in connection with instruction*

##### EDUCATION CODE

44049 *Known or suspected alcohol or drug abuse by student*

48900 *Suspension or expulsion (grounds)*

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48900.5 *Suspension, limitation on imposition; exception*  
48901 *Smoking or use of tobacco prohibited*  
48901.5 *Prohibition of electronic signaling devices*  
48902 *Notification of law enforcement authorities; civil or criminal immunity*  
48909 *Narcotics or other hallucinogenic drugs*  
48915 *Expulsion; particular circumstances*  
49423 *Administration of prescribed medication*  
49480 *Notice to school by parent or guardian; consultation with physician*  
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 *Elementary and secondary school instruction in drug education by appropriately trained instructors*  
51262 *Use of anabolic steroids; legislative finding and declaration*  
51264 *CDE assistance for inservice training*  
51265 *Gang violence and drug and alcohol abuse prevention inservice*  
51268 *Collaboration to avoid duplication of effort*

#### HEALTH AND SAFETY CODE

11032 *Narcotics, restricted dangerous drugs and marijuana; construction of terms used in other divisions*  
11053-11058 *Standards and schedules*  
11353.6 *Juvenile Drug Trafficking and Schoolyard Act*  
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 *The School-Community Primary Prevention Program*  
11998-11998.3 *Drug and Alcohol Abuse Master Plans*  
11999-11999.3 *Alcohol and drug program funding; no unlawful use*  
124175-124200 *Adolescent family life program (Department of Health Services)*

#### PENAL CODE

13864 *Comprehensive alcohol and drug prevention education*

#### VEHICLE CODE

13202.5 *Drug and alcohol related offenses by 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 re minors*  
828.1 *Disclosure of criminal records; protection of vulnerable staff & students*

#### UNITED STATES CODE, TITLE 20

5812 *National education goals*



**USE OF SCHOOL FACILITIES – SAMPLE 2 – DETAILED**  
**BOARD POLICY**

**Community Relations**

**USE OF SCHOOL FACILITIES**

Use of District and school facilities and equipment are subject to the prohibitions, conditions or restrictions set forth below.

**Rules and Regulations**

1. CALANYWHERE School District is a tobacco free District. Use of tobacco in any form is prohibited in all facilities and on all grounds throughout the District.
2. All user Groups shall provide a Certificate of Insurance showing that they are properly insured for their own negligent acts.
3. No use of any school or District facility shall be granted to any individual or group by written agreement for a period exceeding six months. Uses granted by written agreement shall not constitute a monopoly of school or District facilities for the benefit of any person or group, and use privileges granted shall be renewable or revocable at the discretion of the Board at any time.
4. The individual signing the Application for Use of District Facilities shall, as a condition of use, agree to be held financially responsible in the cause of loss or damage to District property.
5. All juvenile groups using school facilities shall have an adult sponsor submit written application forms on behalf of such groups, under the same terms and conditions provided for public use of school facilities.
6. An approved application may be revoked with reasonable notice when District facilities are needed for school purposes.
7. There shall be a District representative or Custodian in charge whose duties shall include supervision of the opening and closing of buildings and grounds, supervision of the operation of mechanical systems, and the enforcement of regulations and prevention of disturbances.

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8. All applications shall be made at least thirty (30) days in advance of the first date of use being requested. Late applications may be denied. Scheduling conflicts shall be resolved first by the priority of use of school facilities and then on a first come-first served basis.
  9. Applicants for use of District facilities shall be notified in writing whether the request is approved or denied. If approved, a form depicting the approved times and dates together with any special requirements shall be mailed to the applicant. The applicant shall be required to have this approval with them at time of use.
  10. Using organizations shall be responsible for the control and supervision of all persons in attendance during the use of District facilities. The District shall require security as a condition of use whenever it is deemed to be in the District's interests.
  11. Use of District playing fields shall not be permitted during periods of rain or when fields remain wet following rain and when use would be harmful to the playing field unless organization is willing to refurbish field at no cost to the District.
  12. District Food Service employee shall be present to supervise any use of District kitchen facilities. A charge shall be made in addition to all other charges.
  13. No structures, electrical modifications or mechanical apparatus may be erected or installed on District property without specific written approval by the District representative approving the Application for Use of District Facilities. Persons and organizations granted the use of District facilities shall assume full responsibility for compliance with all applicable State and local fire, health and safety laws and regulations.
  14. Users are subject to such additional rules as may be set forth by the building principal/administrator.
  15. No person/organization shall displace/remove furniture or apparatus without prior permission of employee in charge.
  16. School facilities shall not be available for entertainment of any type involving the use of hay, straw and/or animals of any type kind or size.
  17. In locations where parking is permitted on school premises, vehicles must be parked in such a manner so that firefighting equipment may have easy access to buildings and fire hydrants at all time.

