



MENDOCINO COUNTY OFFICE OF EDUCATION
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INTEGRITY • CUSTOMER SERVICE • ACCOUNTABILITY • TEAMWORK • INNOVATION • PASSION

EXPELLABLE ACTIONS

Pupils may be suspended or expelled for any of the following acts related to school attendance or a school activity:

- Causing, attempting to cause, or threatening to cause physical injury to another person [EC 48900(a)(1)].
- Willfully using force or violence upon the person of another, except in self-defense [EC 48900(a)(2)].
- Possessing, selling or otherwise furnishing any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal [EC 48900(b)].
- Unlawfully possessing, using, selling, or otherwise furnishing, or being under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind [EC 48900(c)].
- Unlawfully offering, arranging, or negotiating to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either selling, delivering, or otherwise furnishing to any person another liquid, substance, or material and representing the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant [EC 48900(d)].
- Committing or attempting to commit robbery or extortion [EC 48900(e)].
- Causing or attempting to cause damage to school property or private property [EC 48900(f)].
- Stealing or attempting to steal school property or private property [EC 48900(g)].
- Possessing or using tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products [EC 48900(h)].
- Committing an obscene act or engaging in habitual profanity or vulgarity [EC 48900(i)].
- Unlawfully possessing or unlawfully offering, arranging, or negotiating to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code [EC 48900(j)].

EXPELLABLE ACTIONS (continued)

- Disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties [EC 48900(k)].
- Knowingly receiving stolen school property or private property [EC 48900(l)].
- Possessing an imitation firearm. As used in this section, “imitation firearm” means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm [EC 48900(m)].
- Committing or attempting to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committing a sexual battery as defined in Section 243.4 of the Penal Code [EC 48900(n)].
- Harassing, threatening, or intimidating a pupil who is a complaining witness or 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 [EC 48900(o)].
- Unlawfully offering, arranging to sell, negotiating to sell, or selling the prescription drug Soma [EC 48900(p)].
- Engaging in, or attempting to engage in, hazing as defined in subdivision (b) of Section 245.6 of the Penal Code [EC 48900(q)].
- Committing sexual harassment as defined in subdivision (b) of Section 212.5 (grades 4-12 only) [EC 48900.2].
- Causing, attempting to cause, threatening to cause, or participating in, an act of hate violence as defined in subdivision (e) of Section 233 (grades 4-12 only) [EC 48900.3].
- Engaging in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment (grades 4-12 only) [EC 48900.4].
- Making terrorist threats against school officials or school property, or both [EC 48900.7].
- Pupils shall be recommended for expulsion for any of the following acts committed at school or at an activity off school grounds, unless the principal or superintendent finds that expulsion is inappropriate, due to the particular circumstance [EC 48915(a)]:
- Causing serious physical injury to another person, except in self-defense.

EXPELLABLE ACTIONS (continued)

- Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil.
- Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for the first offense possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
- Robbery or extortion.
- Assault or battery upon any school employee as defined in Sections 240 and 242 of the Penal Code.

Pupils shall immediately be suspended and be recommended for expulsion for any of the following acts at school or at a school activity off school grounds [EC 48915(c)]:

- Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district.
- Brandishing a knife at another person.
- Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
- Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
- Possessing an explosive.

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Adopted: December 14, 2009