

ALCOHOL AND OTHER DRUGS

This exhibit outlines procedures related to substance abuse policies and programs for students, including education, intervention, support, discipline and consequences for alcohol, tobacco/nicotine, and/or other drug possession, use, sale or provision on all district school campuses.

Definitions

Discipline: Teaching students to behave in ways that contribute to academic achievement and school success, as well as support a school climate where students and staff are responsible and respectful. Successful school discipline strategies include:

1. Engaging and effective instruction and classroom management.
2. Preventing misbehavior before it occurs and using effective interventions after it occurs.
3. Strengthening school safety and academic success by encouraging all school staff to build positive relationships with students and be actively engaged in their students' academic lives and learning.
4. Promoting high standards of behavior from school teams by teaching, modeling, and monitoring behavior and by fairly and consistently correcting misbehavior as necessary.
5. Pairing school discipline with meaningful instruction and guidance to offer students an opportunity to learn from their mistakes and contribute to the school community, which is more likely to result in re-engaging the student in learning.
6. Maximizing the amount of time students spend learning and minimizing the time students are removed from school due to misbehavior.

Graduated sanctions: A system of set integrated intervention strategies designed to operate in unison to enhance accountability, ensure public safety, reduce recidivism, and prevent future negative behavior by moving from limited interventions to more restrictive (i.e., graduated) penalties according to the severity and nature of the behavior.

Suspension: Temporary removal of a student from ongoing instruction at the school site for the purposes of readjustment, as outlined in Board Policy and Administrative Regulations.

Expulsion: Removal of a student from the immediate supervision and control, or general supervision, of school personnel, as outlined in Board policy and Administrative Regulations.

Suspended expulsion: Upon recommendation of the Expulsion Review Panel or hearing officer, modifying an expulsion order contingent upon fulfillment of certain conditions. A student whose expulsion is suspended pursuant to Education Code 48917 may be assigned by the Board of Education to a school, alternative school, class, independent study program, or program deemed appropriate for the student's rehabilitation. During the period of the suspended expulsion, the

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student is deemed to be on "probationary status." Upon satisfactory completion of the student's rehabilitation assignment, the Board shall reinstate the student in a district school and may order the expungement of any and all records of the expulsion proceedings.

Intoxicant: A substance that markedly diminishes physical and mental control.

Controlled/prohibited substance: Alcohol, tobacco/nicotine, or other drug whose possession and use are legally restricted by Education Code, Health and Safety Code §§11000 and following, or law.

Possession of a controlled/prohibited substance: Custody or control of a controlled/prohibited substance (e.g., on one's person, in an assigned locker or desk).

Furnishing a controlled/prohibited substance (not for sale): Offering, arranging or negotiating to give a controlled substance to another person who is not legally entitled to that substance; possessing an amount of a controlled/prohibited substance determined to be more than for personal use.

Over-the-counter (OTC) drugs: Nonprescription drugs whose use is controlled on school campuses by district policy and procedure.

Intervention: The use of educational strategies to provide students with the knowledge and skills to eliminate substance use and engage in health-promoting behaviors.

Support: A program or group that addresses such topics as addiction, social/emotional/ health, physical and/or academic concerns. These programs and groups provide support, not therapy.

Drug paraphernalia: All equipment, products, and materials of any kind which are designed for use or marketed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance. (Health and Safety Code §11014.5.)

Tobacco/nicotine paraphernalia: Penal Code §308 makes it unlawful for persons under 21 years of age (except for active duty military personnel ages 18 or older) to possess paraphernalia for smoking or ingesting tobacco/nicotine products.

Substance in lieu of controlled/prohibited substance: A liquid, substance, or material represented as a controlled/prohibited substance defined in Health and Safety Code §§ 11053 and following.

Drug-free workplace: A workplace or facility at which possession or use of alcohol, tobacco/nicotine, drugs and paraphernalia is not permitted. All district schools and facilities are drug-free workplaces.

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Tobacco/nicotine-free district: A school district on whose property any possession, use, furnishing, or sale of tobacco/nicotine products by students is strictly prohibited.

Performance-enhancing substance: The possession, use, and abuse of androgenic/anabolic steroids and other performance enhancing substances by students is strictly prohibited in compliance with Education Code provisions, Health and Safety Code requirements, and the California Interscholastic Federation (CIF).

Accountability rests with all staff members, students, and parents/guardians. For offenses related to possession and use (excluding sale) of alcohol, tobacco/nicotine and other drugs, student needs shall be identified on the Substance Use Intervention Contract and shall be addressed at the school site. If additional services are needed by students/families, appropriate referrals will be made through the Counseling and Guidance, Mental Health Resource Center, Nursing and Wellness or School Police Departments.

Educational programs for alcohol, tobacco/nicotine, and other drugs are outlined in Board Policy 5030, Student Wellness.