### **Termination of Use**

The Superintendent and/or Governing Board shall have the right to revoke permission for use of a District facility at any time when it is deemed in the best interest of the School District.

Termination of permission to use facilities shall immediately result for any person or organization found to have condoned, permitted or found to:

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1. Possess, consume, sell, give or deliver any alcohol beverages, narcotic or dangerous substance, in a school facility or grounds thereof, except where such substance is required to be so possessed or used in connection with a course of instruction being conducted at such facility, pursuant to Section 25608 of the Business and Professions Code.
  2. Profanity, gambling (except for District/City approved Bingo), disorders or violence to persons or property on school or District premises.
  3. Discrimination by denial of entry to any person on the grounds of such person's race, color, religion, national origin or ancestry, creed, sex, age or physical or mental handicapping condition.

#### **Use of School or District Facilities or Grounds prior to 4:00 PM**

Approved activities wishing to use School or District facilities immediately after the end of school must comply with the following additional restrictions.

1. The activities are restricted to those activities attended predominately by students of the school being used.
2. When school is dismissed all students attending the approved activity will go directly from their classroom to the specified facility scheduled for Civic Center use.
3. The activity's leader, or guests, must check in with the school office **prior** to the end of school and go directly to the approved facility at the time of the dismissal bell.

#### **Use of School or District Equipment and Facilities**

Equipment may be made available for use by staff or organizations closely associated with the District, at the discretion of the principal. This information should be provided to the Civic Center administrator by June 1<sup>st</sup> of each year.

Damages that require the repair or replacement of equipment shall be paid by the applicant to whom permission is granted to use school or District equipment. A deposit may be required at the discretion of the district Civic Center administrator.

Any equipment purchased with federal funds derived from Chapter I of the Elementary and Secondary Education Act of 1963, as amended shall be reserved for regular use by project participant student/s. Other students, employees not serving project participants or other persons, organizations or groups or any kind, are prohibited from using such equipment by loan or rental, except to directly meet the needs of Chapter project participants.

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### **Non-District based groups**

Organizations not based within the boundaries of the District (the majority of the members do **NOT** live or own a business within the District's boundaries) must get specific approval to use the District facilities from the Superintendent or designee.

### **Charges for Use**

Organizations, associations, individuals or groups are subject to charge for the use of school or District facilities.

Deposits are payable one week in advance of facility use.

If rental is on a monthly basis, invoices will be mailed and payment is due upon receipt.

### **Facility Rates:**

Site Administrators must identify any restrictions they desire implemented at their respective sites by June 30 of each year. Users will be provided a copy of these restrictions when the user request form is approved. Examples of restriction are: no consumption of food, safety issues, other wear and tear concerns.

### **Community Relations**

#### **USE OF SCHOOL FACILITIES**

California Education Code Section 38130, et sq., also known as the "Civic Center Act", states that there is a Civic Center at each and every public school facility and grounds and defines which groups are entitled to use the facility and under what conditions.

There are four types of user groups covered in the Act:

- District staff and parent teacher organizations
- Non-profit organizations, clubs or associations organized to promote youth and school activities
- Mass Care and Welfare Shelters
- Activities charging admission fees or receiving contributions which net receipts are not expended for the welfare of the pupils of the District or for charitable purposes.

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## General Information

Chapter 1502/82 added Section 40043 to the Education Code (E. C.) As later amended by Chapter 49/84, E.C. Section 40043 required Local Education Authority to grant without charge the use of any school facilities or grounds to qualifying non-profit organizations or groups, when alternative facilities were not available. SB 399 amended E.C. 40043 to allow LEAs to charge such groups for the use school facilities. The amounts charged cannot exceed the LEAs direct costs, as specified in E.C. Section 38130. E.C 40043 was renumbered to 38130.

