**MIDDLETOWN UNIFIED SCHOOL DISTRICT**

## Policy 5131.6: Alcohol And Other Drugs

**Adopted Date: 12/13/2023**

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 Superintendent or designee shall develop comprehensive programs and activities to foster safe, healthy, and drug-free environments that support academic achievement.

The district's alcohol and drug prevention and intervention programs shall be coordinated with other school and community-based services and programs and shall promote the involvement of parents/guardians. The Superintendent or designee may collaborate with the county office of education, community-based organizations, health providers, law enforcement agencies, local child welfare agencies, postsecondary institutions, businesses, and other public and private entities in program planning, implementation, and evaluation.

Prevention and intervention programs and activities may include, but are not limited to: (20 USC 7118)

1. Evidence-based drug and violence prevention activities and programs that educate students against the use of alcohol, tobacco, cannabis, smokeless tobacco products, and electronic cigarettes

2. Professional development and training for school staff, specialized instructional support personnel, and interested community members on drug prevention, education, early identification, intervention mentoring, recovery support services, and, where appropriate, rehabilitation referral

3. School-based mental health services, including early identification of drug use and referrals to counseling services, and/or partnerships with public or private health care entities that have qualified mental and behavioral health professionals

4. Programs and activities that provide mentoring and school counseling to all students, including students who are at risk of drug use and abuse

**Instruction**

The district shall provide science-based preventative instruction which has been proven effective in helping students avoid the use of alcohol and other drugs.

All instruction and related materials shall consistently state that unlawful use of alcohol or other drugs is prohibited. Instruction shall not include any message on responsible use of drugs or alcohol when such use is illegal. (Health and Safety Code 11999.2)

The district shall offer staff development activities for staff who implement the comprehensive drug and alcohol prevention and intervention program.

**Intervention, Referral, and Student Assistance Programs**

The Superintendent or designee shall inform school staff, students, and parents/guardians about

early warning signs which may indicate alcohol and other drug use and about appropriate agencies offering intervention programs, counseling, referral, and other student assistance programs.

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**

Students shall not possess, use, or sell alcohol or other drugs and related paraphernalia on school grounds or at school-sponsored activities.

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.

Any student found by the Board to be selling a controlled substance listed in Health and Safety Code 11053-11058 shall be expelled in accordance with BP/AR 5144.1 - Suspension and Expulsion/Due Process. A student found to have committed another drug or alcohol offense, including possession or intoxication, shall be referred to appropriate behavioral interventions or student assistance programs, and may be subject to discipline on a case-by-case basis.

**Program Evaluation**

The Board and Superintendent shall agree upon performance measures that will be used to monitor and determine the effectiveness of district programs in reducing drug and alcohol use. The Superintendent or designee shall periodically report to the Board on the effectiveness of district activities in achieving identified objectives and outcomes. (20 USC 7116)

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**Policy Reference Disclaimer:**
These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

| State | Description |
|---|---|
| Bus. Code 25608 | Alcohol on school property; use in connection with instruction |
| Ed. Code 44049 | Known or suspected alcohol or drug abuse by student |
| Ed. Code 44645 | In-service training anabolic steroids |
| Ed. Code 48900 | Grounds for suspension or expulsion |
| Ed. Code 48900.5 | Suspension, limitation on imposition; exception |
| Ed. Code 48901 | Smoking or use of tobacco prohibited |
| Ed. Code 48901.5 | Prohibition of electronic signaling devices |
| Ed. Code 48902 | Notification of law enforcement authorities; civil or criminal immunity |
| Ed. Code 48909 | Narcotics or other hallucinogenic drugs |

