

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

DRUG AND ALCOHOL FREE SCHOOLS

BP 3513.4

Business and Noninstructional Operations

The Governing Board recognizes the need to keep district schools free of drugs and alcohol in order to create a safe and healthy environment conducive to learning and promote student health and well-being. The Board prohibits the possession, use, or sale of drugs and alcohol at any time in district-owned or leased buildings, on district property, and in district vehicles, unless otherwise permitted by law.

The following substances are prohibited on all district property:

1. Any substance which may not lawfully be possessed, used, or sold in California
2. Cannabis or cannabis products
3. Alcoholic beverages, unless approved by the Superintendent or designee for limited purposes specified in Business and Professions Code 25608

Prescription medication, except for prescribed cannabis, may be administered at school in accordance with law, district policy and regulations, and written statements by the parent/guardian and the student's authorized health care provider as applicable.

Information about the district's drug- and alcohol-free schools policy and the consequences for violations shall be communicated clearly to employees, parents/guardians, students, and the community.

Enforcement/Discipline

The Superintendent or designee shall take appropriate action to eliminate the possession, use, or sale of alcohol and other drugs and related paraphernalia in district facilities, on district property, in district vehicles, or at school-sponsored activities. As appropriate, they may direct anyone violating this policy to leave school property and/or refer the matter to law enforcement.

Students and employees who violate the terms of this policy may be subject to discipline and/or referred to assistance programs in accordance with law and Board policy.

Legal Reference:

EDUCATION CODE

- 44940 Compulsory leave of absence for certificated persons
- 44940.5 Procedures when employees are placed on compulsory leave of absence
- 45123 Employment after conviction of controlled substance offense
- 45304 Compulsory leave of absence for classified persons
- 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

BUSINESS AND PROFESSIONS CODE

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

GOVERNMENT CODE

- 8350-8357 Drug-free workplace

HEALTH AND SAFETY CODE

- 11053-11058 Standards and schedules
- 11353.6 Juvenile Drug Trafficking and Schoolyard Act
- 11362.1 Possession and use of cannabis, persons age 21 and over
- 11362.3 Limitations on possession and use of cannabis
- 11362.79 Limitations on medical use of cannabis
- 104559 Tobacco use prohibition

PENAL CODE

- 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;

UNITED STATES CODE, TITLE 20

- 7101-7122 Student Support and Academic Enrichment Grants

UNITED STATES CODE, TITLE 21

- 812 Schedules of controlled substances
- 844 Penalties for possession of controlled substance

UNITED STATES CODE, TITLE 41

- 8101-8106 Drug-Free Workplace Act

COURT DECISIONS

- Ross v. RagingWire Telecommunications, Inc., 42 Cal. 4th 920 (2008)

Date Board Policy Adopted: September 25, 2018