The governing board of any school district shall authorize the use of any school facilities or grounds under its control, when an alternative location is not available, to nonprofit organizations and clubs or associations organized to promote youth and school activities including, but not limited to:

1. Girl Scouts, Boy Scouts, Camp Fire, Inc.
2. Parent-teacher's associations.
3. School Community advisory councils.
  - a. This subdivision shall not apply to any group that uses school facilities or grounds or fundraising activities that are **not** beneficial to youth or public school activities of the district, as determined by the governing board.
  - b. Except as otherwise provide by law, the governing board may charge an amount not to exceed its direct cost for use of its school facilities. Each governing board that decides to levy these charges shall first adopt a policy specifying which activities shall be charged an amount not to exceed direct costs.
  - b. The governing board of any school district authorizes the use of school facilities or grounds for the purpose specified in paragraph (3) of subdivision (b) of Section 38131 shall charge the church or religious denomination an amount at least equal to the district's direct costs.
  - c. In the case of entertainments or meetings where admission fees are charged or contributions are solicited and the net receipts are **not** expended for the welfare of the pupils of the district or for charitable purposes, a charge shall be levied for the use of school facilities or grounds which charge shall be equal to fair rental value.
  - d. If any group activity results in the destruction of school property, the group may be charged for an amount necessary to repay the damages, and further use of facilities may be denied.
  - e. The District shall also grant the use of school buildings, grounds and equipment to public agencies, including the American Red Cross, for mass care welfare shelters during disasters or other emergencies affecting public health and welfare.

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### **Use of Civic Center by Public; Terms, Conditions and Purposes**

The governing board of any school district may grant the use of school facilities or grounds as a civic center upon the terms and conditions the board deems proper, subject to the limitations, requirements, and restrictions set forth in this article, for any of the following purposes:

1. Public, literary, scientific, recreational, educational, or public agency meetings.
2. Discussion of matters of general public interest.
3. The conduct of religious services for temporary periods on a one time or a renewable basis, provided the Governing Board charges the church or religious organization an amount at least equal to the District's direct costs.
4. Childcare or day care programs for children of preschool and elementary school age.
5. The administration of examination for the selection of personnel or the instruction of precinct board members by public agencies.
6. Supervised recreational activities.
7. Employee organizations or associations may be granted free use of school or District facilities as per employee-employer contract.
8. Senior citizens' organization, other nonprofit or charitable groups organized for cultural or general character building or welfare of the students in the schools or for charitable purposes.
9. Other purposes deemed appropriate by the Governing Board.

The Board shall not grant the use of school facilities for any of the following activities:

1. Any use by an individual or group for the commission of any crime or any act prohibited by law.
2. Any use of school facilities or grounds, which is inconsistent with their use for school purposes or which interferes with the regular conduct of school or school work.
3. Any club, association, organization, affiliation or group that denies the use of the facility to any person because of race, religion, creed, national origin or ancestry, sex or physical or mental handicapping condition of any person; such use previously granted shall be immediately terminated.
4. Any use, which involves the possession, consumption, or sale of alcoholic beverages, or any restricted substances on school property.

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**Note:**

Effective January 1, 2015, AB 2073 created a new exception in the Alcoholic Beverage Control Act (ABC Act) with respect to the prohibition against the possession, consumption and sale of alcoholic beverages in any public school (K-14) or any grounds thereof. It provides that the prohibition against sale or consumption of alcoholic beverages on the grounds of a public schoolhouse does not apply if the alcoholic beverages are acquired, sold, or consumed pursuant to a special events permit for facilities owned and operated by an educational agency, county office of education, superintendent of schools, school district, or community college district at a **time when pupils are not on the grounds**.

5. No individual, society, group or organization intending to further any movement for the purpose of overthrowing the Government of the United States, or of the State by force, violence or other unlawful means.

**Hours and Use of the Civic Center**

Civic Center activities will be scheduled during non-school hours. Rules and regulations for the use of facilities are contained in the AR 1330 (c) (Use of school or District Facilities or Grounds prior to 4:00 PM)

**Priorities for Use of School Facilities**

Priority for use of district facilities shall be as follows:

1. CALANYSCHOOL Unified School District and District-sponsored groups, clubs, and student body organizations.
2. District-related groups (e.g. booster clubs, parent organizations, employee bargaining units and or organizations).
3. Groups under Joint Use Agreement with CSA-143, and the District.
4. Departments and agencies of local governmental entities.
5. District-based community organizations formed for educational, political, economic, artistic and moral interest of the community.
6. Non-District based groups.
7. Other approved groups.

**Damage to School Property**

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Groups or persons using school facilities under the provisions of this policy shall be liable for any property damages caused by the activity. The Board shall charge the amount necessary to repair the damages and may deny the group further use of school facilities. (Education Code 38134).

### **Termination of Use**

The Board may, at any time for good cause, terminate any agreement for public use of school or District facilities with any individual or organization.

