

DRUGS, TOBACCO, ALCOHOLDrugs and Alcohol

The Office of Education will take positive action through education, counseling, parental involvement, medical referral, and law enforcement referral when appropriate in the handling of incidents in the schools involving the possession, sale, furnishing, and/or influence of a controlled substance, including alcohol, drug paraphernalia, and/or chemical forms affecting student behavior.

The Superintendent or designee shall develop, implement and evaluate a comprehensive prevention and intervention program that is coordinated with other school and community-based services and programs. The Office of Education's program shall be scientifically based and designed to prevent or reduce alcohol or other drug use and the possession and distribution of illegal drugs. It shall include primary prevention activities such as decision-making skills and conflict management, instruction, referral to a rehabilitation program, enforcement/discipline, activities that promote the involvement of parents/guardians and coordination with appropriate community agencies and organizations.

Students under the influence of, or involved in, the possession, sale and/or use of alcohol, controlled substances or drug paraphernalia, shall be subject to disciplinary procedures which may result in suspension, transfer to an alternative placement, expulsion, or referral to law enforcement.

School properties may be inspected by school authorities in the interest of maintenance, health and safety. Inspections for the location of drugs, narcotics, liquor, weapons, poisons and missing properties are matters relating to health and safety and may be regarded as reasonable purposes for inspection by school personnel, so long as such inspections are conducted in accordance with constitutional requirements of applicable state law and federal law relating to searches and seizures.

Tobacco

The Superintendent and Board recognize that smoking presents a health hazard which can have serious consequences both for the smoker and the non-smoker and is, therefore, of concern to the Board and the Office of Education.

Students shall not be allowed to smoke, chew or possess tobacco or nicotine products on school property, at school sponsored events, or while under the supervision of school employees. This policy shall apply whether on or off campus or during or outside of regular school hours.

STUDENTS

Board Policy 5131.6(b)

Prohibited products include, but are not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. Student's possession or use of electronic cigarettes, electronic hookahs, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products is also prohibited.

Students who violate this policy shall be subject to disciplinary procedures which may result in suspension from school. Tobacco products possessed by a student in violation of this policy may be confiscated by school staff.

These prohibitions do not apply to a student's possession or use of his/her own prescription products. However, student possession or use of prescription products in school shall be subject to the policy for addressing the administration of medications on campus.

Prevention Instruction

The Superintendent shall provide developmentally appropriate instruction regarding the effects of tobacco use on the human body and shall take steps to discourage students from making it a practice to use tobacco products. The Office of Education's prevention/intervention program shall be based on an ongoing assessment of objective data regarding tobacco use in the schools and community and on research identifying strategies that have proven effective in preventing or reducing tobacco use among youth. Instruction shall be aligned with the state content standards and the state curriculum framework for health education and with any requirements of state and/or federal grant programs in which the Office of Education participates.

The program shall be designed to meet a set of measurable goals and objectives and shall be periodically evaluated to assess progress.

Legal Reference:

EDUCATION CODE

- 44049 Known or suspected alcohol or drug abuse by student*
- 44645 In-service training anabolic steroids*
- 48900 Suspension or expulsion (grounds)*
- 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*
- 49602 Confidentiality of pupil information*
- 51202 Instruction in personal and public health and safety*

Students

Board Policy 5131.6(c)

48909 Narcotics or other hallucinogenic drugs
48915 Expulsion; particular circumstances
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
51260-51269 Drug education
60041 Instructional materials
60110-60115 Instructional materials on alcohol and drug education
BUSINESS AND PROFESSIONS CODE
25608 Alcohol on school property; use in connection with instruction
HEALTH AND SAFETY CODE
11032 Narcotics, restricted dangerous drugs and marijuana
11053-11058 Standards and schedules
11353.6 Juvenile Drug Trafficking and Schoolyard Act
11357 Unauthorized possession of marijuana; 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
104350-104495 Tobacco use prevention education
119405 Unlawful to sell or furnish electronic cigarettes to minors
124175-124200 Adolescent family life program (Department of Health Services)
PENAL CODE
308 Minimum age for tobacco possession
13860-13864 Suppression of drug abuse in schools
VEHICLE CODE
13202.5 Drug and alcohol related offenses by person under age of 21, but aged 13 or over;
WELFARE AND INSTITUTIONS CODE
828 Disclosure of information re minors
828.1 Disclosure of criminal records; protection of vulnerable staff & students
CODE OF REGULATIONS, TITLE 17
6800 Definition, health assessment
6844-6847 Child Health and Disability Prevention program; health assessments
UNITED STATES CODE, TITLE 20
5812 National education goals
7101-7184 Safe and Drug-Free Schools and Communities Act
7111-7117 Safe and Drug-Free Schools and Communities Act
CODE OF FEDERAL REGULATIONS, TITLE 21
1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors
ATTORNEY GENERAL OPINIONS
88 Ops.Cal.Gen.8 (2005)

Policy

Adopted: December 16, 1987

Revised: May 21, 2014

HUMBOLDT COUNTY OFFICE OF EDUCATION

Eureka, California