

**FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
FRESNO COUNTY BOARD OF EDUCATION**

**Business and Noninstructional Operations
DRUG AND ALCOHOL FREE SCHOOLS**

The County Superintendent and County Board recognize the need to keep 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 County Superintendent and County Board prohibit the possession, use, or sale of unlawful drugs and alcohol at any time in County Superintendent-leased buildings, on County Board-owned property, and in County Superintendent-owned or leased vehicles, unless otherwise permitted by law.

The following substances are prohibited on all County Superintendent and County Board property:

1. Any substance which may not lawfully be possessed, used, or sold in California.
2. Cannabis or cannabis products (Health and Safety Code 11362.3; 21 USC 812, 844)
3. Alcoholic beverages, unless approved by the County 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, policy and regulations, and written statements by the parent/guardian and the student's authorized health care provider as applicable.

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

Adopted: 11/20/2025

Legal References

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 Grounds for suspension/expulsion
48900.5 Suspension, limitation on imposition; exception
48902 Notification of law enforcement authorities; civil or criminal immunity
48909 Narcotics or other hallucinogenic drugs
48915 Required recommendation for expulsion

Business and Professions Code

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25608 Alcohol on school property, use in connection with instruction

Government Code

8350-8357 Drug-free workplace

Health and Safety Code

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

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 Schedule of controlled substances

844 Penalties for possession of controlled substance

United States Code, Title 41

8101-8106 Drug-Free Workplace Act

Court Decision

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