### **Liability**

Any school district authorizing the use of school facilities or grounds under subdivision (a) shall be liable for any injuries resulting from negligence of the district in the ownership and maintenance of those facilities or grounds. Any group using school facilities or grounds under subdivision (a) shall be liable for any injuries resulting from the negligence of that group during the use of those facilities or grounds. The district and the group shall each bear the cost of insuring against its respective risks and shall each bear the cost of insuring against its respective risks and shall each bear the costs of defending itself against claims arising from those risks. Notwithstanding any other provisions of law, this subdivision shall not be waived. Nothing in this subdivision shall be construed to limit or affect a school district's immunity or liability under Division 3.6 (commencing with Section 810) of Title 1 of the Government Code, for injuries caused by a dangerous condition of public property.

### **Application for Use of Facilities**

The Superintendent shall maintain application procedures and regulations for the use of school facilities. Regulations shall include, but not be limited to:

1. Providing encouragement and assistance for any of the activities listed above.
2. Preserving order in school buildings and on school grounds, and protecting school facilities. If necessary, a person may be designated to supervise this task.
3. Ensuring that the use of facilities or grounds under this policy is not inconsistent with the use of school facilities or grounds for school purposes and does not interfere with the regular conduct of school work.

A copy of the Board's regulations governing use of school facilities shall be made available to all persons or groups requesting use of District facilities or grounds.

Any persons applying for the use of school property on behalf of any society, group, or organization shall be a member of the applicant group. Unless he/she is an officer of the group, the applicant shall present written authorization from the group to make the application.

Persons or organizations applying for the use of school facilities shall submit the following:



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1. Application for Use of School Facilities for Public Purposes.
  1. A statement of information indicating the organization upholds the state and federal constitutions.
  2. A hold harmless agreement.
  3. A Certificate of Insurance naming the CALANYWHERE Unified School District as additional insured.

*Legal Reference:*

Education Code

*10900-10912 Community Recreation Programs*

*38130-38139 Civic Center Act: use of school property for public purposes*

**Students**

**EDUCATION ON ALCOHOL AND OTHER DRUGS**

Students shall receive instruction by appropriately trained instructors on drug education and the effects of alcohol and other drugs including dangerous drugs defined by Health and Safety Code 11032. (Education Code 51260)

Site administrators shall determine that drug education instructors are appropriately trained, having demonstrated that they possess:

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, responsibility, and to become aware of their values as they affect drug-use decisions (Education Code 51260)

In grades 1 through 5, instruction in drug education should be given in health courses required by Education Code 51210. (Education Code 51260)

In grades 6 through 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)

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Instruction shall be sequential in nature and suited to meet the needs of students at their respective grade level. (Education Code 51260)

The District drug education program shall augment any program provided by county drug education services. (Education Code 51260)

Recognizing that the use of anabolic steroids presents a serious health hazard to students, teachers of science, health, physical education or drug education shall include a lesson on this hazard in instruction programs for grades 7-12. (Education Code 51262)

Students who participate in athletics shall receive information about the hazards of anabolic steroids from their coaches.

**SECONDARY SCHOOL INSTRUCTORS SHALL MAKE A STUDY OF THE EFFECTS OF ALCOHOL AND OTHER DRUGS ON PRENATAL DEVELOPMENT. (EDUCATION CODE 51203)**

**Intervention**

The staff shall intervene whenever students use alcohol and other drugs on school property or are under school jurisdiction. Staff shall refer to BP 5141.21 regarding the legitimate use and administering of medicine.

*(cf. 5141.21 - Administering Medication)*

Staff members who have reason to believe that a student may be under the influence of alcohol or drugs shall immediately notify the principal or designee. The principal or designee, if in agreement, shall notify the parent/guardian.

The principal or designee may refer families of these students to services that effectively deal with their drug problems.

In severe cases, if the parents/guardians or the school medical personnel are not immediately available, the principal is authorized to call an ambulance to remove the student to a hospital. Parents/guardians will be notified of this action and shall be responsible for the incurred expenses.

**ENFORCEMENT/DISCIPLINE**

When any student illegally uses, possesses, sells or provides alcohol or other drugs at school or while under school jurisdiction, the following shall result:

1. Parent/guardian contact
2. Suspension or expulsion in accordance with law
3. Restriction from school activities

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4. Contact law enforcement authority within one school day of the suspension

In addition, the following action may be taken:

1. Referral to an appropriate community counseling program with the expectation that at least one counseling session will be held during the time of suspension

AR 5131.6(c)

2. Transfer/alternative placement

3. Recommendation of expulsion

*(cf. 5144 - Discipline)*

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*