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| Ed. Code 48915 | Expulsion; particular circumstances |
| Ed. Code 49602 | Counseling and confidentiality of student information |
| Ed. Code 51202 | Instruction in personal and public health and safety |
| Ed. Code 51203 | Instruction on alcohol, narcotics and restricted dangerous drugs |
| Ed. Code 51210 | Course of study for grades 1-6 |
| Ed. Code 51220 | Areas of study; grades 7 to 12 |
| Ed. Code 51260-51269 | Drug education |
| Ed. Code 60041 | Instructional materials |
| Ed. Code 60110-60115 | Instructional materials on alcohol and drug education |
| H&S Code 11032 | Narcotics, restricted dangerous drugs and marijuana |
| H&S Code 11053-11059 | Controlled substances; standards and schedules |
| H&S Code 11353.6 | Juvenile Drug Trafficking and Schoolyard Act |
| H&S Code 11357 | Unauthorized possession of marijuana; possession in school or on school grounds |
| H&S Code 11361.5 | Destruction of arrest or conviction records |
| H&S Code 11372.7 | Drug program fund; uses |
| H&S Code 11802 | Joint school-community alcohol abuse primary education and prevention program |
| H&S Code 11999-11999.3 | Alcohol and drug program funding; no unlawful use |
| H&S Code 124175-124200 | Adolescent family life program |
| Pen. Code 13860-13864 | Suppression of drug abuse in schools |
| Veh. Code 13202.5 | Drug and alcohol related offenses by person under age of 21, but aged 13 or over |
| W&I Code 828 | Disclosure of information re minors |
| W&I Code 828.1 | Disclosure of criminal records; protection of vulnerable staff & students |

| **Federal** | **Description** |
|---|---|
| 20 USC 5812 | National education goals |
| 20 USC 7101-7122 | Student Support and Academic Enrichment Grants |

| **Management Resources** | **Description** |
|---|---|
| Website | CSBA District and County Office of Education Legal Services |
| Website | California Department of Education, Alcohol, Tobacco and Other Drug Prevention |
| Website | U.S. Department of Education, Office of Safe and Healthy Students |

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| Website | California Healthy Kids Resource Center |

**Cross References**

| Code | Description |
|---|---|
| 0450 | Comprehensive Safety Plan |
| 0450 | Comprehensive Safety Plan |
| 1325 | Advertising And Promotion |
| 1400 | Relations Between Other Governmental Agencies And The Schools |
| 3290 | Gifts, Grants And Bequests |
| 3513.4 | Drug And Alcohol Free Schools |
| 3515.3 | District Police/Security Department |
| 3515.3 | District Police/Security Department |
| 3515.31 | School Resource Officers |
| 4131 | Staff Development |
| 4227 | Temporary Athletic Team Coaches |
| 4227 | Temporary Athletic Team Coaches |
| 5020 | Parent Rights And Responsibilities |
| 5020 | Parent Rights And Responsibilities |
| 5022 | Student And Family Privacy Rights |
| 5022 | Student And Family Privacy Rights |
| 5030 | Student Wellness |
| 5131 | Conduct |
| 5131.61 | Drug Testing |
| 5131.62 | Tobacco |
| 5131.62 | Tobacco |
| 5131.63 | Steroids |
| 5131.63 | Steroids |
| 5137 | Positive School Climate |
| 5141 | Health Care And Emergencies |
| 5141 | Health Care And Emergencies |
| 5141.52 | Suicide Prevention |
| 5141.52 | Suicide Prevention |
| 5141.6 | School Health Services |

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| 5141.6 | School Health Services |
| 5144 | Discipline |
| 5144 | Discipline |
| 5144.1 | Suspension And Expulsion/Due Process |
| 5144.1 | Suspension And Expulsion/Due Process |
| 5145.11 | Questioning And Apprehension By Law Enforcement |
| 5145.12 | Search And Seizure |
| 5145.12 | Search And Seizure |
| 5146 | Married/Pregnant/Parenting Students |
| 5147 | Dropout Prevention |
| 5148.2 | Before/After School Programs |
| 5148.2 | Before/After School Programs |
| 6142.8 | Comprehensive Health Education |
| 6142.8 | Comprehensive Health Education |
| 6143 | Courses Of Study |
| 6143 | Courses Of Study |
| 6164.2 | Guidance/Counseling Services |
| 6173.1 | Education For Foster Youth |
| 6173.1 | Education For Foster Youth |
| 6184 | Continuation Education |
| 6184 | Continuation Education |