Discipline

1. All discipline related to alcohol, tobacco/nicotine, and other drugs will be consistent districtwide, grades UTK-12, as outlined in the Restorative Discipline Policy; enforcement will be progressive and will apply to all incidents that occur on district campuses or at activities under the jurisdiction of the school.
2. The time period for assessing disciplinary steps will be based on the grade-level span of the student's school - elementary, middle or senior high. Disciplinary steps must be publicized and reviewed with students and parents/guardians at the opening of each school year.
3. Unauthorized use of over-the-counter, nonprescription drugs will be handled as prohibited substances. Self-referrals (i.e., students who voluntarily report their substance abuse) are encouraged and may not be subject to disciplinary action.
4. Sanctions for the following offenses are defined in the Restorative Discipline Policy and shall not be calculated with those for possession or use:
 - a. Drug paraphernalia
 - b. Tobacco/nicotine paraphernalia
 - c. Substance in lieu of controlled/prohibited substances

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Implementation

1. Teacher or other staff member shall immediately notify appropriate site principal/administrator of any suspected possession, use, provision, or sale of alcohol, tobacco/nicotine or other drugs on a school site or at any activity or location under the jurisdiction of the school.
2. Site principal/administrator or designee conducts an investigation that includes but is not limited to interviewing the student or students in question, interviewing witnesses, and gathering appropriate evidence.
3. Site substance abuse prevention plans are to be included in site discipline plans and the plan or a summary is distributed to parents/guardians before the beginning of each school year.
4. Parents/guardians review materials provided by the district related to alcohol, tobacco/nicotine, and other drugs, sign and return when requested, an agreement to abide by all school and district regulations related to substance abuse. Parents/guardians are further encouraged to participate in substance abuse education workshops available through the district or in the community.
5. The Placement and Appeals Department shall conduct all hearings on expulsions related to substance abuse.
6. Superintendent shall enforce, monitor, and evaluate district programs and procedures related to alcohol, tobacco/nicotine, and other drugs.
7. Board of Education adopts policy and approves implementation of programs related to alcohol, tobacco/nicotine, and other drugs.
8. Graduated sanctions.
 - a. Possession and/or use, first offense. All of the following steps are to be implemented. A student under the influence of a prohibited substance is to be treated first as a medical/health issue.
 - (1) Contact parent/guardian immediately regarding the student's health and wellbeing.
 - (2) Notify law enforcement. School officials must notify School Police Services and obtain a School Police Event Number. Any action taken by law enforcement will be in addition to any action taken by the district.
 - (3) Level 2 or 3 intervention as outlined in the Restorative Discipline Policy.

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- (a) A suspension may be reduced or waived at the discretion of the site principal/administrator if the parent/guardian and student agree to participate in a district-approved intervention, recognized community-based program or private agency that provides intervention-based age-appropriate lessons. Any fees associated with community-based or private organizations are the responsibility of the parent/guardian. Parent/guardian and student agree to participate in the assigned program by signing Substance Use Intervention Contract.
 - (b) Other appropriate interventions as determined by site principal/administrator or designee, school counselor or school psychologist.
- (4) Potential loss of eligibility to hold student office or to participate in interscholastic or extracurricular activity for up to seven school days. Summer vacations or holiday breaks do not count toward the school day loss of eligibility requirement.
- (a) If the parent/guardian and student agree to participate in an assigned Substance Use Intervention, the student will remain eligible to participate in interscholastic or extracurricular activities as long as the student is attending the agreed upon intervention.
- (5) Enforcement of all other school rules related to the incident.
- b. Possession and/or use - second offense. All of the following steps are to be implemented.
- (1) Contact parent/guardian immediately regarding the student's health and wellbeing.
 - (2) Notify law enforcement. School officials must notify School Police Services and obtain a School Police Event Number. Any action taken by law enforcement will be in addition to any action taken by the district.
 - (3) Appropriate interventions as determined by site principal/administrator or designee, school counselor or school psychologist.
 - (4) Site administrator has discretion to issue an out-of-school suspension for up to three days.
 - (a) The suspension may be reduced or waived at the discretion of the site principal/administrator if the parent/guardian and student agree

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to participate in a recommended substance abuse treatment program that meets the approval of the district. Student and family will be informed that they are responsible for all costs incurred if they choose outside agency services and must also provide the district with proof of completion. Parent/guardian and student agree to participate in the assigned program by signing the Substance Use Intervention Contract. Violation of this contract may result in reinstatement of a suspension.

