

AR 5144.3 First Offense Violation

Any student who uses, transports, is under the influence of, or possesses alcohol, drug paraphernalia, or less than one ounce of marijuana, and who has not had any prior violation of Education Code section 48900 (c), shall be subject to the following disciplinary actions:

1. The student shall be suspended for five days. The student and parent/guardian shall be required to attend a disciplinary procedure meeting with the Student Placement Review Committee. All suspensions shall be in accordance with due process requirements as provided for in the *Education Code*.
2. The student may be involuntarily transferred to another school within the district, be transferred to an independent study program at his/her home school, or be transferred to San Bernardino County Community Day School Program. The transfer shall remain in effect for a minimum of sixty (60) school days or the equivalent of one school trimester.
3. The student and parent/guardian will be required to sign a rehabilitation plan. This plan may include, but is not limited to:
 - a. Completion and verification of a drug or alcohol program for students.
 - b. Verification of attendance in a counseling program for student and parent.

The district will provide a list of sources for free or reduced-fee services, including a free program available through the San Bernardino County Superintendent of School's office. The district shall not be responsible for providing or paying for those services. Costs for such programs will be the sole responsibility of the parent/guardian.

4. Furthermore, the rehabilitation plan referred to in c shall include:
 - a. a detailed behavior contract; and
 - b. an attendance agreement.

If deemed appropriate by the Student Placement Review Committee, the student transferred may be prohibited from participating in activities at, sponsored by, or related to the school from which the student was transferred.

5. If the student desires to return to his/her former school after one trimester transfer period, he/she may file a petition with the superintendent or designee three (3) weeks prior to the requested readmission date.
6. If the parent/guardian disagrees with the transfer action, he/she may request a meeting with the superintendent/designee to appeal the determination. A request for appeal to the superintendent/designee must be made within ten days of the date of the written notice of the decision of the Student Placement Review Committee. If the parent/guardian wishes to appeal the decision of the superintendent/designee, he/she may appeal to the Board of Education. A request for appeal to the Board must be made within ten days of the date of the written notice of the superintendent/designee decision. All appeals must be based on information and records presented at the meeting of the Student Placement Review Committee. No additional testimony or evidence may be presented on appeal.

AR 5144.3 First Offense Violation (continued)

Any subsequent violation of Education Code sections 48900 (c) may result in an expulsion hearing and action by the Board.

This policy of school transfer does not apply in the following situations, which shall result in a recommendation for expulsion:

- a. Any student who is charged with possession of more than one ounce of marijuana, unless the principal/superintendent finds that expulsion is inappropriate, due to the particular circumstances.
- b. Any student who is charged with selling a controlled substance.

Board Approved:

August 4, 2016

October 7, 2004

Effective Date: October 7, 2004