



## Summary of Offenses Leading to Suspension or Expulsion

Expulsion is the "removal of a student from the immediate supervision and control, or general supervision, of school personnel." Expelled students may not participate in any district program or activity, including any independent study program. Administrative Procedure 6295 fully outlines the district's policy on expulsion and Administrative Procedure 6290 outlines Suspension Procedures. Both can be requested from your school or accessed via the website at [www.sandi.net/policy](http://www.sandi.net/policy).

A student may not be suspended from school or recommended for expulsion unless the superintendent or principal of the student's school determines that the student has violated one or more of the following causes for suspension and/or expulsion:

- **Assault/Battery-** Includes caused, attempted to cause physical injury, or threatened to cause physical injury; willfully used force or violence upon the person of another, except in self-defense; assault or battery on school employees, committed or attempted to commit sexual assault or committed a sexual battery.
- **Weapons-** Includes the possession, selling or furnishing of any firearm, knife, explosive, or other dangerous object.
- **Robbery or Extortion-** Including attempted robbery or extortion
- **Damage to School or Private Property-** Attempted or caused damage.
- **Theft of Property-** Attempted to steal, stole, or received stolen property.
- **Tobacco-** Possessed, offered, arranged or negotiated to sell.
- **Drugs, Alcohol or an Intoxicant of Any Kind-** Includes unlawfully possessed, used, furnished, sold, under the influence of these items. First or second time possession of less than one ounce of marijuana can lead to suspension and third offense for possession, use, or under the influence of one of these items can lead to expulsion.
- **Substance in Lieu of Alcohol/Controlled Substance-** Delivered, furnished and/or sold items by representing them as drugs or alcohol.
- **Drug Paraphernalia-** Possessed, offered, arranged or negotiated to sell.
- **Obscenity/Profanity/Vulgarity-** Committed an obscene act, engaged in habitual profanity/vulgarity.
- **Disruption, Defiance-** Disrupted school activities or willfully defied the authority of school personnel.
- **Sexual Harassment (Grades 4-12)-** Only students grades 4-12 may be expelled for this cause.
- **Hate Violence (Grades 4-12)-** Caused, threatened to cause, attempted to cause, or participated in such act. Only students grades 4-12 may be expelled for this cause.
- **Threats and Intimidation-** Harassed, intimidated, or threatened a pupil who is a witness in a disciplinary proceeding to prevent the pupil from being a witness or to retaliate against the pupil for being witness.
- **Harassment (Grades 4-12)-** Harassed, intimidated, or threatened a pupil or group of pupils or school district personnel with actual or expected effect of (1) disrupting class work, or (2) creating substantial disorder, or (3) creating an intimidating or hostile educational environment. Only students grades 4-12 may be expelled for this cause.
- **Imitation Firearm-** Possessed an imitation firearm.
- **Terroristic Threats Against School Officials or Property-** Any written or oral statement willfully threatening to commit a crime which will result in death, great bodily injury or property damage)
- **Prescription Drugs-** Furnished, sold, or attempted to sell the prescription drug Soma.

### SUMMARY

- ❖ A student may not be suspended from school or recommended for expulsion unless the superintendent or principal of the student's school determines that the student has violated one or more of the causes for suspension and/or expulsion in Administrative Procedure 6295 or 6290. The act must be related to a school activity or school attendance.
- ❖ Certain offenses committed at school or at a school activity off school grounds require the immediate suspension and recommendation for expulsion of a student under state law and "Zero Tolerance" policies.
- ❖ Only the Board of Education may expel a student.



-More-

A student may be suspended or expelled for those acts listed above at any time, including, but not limited to, (a) while on school grounds; (b) while going to or from school; (c) during lunch period, on or off campus; (d) during, or while going to or from, a school-sponsored activity. If a student is arrested off campus, he/she may be suspended at that time or upon return to campus.

Certain offenses committed at school or at a school activity off school grounds require immediate suspension and recommendation for expulsion of a student under state law and the "Zero Tolerance" policies. For detailed information, see SDCS Administrative Policy 6295.

Zero Tolerance Offenses require a recommendation for expulsion. These offenses are:

### All Students Mandatory Offenses

- **Possessing, selling or otherwise furnishing a firearm** (defined under 18 United States Codes Section 921)
- **Brandishing a knife at another person.** ("Knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade longer than 3½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.)
- **Unlawfully selling a controlled substance** (listed in Health and Safety Code Sections 11053 et seq.)
- **Sexual Assault or Battery**
- **Possession of an Explosive**

### Secondary Students

- **Weapons, violent acts and repeated fighting.** Middle, junior high, and senior high school students who are involved in three or more incidents of fighting that inflicts injury within one year may be suspended and recommended for expulsion. Students who possess a firearm, knife, explosive, or any other dangerous object in school will be suspended and recommended for expulsion. For purposes of Zero Tolerance, an object used in a threatening manner shall be considered a weapon even if its normal use is not as a weapon. In cases where students violate Penal Codes pertaining to weapons, School Police or San Diego Police must be notified.
- **Alcohol, tobacco, and other drugs.** The district's substance abuse policy specifies a recommendation for expulsion with the first incident of furnishing, selling, or possession of an amount determined to be for more than personal use, and the third violation involving use and possession of any dangerous or prohibited substance, other than tobacco; upon the fourth violation of the policy involving tobacco, the student will be suspended five (5) days with a recommendation for expulsion.
- **Robbery or Extortion**
- **Causing Serious Injury**
- **Assault and Battery on a School Employee**
- **Possess, Sold or Furnished Imitation/Toy Firearms**

**Only the Board of Education may expel a student.** A decision of the Board of Education to expel a student must be based upon evidence relevant to the charges presented at the expulsion hearing before the Expulsion Review Panel.

*Published with support from the Annie E. Casey Foundation*

Contact Information: Placement and Appeals Office: (619) 725-5660  
Media inquiries: (619) 725-5578

[www.sandi.net](http://www.sandi.net)  
revised 09/20/05

Serving nearly 136,000 students, San Diego City Schools is the second largest school district in California, with 202 educational facilities and more than 14,500 full-time equivalent positions (representing more than 15,800 employees). SDCS is improving student achievement by focusing on challenging instruction in reading, writing and mathematics in pre-kindergarten through Grade 12. The district is committed to supporting schools and enhancing the classroom learning environment through modernized facilities and resources and through parent, teacher and community involvement in the educational process.