- (5) Potential loss of eligibility to hold student office or to participate in interscholastic or extracurricular activity for up to 15 school days. Summer vacations or holiday breaks do not count towards any school day loss of eligibility requirement.
 - (a) Seniors may be denied participation in commencement exercises (and other senior activities) for behavior incidents resulting in a suspension during their senior year.
 - (b) Students with disabilities who receive special education services that have received suspensions may be exempt from this requirement if the student's Individualized Education Program or 504 team has conducted a Manifestation Determination meeting that resulted in the behavior being directly related to the student's disability, or the behavior resulting from a failure of the Local Educational Agency to implement the student's Individualized Education Program or 504 plan.
- c. Possession and/or use - third offense. All of the following steps are to be implemented.
 - (1) Contact parent/guardian immediately regarding student's health and wellbeing.
 - (2) Notify law enforcement. School officials must notify School Police Services and obtain a School Police Event Number. Any action taken by law enforcement will be in addition to any action taken by the district.
 - (3) Appropriate interventions as determined by site principal/administrator or designee, school counselor or school psychologist.
 - (4) Site administrator has discretion to issue an out-of-school suspension for up to four days.
 - (a) The suspension may be reduced or waived at the discretion of the site principal/administrator if the parent/guardian and student agree

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to participate in a recommended substance abuse treatment program that meets the approval of the district. Student and family will be informed that they are responsible for all costs incurred if they choose outside agency services and must also provide the district with proof of completion. Parent/guardian and student agree to participate in the assigned program by signing Substance Use Intervention Contract. Violation of this contract will result in a reinstatement of a suspension.

- (5) Potential loss of eligibility to hold student office or to participate in interscholastic or extracurricular activity for up to 30 school days. Summer vacations or holiday breaks do not count towards the any school day loss of eligibility requirement.
 - (a) Seniors may be denied participation in commencement exercises (and other senior activities) for behavior incidents resulting in a suspension during their senior year.
 - (b) Students with disabilities who receive special education services that have received suspensions may be exempt from this requirement if the student's Individualized Education Program or 504 team has conducted a Manifestation Determination meeting that resulted in the behavior being directly related to the student's disability, or the behavior resulting from a failure of the Local Educational Agency to implement the student's Individualized Education Program or 504 plan.
- d. Possession and/or use – fourth offense and beyond. All of the following steps are to be implemented.
 - (1) Contact parent/guardian immediately regarding the student's health and wellbeing.
 - (2) Notify law enforcement. School officials must notify School Police Services and obtain a School Police Event Number. Any action taken by law enforcement will be in addition to any action taken by the district.
 - (3) Appropriate interventions as determined by the site principal/administrator or designee, school counselor or school psychologist.
 - (4) Site administrator has discretion to issue an out-of-school suspension for up to five days. The suspension may include a permissive recommendation for expulsion based on the student's needs.

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- (5) Potential loss of eligibility to hold student office or to participate in interscholastic or extracurricular activity for up to 45 school days. Summer vacations or holiday breaks do not count towards any school day loss of eligibility requirement.
 - (a) Seniors may be denied participation in commencement exercises (and other senior activities) for behavior incidents resulting in a suspension during their senior year.
 - (b) Students with disabilities who receive special education services that have received suspensions may be exempt from this requirement if the student's Individualized Education Program or 504 team has conducted a Manifestation Determination meeting that resulted in the behavior being directly related to the student's disability, or the behavior resulting from a failure of the Local Educational Agency to implement the student's Individualized Education Program or 504 plan.
- e. Furnishing or possession of a controlled substance in an amount for more than personal use. All of the following steps are to be implemented.
 - (1) Contact parent/guardian immediately.
 - (2) Notify law enforcement. School officials must notify School Police Services and obtain a School Police Event Number. Any action taken by law enforcement will be in addition to any action taken by the district.
 - (3) Site administrator has discretion to issue an out-of-school suspension for up to three days.
 - (a) A suspension may be reduced or waived at the discretion of the site principal/administrator if the parent/guardian and student agree to participate in a district-approved intervention, recognized community-based program or private agency that provides intervention-based age-appropriate lessons. Any fees associated with community-based or private organizations are the responsibility of the parent/guardian. Parent/guardian and student agree to participate in the assigned program by signing the Substance Use Intervention Contract.
 - (b) Other appropriate interventions may also be assigned as determined by site principal/administrator or designee, school counselor or school psychologist.

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- (4) Potential loss of eligibility to hold student office or to participate in interscholastic or extracurricular activity for up to seven school days. Summer vacations or holiday breaks do not count toward the school day loss of eligibility requirement.
 - (a) If the parent/guardian and student agree to participate in an assigned Substance Use Intervention, the student will remain eligible to participate in interscholastic or extracurricular activities as long as the student is attending the agreed upon intervention.
 - (5) Enforcement of all other school rules related to the incident.
- f. Selling of a controlled substance is subject to a five-day suspension with mandatory recommendation for expulsion per Education Code 48915(c).

Exhibit
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SAN DIEGO UNIFIED SCHOOL DISTRICT
San Diego, California