

# TAHOE TRUCKEE UNIFIED SCHOOL DISTRICT

## K-12 Guidelines for Suspension and/or Expulsion

*The Guidelines for Suspension and/or Expulsion are designed to allow school administration to assess incidents on an individual basis and issue student discipline that is age appropriate that is based on a progressive discipline model. Under California Education Code section 48900.5 (a) Suspension, including supervised suspension as described in section 48911.1, shall be imposed only when other means of correction fail to bring about proper conduct. A school district may document the other means of correction used and place that documentation in the pupil's record, which may be accessed pursuant to section 49069. However, a pupil, including an individual with exceptional needs, as defined in section 56026, may be suspended, subject to section 1415 of Title 20 of the United States Code, for any of the reasons enumerated in section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of section 48900 or that the pupil's presence causes a danger to persons.*

Education Code Violation	1 <sup>st</sup> Violation	2 <sup>nd</sup> Violation	Additional Violations
<b>48915(c)(1) Possession, selling, or otherwise furnishing a firearm.*</b>	5 day home suspension, law enforcement notification, and mandatory recommendation for expulsion	N/A	N/A
<b>48915(c)(2) Brandishing a knife.*</b>	5 day home suspension, law enforcement notification, and mandatory recommendation for expulsion	N/A	N/A
<b>48915(c)(3) Unlawfully selling a controlled substance.*</b>	5 day home suspension, law enforcement notification, and mandatory recommendation for expulsion	N/A	N/A
<b>48915(c)(4) Committing or attempting to commit sexual assault or battery.*</b>	5 day home suspension, law enforcement notification, and mandatory recommendation for expulsion	N/A	N/A
<b>48915(c)(5) Possession of an explosive.*</b>	5 day home suspension, law enforcement notification, and mandatory recommendation for expulsion	N/A	N/A
<b>48915(a)(1) Causing serious physical injury to another person, except in self-defense.*</b>	3-5 day home suspension, law enforcement notification, request for expulsion unless the principal finds that expulsion is inappropriate, due to the particular circumstance	5 day home suspension, law enforcement notification, and request for expulsion	N/A
<b>48915(a)(2) Possession of any knife, or other dangerous object of no reasonable use to the pupil.*</b>	3-5 day home suspension, law enforcement notification, request for expulsion unless the principal finds that expulsion is inappropriate, due to the particular circumstance	5 day home suspension, law enforcement notification, and request for expulsion	N/A
<b>48915(a)(3) Unlawful possession of any controlled substance except for the first offense of possession of not more than one ounce of marijuana.*</b>	3-5 day home suspension, law enforcement notification, request for expulsion unless the principal finds that expulsion is inappropriate, due to the particular circumstance	5 day home suspension, law enforcement notification, and request for expulsion	N/A
<b>48915(a)(4) Robbery or extortion.*</b>	3-5 day home suspension, law enforcement notification, request for expulsion unless the principal finds that expulsion is inappropriate, due to the particular circumstance	5 day home suspension, law enforcement notification, and request for expulsion	N/A
<b>48915(a)(5) Assault or battery upon a school employee.*</b>	3-5 day home suspension, law enforcement notification, request for expulsion unless the principal finds that expulsion is inappropriate, due to the particular circumstance	5 day home suspension, law enforcement notification, and request for expulsion	N/A
48900(a)(1) Caused, attempted to cause, or threatened to cause physical injury to another person. • Threats	Alternative to suspension or home suspension	Alternative to suspension or home suspension	Home suspension, and possible request for expulsion
• Fight (mutual)	Alternative to suspension or home suspension	Alternative to suspension or home suspension	Home suspension and possible request for expulsion
<b>48900(a)(2) Willfully used force or violence upon another person,* except in self -defense.</b>	Alternative to suspension or home suspension, and law enforcement notification	Home suspension, law enforcement notification, and possible request for expulsion	Home suspension, law enforcement notification, and request for expulsion
<b>48900(b) Possession, sale, or furnishing of any knives, firearms, or other dangerous objects.*</b>	Alternative to suspension or home suspension, law enforcement or fire marshal notification, and possible request for expulsion	Home suspension, law enforcement notification or fire marshal notification, and possible request for expulsion	Home suspension, law enforcement or fire marshal notification, and request for expulsion

