

School Discipline Guidelines

Report all offenses in EC Sections 48900 and 48915

EDUCATION CODE SECTION 48900

Suspension shall be imposed only when other means of correction fail to bring about proper conduct. However, suspension on the first offense is authorized for 48900 (a) through (e) offenses and/or when the pupil's presence causes a danger to persons. (EC §48900.5) Discretion may be used to provide alternatives to suspension or expulsion that are age appropriate and **designed to address the specific misbehavior** (EC §48900 (v)).

- a.1. Caused, attempted to cause, or threatened to cause physical injury.
- a.2. Willfully used force or violence on another person, except in self-defense.
- b. Possessed, sold or otherwise furnished any firearm, knife, explosive, or other dangerous object.
- c. Possessed, used, sold, furnished, or been under the influence of any controlled substance, alcohol, or intoxicant
- d. Offered, arranged, or negotiated to sell a controlled substance, alcohol or intoxicant and then provided a replica substance.
- e. Attempted or committed robbery or extortion.

- f. Attempted or caused damage to school or private property.
- g. Attempted or stole school or private property.
- h. Possessed, or used a tobacco product.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.
- j. Possessed, offered, arranged, or negotiated to sell drug paraphernalia.
- k. Disrupted school activities or defied school personnel. (Grades 4-12, suspension only)
- l. Knowingly received stolen school or private property.
- m. Possessed an imitation firearm.
- n. Attempted or committed sexual assault or committed a sexual battery.
- o. Harassed, threatened, or intimidated a student complainant or witness in a school disciplinary matter.
- p. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q. Engaged in, or attempted to engage in, hazing.
- r. Engaged in an act of bullying, including cyberbullying and *cyber sexual bullying*.
- t. Aided or abetted in the attempted or infliction of physical injury to another. Expel only when connected to (a)
- 2. Committed sexual harassment. (Grades 4-12)
- 3. Attempted, threatened, caused, or participated in hate violence. (Grades 4-12)
- 4. Harassment, threats or intimidation creating an intimidating or hostile educational environment.(Grades 4-12)
- 7. Made terroristic threats against school officials or property.

s. Act must be related to a school activity or school attendance occurring within a school under the jurisdiction of a district, including but not limited to: 1) while on school grounds; 2) while going to or coming from school; 3) during the lunch period on or off campus; or 4) during or while going to or from a school sponsored activity.

- u. School property includes electronic files and databases.
- w. Alternatives to suspension/expulsion should be applied to students who are truant, tardy or absent from school.

EDUCATION CODE SECTION 48915 -Expulsion

Report all offenses in §48900 for jurisdiction consideration

Principal or Superintendent shall recommend expulsion for offenses which **occur at school or at a school activity off school grounds**, unless it should not be under the circumstances or an alternative means of correction would address the conduct:

- a.1.(A) Causing serious injury to another person, except in self-defense.
- a.1.(B) Possession of a knife, or other dangerous object of no reasonable use to the pupil.
- a.1.(C) Unlawful possession of any controlled substance except for the first offense for the possession of not more than one avoirdupois (by weight) ounce of marijuana, other than concentrated cannabis.
- a.1.(D) Robbery or extortion.
- a.1.(E) Assault or battery on any school employee.

For expulsion under §48915 (a) or §48900 (a) through (r) or §48900.2, .3, .4 or .7, there must be a finding of either of the following(§48915(b) or (e)):

(1) That other means of correction are not feasible or have repeatedly failed to bring about the proper conduct.

(2) That due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

The following offenses require suspension and recommendation for expulsion:

- c.1. Sale, possession or furnishing a firearm. (Exception for imitation firearm)
- c.2. Brandishing a knife at another person. (See also EC § 48915 (g))
- c.3. Selling a controlled substance.
- c.4. Attempted or committed sexual assault or committed sexual battery.
- c.5. Possession of an explosive.

(d) Students with a (c) offense shall be referred to a program of study that 1) accommodates students with discipline problems 2) is not at an elementary or comprehensive middle or high school and 3) is not housed at the schoolsite student attended when suspended.

Education Code §48911 (b)(c)(d):

Student Conference Held Postponed until _____

Date: _____ Time: _____

Total Days Suspended in the School Year: _____

Does the student have a Section 504 plan or IEP? ___ yes ___ no

If yes and suspended for 10 schooldays or more during the school year, manifestation determination meeting held? ___ yes ___ no

Police report made? ___ Yes ___ No

If yes, what agency? _____

Report # _____

During the suspension, the student is expected to remain at home under adult supervision and may not attend school activities or be on the school campus. The teacher may require the student to complete any assignments and tests missed during the period of suspension.