



In Lieu of Expulsion Process for Elementary Students

The Board of Education and San Diego City Schools recognize the importance of enforcing consistent discipline procedures to ensure that elementary school students (Grades K-6) who commit serious offenses, but are not recommended for expulsion, receive appropriate interventions to address poor conduct.

Under the California Education Code and current district policy, elementary school principals must recommend expulsion for the following **mandatory offenses**:

- Possessing, selling or furnishing a firearm (real, not a replica)
- Brandishing (showing) a knife at another person
- Selling a controlled substance (does not include alcohol)
- Commit or attempt to commit sexual assault or sexual battery
- Possession of an explosive

However, elementary principals have discretion to determine whether to recommend a student for expulsion if he or she commits a **non-mandatory serious offense**. For this process, a "serious offense" is defined as:

- Willfully causing serious injury, except in self defense
- Third offense for fighting
- Assault or battery on any school employee
- Robbery or extortion
- Possessing, selling or furnishing an imitation firearm, knife or dangerous object
- Fourth offense for possessing or using a tobacco or nicotine product
- First offense for furnishing a controlled or prohibited substance
- Possessing an amount of controlled or prohibited substance for more than personal use
- Third offense for possessing, using or being under the influence of a controlled or prohibited substance

Principals may recommend a student for expulsion for any of these serious offenses, but at the minimum, principals are required to suspend for five (5) days any student who has committed a serious offense. If they choose suspension only, principals are also required to convene a site multidisciplinary team to determine appropriate interventions for addressing the student's conduct. Members of the team may include counselors, teachers, nurses, school psychologists, parents and other school site support personnel.

Suggested interventions include daily contact between the school site and the student's parents, referral to a district counselor or a community agency, individual or small group counseling, growth groups, parent community system, parent education classes, behavior contracts, tutoring or other academic interventions, mentoring programs, a review of the Individualized Education Plan (IEP) for special education students and other available school site interventions.

Principals are required to convene the multidisciplinary team to prepare an intervention plan within 15 days of the offense. Following this meeting, the principal must complete the *IN LIEU OF EXPULSION FORM* and submit the original to their Instructional Leader and a copy to the Placement and Appeal Office. The Board will receive quarterly reports concerning compliance with this process by each elementary school. School reporting questions should be addressed to the Instructional Leaders, as they monitor compliance with these procedures.

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SUMMARY	
❖	Elementary principals may choose the In Lieu of Expulsion Process for students who commit non-mandatory serious offenses.
❖	Mandatory offenses continue to require a recommendation for expulsion under the California Ed. Code and district policy.
❖	Under this process, students are suspended for 5 days.
❖	Within 15 days of the offense, a multidisciplinary team at the school site, lead by the principal, determines appropriate interventions, used instead of expulsion to address poor conduct.

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Serving more than 138,000 students, San Diego City Schools is the second largest school district in California, with 200 educational facilities and more than 14,500 full-time equivalent positions (representing over 18,800 employees.) SDCS is improving student achievement by focusing on challenging education in reading, writing and mathematics. 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.