**MUST Recommend Expulsion (Mandatory Expulsion)**

**SHALL Recommend Expulsion unless Particular Circumstances Render Inappropriate (Quasi-Mandatory Recommendation)**

Education Code Violation	1 <sup>st</sup> Violation	2 <sup>nd</sup> Violation	Additional Violations
<b>48900(c) Possession, use, sale, or furnishing, or otherwise being under the influence of alcohol, controlled substance, or an intoxicant.*</b> <ul style="list-style-type: none"> <li>• Under the influence</li> <li>• Possession</li> <li>• Furnishing</li> <li>• Sale *</li> </ul>	<p>Alternative to suspension or home suspension</p> <p>Alternative to suspension or home suspension</p> <p>Alternative to suspension or home suspension</p> <p>5 day home suspension, law enforcement notification, and mandatory expulsion</p>	<p>Home suspension and possible request for expulsion</p> <p>Home suspension and possible request for expulsion</p> <p>Home suspension and possible request for expulsion</p> <p>N/A</p>	<p>Home suspension and request for expulsion</p> <p>Home suspension and request for expulsion</p> <p>Home suspension and request for expulsion</p> <p>N/A</p>
<b>48900(d) Offering, arranging, or negotiating to sell a controlled substance listed in Chpt 2 of Division 10 of the health and Safety Code, an alcoholic beverage or an intoxicant of any kind and either sold, delivered or otherwise furnished to a person another liquid, substance or material and represented liquid, substance, or material as a controlled substance, alcoholic beverage or intoxicant.*</b>	<p>Alternative to suspension or home suspension, and law enforcement notification</p>	<p>Home suspension, law enforcement notification, and possible request for expulsion</p>	<p>Home suspension, law enforcement notification, and request for expulsion</p>
<b>48900(e) Committed or attempted to commit robbery or extortion.*</b>	<p>3-5 home suspension, law enforcement notification, possible request for expulsion unless the principal finds that expulsion is inappropriate, due to the particular circumstance</p>	<p>Home suspension, law enforcement notification, and possible request for expulsion</p>	<p>Home suspension and request for expulsion</p>
<b>48900(f) Caused or attempted to cause damage to school or private property.</b> <ul style="list-style-type: none"> <li>• Minimal damage</li> <li>• Extensive damage</li> </ul>	<p>Alternative to suspension and restitution</p> <p>Alternative to suspension, restitution, and law enforcement notification</p>	<p>Alternative to suspension, home suspension, and restitution</p> <p>Home suspension, restitution, law enforcement notification, and possible request for expulsion</p>	<p>Home suspension and restitution</p> <p>Home Suspension, restitution, law enforcement notification, and request for expulsion</p>
<b>48900(g) Stealing or attempting to steal school or private property.</b>	<p>Alternative to suspension and restitution</p>	<p>Alternative to suspension, home suspension, and restitution</p>	<p>Home suspension, restitution, and possible request for expulsion</p>
<b>48900(h) Possessed or used tobacco or nicotine products (e-cigarette).</b>	<p>Alternative to suspension</p>	<p>Alternative to suspension or home suspension</p>	<p>Alternative to suspension or home suspension</p>
<b>48900(i) Committed an obscene act or engaged in habitual profanity</b> <ul style="list-style-type: none"> <li>• Obscene act</li> <li>• Habitual Profanity</li> </ul>	<p>Alternative to suspension</p> <p>Alternative to suspension and parent conference</p>	<p>Alternative to suspension or home suspension</p> <p>Alternative to suspension, or home suspension</p>	<p>Home suspension, and possible request for expulsion</p> <p>Home suspension</p>
<b>48900(j) Possessed, offered, arranged, or negotiated to sell any drug paraphernalia</b>	<p>Alternative to suspension</p>	<p>Alternative to suspension or home suspension</p>	<p>Home suspension and possible request for expulsion</p>
<b>48900(k) Willful Defiance and/or Disruption of School Activities</b> <ul style="list-style-type: none"> <li>* Cheating/Plagiarism</li> <li>* Forgery</li> <li>* Dress code violation</li> <li>* Gang affiliation or behavior</li> <li>* Gambling</li> <li>* Defiance of authority</li> <li>* Unauthorized parking</li> <li>* Failed to serve Saturday detention</li> <li>* Electronic device violation</li> <li>* Closed campus violation</li> <li>* Initiating a false fire alarm</li> <li>* Inappropriate computer access</li> <li>* Reckless driving</li> <li>* Trespassing</li> <li>* Verbal altercation</li> <li>* Other disruptive or defiant behavior</li> </ul>	<p>K- 3rd: No Suspension</p> <p>4- 12th: Alternative to suspension</p>	<p>K- 3rd: No Suspension</p> <p>4- 12th: Alternative to suspension</p>	<p>K- 3rd: No Suspension</p> <p>4- 12th: Alternative to suspension</p>

