



**GOVERNING BOARD AGENDA ITEM  
AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10**

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**DATE OF MEETING:** August 7, 2012

**TITLE:** Study of Proposed Revisions to Governing Board Policies GBECA (New), JICH, and KFA Regarding Possession and Use of Drugs, Alcohol, and Medical Marijuana by Staff, Students and the Public, Respectively

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**BACKGROUND:** In November of 2010, the Arizona voters passed Proposition 203, the Medical Marijuana Act (the Act). The Act allows a patient who has a debilitating medical condition to obtain an allowable amount of marijuana from a nonprofit medical marijuana dispensary to use and possess the marijuana for debilitating medical conditions, with the exception of certain locations.

Arizona Revised Statutes § 36-2802 prohibits a person from possessing or engaging in the medical use of marijuana on a school bus, on the grounds of any preschool, primary or secondary school and in any correctional facility. Arizona House Bill 2349, signed into law during the last legislative session, amplifies this statute and prohibits the possession or use of marijuana on school and university campuses within the State of Arizona, regardless of the status of possessor or user as a medical marijuana cardholder. The bill was passed into law in response to federal law provisions that could have jeopardized federal education funding absent such passage.

In the proposed revisions contained in the attachments to this item, Governing Board policies would be changed in several respects. First, an entirely new medical marijuana policy would be adopted for employees – GBEAC. This specific draft will be shared with the Amphitheater Education Association through the streamlined meet and confer process permitted by policy. Its adoption should not be delayed until the normal meet and confer process concludes, due to the need for compliance with state and federal law.

Second, a proposed revision to JICH is included to prohibit medical marijuana use, possession or distribution by students on school premises. The Board just recently revised JICH through the general policy review process, but additional changes are now recommended. The proposed changes, we believe, create relevant policy that can be much more simple and direct given the clear prohibitions stated in HB 2349.

Finally, Policy KFA applies the proscriptions of HB 2349 to the general public.

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**RECOMMENDATION:** This item is presented for the Board's study at this time. The policy revision draft will be presented again in late August for the Board's action

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**INITIATED BY:**

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Todd A. Jaeger, Associate to the Superintendent

Date: August 1, 2012

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Patrick Nelson, Superintendent