

Mandatory Expulsion

The principal or superintendent of schools shall immediately suspend and shall recommend expulsion of a pupil if he/she determines that the student committed any of the following acts at school or at a school activity. Full year expulsion required:

Firearm: 48915 (c)(1) Possessing, selling, or otherwise furnishing a firearm

Knife: 48915 (c)(2) Brandishing a knife at another person

Controlled Substance: 48915 (c)(3) Unlawfully selling a controlled substance

Sexual Assault/Battery: 48915 (c)(4) Committing or attempting to commit sexual assault

Explosive: 48915 (c)(5) Possession of an explosive

Quasi-Mandatory

The principal or the superintendent of schools shall recommend the expulsion/suspended expulsion contract of a pupil for any of the following acts committed at school or school activity, unless the principal or superintendent finds that the expulsion/suspended expulsion contract is inappropriate, due to the particular circumstance:

Serious Physical Injury: 48915 (a)(1) Causing serious physical injury to another person, except in self-defense.

Knife, Explosive or Dangerous Object: 48915 (a)(2) 48900(b) Possession of any knife or other dangerous object of no reasonable use to the pupil

Controlled Substance: 48915 (a)(3) Unlawful possession of any controlled substance listed in Chapter 2, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis

Robbery or Extortion: 48915 (a)(4) Robbery or extortion

Assault or Battery: 48915(a)(5) Assault or battery upon any school employee

Permissive

The principal *may* recommend suspension of a pupil for any of the following acts committed at school or a school activity. **If the principal recommends expulsion or a suspended expulsion contract, he/she must find that 1)other means of correction have failed or not feasible, or 2)due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of other students:**

Physical Injury to Another: 48900 (a)(1) Caused, attempted to cause, or threatened to cause physical injury to another person

Force or Violence Upon Another: 48900 (a)(2) Willfully used force or violence upon the person of another, except in self-defense

Dangerous Object: 48900 (b) Possessed, sold, or otherwise furnished any firearm, knife explosive, or other dangerous object

Controlled Substance: 48900 (c) Unlawfully possessed, used, sold, or otherwise furnished or been under the influence of any controlled substance, alcohol beverage, or an intoxicant of any kind.

Drugs/Alcohol: 48900(d) Unlawfully offered, arranged, or negotiated to sell any controlled substance, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented the liquid, substance or material as a controlled substance, alcoholic beverage, or intoxicant

Robbery or Extortion: 48900(e) Committed or attempted to commit robbery or extortion

Damage to School/Property: 48900 (f) Caused or attempted to cause damage to school or private property

Stole School/Private Property: 48900 (g) Stolen or attempted to steal school property or private property

Tobacco or Nicotine Products: 48900 (h) Possessed or used tobacco, or any products containing tobacco or nicotine products, including cigarettes, cigars, smokeless tobacco, snuff, chew packets

Obscene Act of Habitual Profanity: 48900 (i) Committed an obscene act or engaged in habitual profanity or vulgarity

Drug Paraphernalia: 48900 (j) Unlawfully possessed or unlawfully offered, arranged or negotiated to sell any drug paraphernalia

Disruption of School Activities or Defiance of School Personnel: 48900 (k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers administrators, school officials, or other school personnel engaged in the performance of their duties

Stolen School/ Private Property: 48900 (i) Knowingly received stolen school property or private property

Imitation Firearm: 48900 (m) Possessed an imitation firearm....."imitation firearm means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead to reasonable person to conclude that the replica is a firearm

Sexual Assault: 48900 (n) Committed or attempted to commit a sexual assault

School Discipline Witness: 48900 (o) Harassed, threatened or intimidated a pupil who is complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness or both

Soma (prescription drug): 48900 (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug, Soma

Hazing: 48900(q) Engaged in, or attempted to engage in, hazing as defined in Section 32050

Aids or Abets: 48900(s) A pupil who aids or abets, the infliction or attempted inflection of physical injury to another person may suffer suspension, but not expulsion, pursuant to this section

Sexual Harassment: 48900.2 Harassment must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment

Hate Violence: 48900.3 Pupil has caused, attempted to cause, threatened to cause, or participated in an act of hate violence as described in Section 233

Terrorist Threats: 48900.7 Any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out