

FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT

BOARD AGENDA FORM

ITEM NUMBER: 0506-098

AGENDA TITLE: **Revise Student Conduct Code, Section VI, Level 3 Offenses, #4 -**
Alcoholic Beverages and Controlled Substances

RESPONSIBLE: Patrick Godwin, Superintendent

PRESENTER: Janie DeArcos – 355-1111 Ext 113

Board Meeting Date: October 20, 2005

Consent

Discussion/Action

Discussion

Information

BACKGROUND INFORMATION:

The Board of Education approved the Folsom Cordova Unified School District Student Conduct Code on June 20, 2000. A subsequent revision on June 20, 2002, reconciled Section VI, with the Attorney General’s opinion to make an exception for the consequence of the first offense of possession of less than one ounce of marijuana.

The newest revision of the Student Conduct Code will add *under the influence of alcohol or an intoxicant of any kind* as an exception to the mandatory recommendation for expulsion. Student would be suspended 5 days, administratively transferred to another school, and would not move forward for expulsion.

Stated in the 2005/2006 Conduct Code Section VI, Level 3 Offenses, #4 - Alcoholic Beverages and Controlled Substances reads as:

- a. Unlawfully Possessed, Used, Furnished, or Was Under the Influence of Any Controlled Substance Listed in Health and Safety Code §11053 (except for the first offense of less than one ounce of marijuana other than concentrated cannabis), an Alcoholic Beverage or an Intoxicant of Any Kind. [Education Code §§ 48900(c), 48915(a)(3) and 48915(b)]

b. Unlawfully Sold or Furnished an Alcoholic Beverage or an Intoxicant of Any Kind. [Education Code §§48900(c) and 48915(b)]

c. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

Consequence:

On a first offense, five day suspension, recommendation for expulsion, successful completion of a District approved rehabilitation plan, and notification to law enforcement agency.

The first offense of less than one ounce of marijuana other than concentrated cannabis, or simple possession of alcohol, with no prior school suspensions, may result in an action other than recommendation for expulsion; specifically, five day suspension, administrative transfer to another school, successful completion of a District approved rehabilitation plan, and notification to law enforcement agency.

~~Legal wording for the proposed revision was not available at the time of agenda publication and will be provided under separate cover at the board meeting.~~

Proposed revisions would be the addition of #12, under Section V., Level Two Offenses –

12. Unlawfully Possessed, Used, or Was Under the Influence of an Alcoholic Beverage or of an Intoxicant of Any Kind. [Education Code §§48900(c); 48915(b)]

Consequence:

Minimum: Five-day suspension, administratively transferred to another school, successful completion of a District approved rehabilitation plan, and notification to law enforcement agency.

Maximum: Five-day suspension, recommendation for expulsion, successful completion of a District approved rehabilitation plan, and notification to law enforcement agency.

And under Section VI, Level 3 Offenses, #4 - Alcoholic Beverages and Controlled Substances -

a. Unlawfully Possessed, Used, Furnished or Was Under the Influence of Any Controlled Substance Listed in Health and Safety Code §11053 (except for the first offense of less than one ounce of marijuana other than concentrated cannabis), ~~an Alcoholic Beverage or an Intoxicant of Any Kind.~~ [Education Code §§ 48900(c), 48915(a)(3) and 48915(b)]

b. Unlawfully Sold or Furnished an Alcoholic Beverage or an Intoxicant of Any Kind. [Education Code §§48900(c) and 48915(b)]

c. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. [Education Code §48900(p)]

Consequence:

On a first offense, five day suspension, recommendation for expulsion, successful completion of a District approved rehabilitation plan, and notification to law enforcement agency.

The first offense of less than one ounce of marijuana other than concentrated cannabis, or simple possession of alcohol, with no prior school suspensions, may result in an action other than recommendation for expulsion; specifically, five day suspension, administrative transfer to another school, successful completion of a District approved rehabilitation plan, and notification to law enforcement agency.

FISCAL IMPACT: None.

RECOMMENDATION: Staff recommends that the Board approve the revisions to the Student Conduct Code.