<b>Education Code Violation</b>	<b>1<sup>st</sup> Violation</b>	<b>2<sup>nd</sup> Violation</b>	<b>Additional Violations</b>
48900(l) Knowingly received stolen school or private property.	Alternative to suspension	Alternative to suspension or home suspension	Alternative to suspension or home suspension
48900(m) Possession of an imitation firearm that is substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude the replica is a firearm.	Alternative to suspension	Alternative to suspension or home suspension, and possible request for expulsion	Home suspension, and possible request for expulsion
<b>48900(n) Committed or attempted to commit sexual assault or battery.*</b>	5 day Home suspension, law enforcement notification, and mandatory recommendation for expulsion	N/A	N/A
48900(o) Harassed, threatened, or intimidated a pupil who is a witness in a school disciplinary proceeding for the purpose of intimidation or retaliation.	Alternative to suspension	Alternative to suspension or home suspension, and possible request for expulsion	Home suspension and possible request for expulsion
<b>48900(p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.*</b>	Alternative to suspension or home suspension, and law enforcement notification	Home suspension and possible request for expulsion	Home suspension and request for expulsion
48900(q) Engaged or attempted to engage in an act of hazing initiation or pre-initiation into a student organization or any pastime or amusement engaged in with respect to such an organization which causes, or is likely to cause bodily danger, physical harm, or personal degradation, or disgrace resulting in physical or mental harm, to any student or other person attending any school.	Alternative to suspension	Alternative to suspension or home suspension and possible request for expulsion	Home suspension and request for expulsion
48900(r) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.	Alternative to suspension	Alternative to suspension or home suspension	Home suspension and possible request for expulsion
48900(t) Aided or abetted in the infliction or attempted infliction of physical injury to another person.	Alternative to suspension or home suspension and (possible request for suspension if there is a result of great bodily harm)	Alternative to suspension or home suspension and possible request for expulsion	Home suspension, and request for expulsion
48900.2 Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature (Applies to grades 4-12).	Alternative to suspension or home suspension	Alternative to suspension or home suspension, and possible request for expulsion	Home suspension and possible request for expulsion
48900.3 Causing, threatening, or attempting to cause, or participating in an act of hate violence as defined as willfully interfering with or threatening another person or property rights because of race, ethnicity, national origin, religion, disability, or sexual orientation; speech that threatens violence, when the perpetrator has the apparent ability to carry out threat, may be considered an act of hate violence (Grades 4-12).	Alternative to suspension or home suspension and possible request for expulsion	Alternative to suspension or home suspension, and possible request for expulsion	Home suspension and request for expulsion
48900.4 Students in grades 4 through 12: Intentionally engaged in harassment, threats and/or intimidation which are directed against school district personnel or pupils, that is sufficiently severe or pervasive, and invading the rights of either school personnel or pupils by creating substantial disorder, and creates an intimidating or hostile educational environment.	Alternative to suspension or home suspension and possible request for expulsion.	Home suspension and possible request for expulsion	Home suspension, and request for expulsion
<b>48900.7 Making terrorist threats against students, school officials and/or property.*</b>	Alternative to suspension or home suspension and possible request for expulsion.	Home suspension and possible request for expulsion	Home suspension and request for expulsion

\* = Law Enforcement must be notified and a Critical Incident Report has to be filed with the Executive Director of Student Services within 48 hours for any bolded violations

## School District Responsibilities

A student shall not be disciplined, suspended, or recommended for expulsion unless the superintendent, a designee or the principal of the school in which the student is enrolled determines the student has violated one or more parts of the California Education Code. A student may be disciplined, suspended or expelled for acts enumerated in the California Education Code that are related to school activity or school attendance occurring at any district school or within any other school district, including, but not limited to, any of the following: while on school grounds; while going to or coming from school; during the lunch period whether on or off campus; during, while going to or coming from a school-sponsored activity. California Education Code section 48900 (s)

- A superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and an anger management program, for a pupil subject to discipline under this section California Education Code section 48900(v).
- It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against any pupil who is truant, tardy, or otherwise absent from school activities California Education Code section 48900(w).
- Suspension, including supervised suspension as described in Section 48911.1, shall be imposed only when other means of correction fail to bring about proper conduct. However, a pupil, including an individual with exceptional needs, as defined in Section 56026, may be suspended, subject to Section 1415 of the Title 20 of US Code, for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to person. California Education Code section 48900.5.

## Student Responsibilities

Every pupil shall attend school punctually and regularly; conform to the regulations of the school; obey promptly all the directions of his/her teacher and others in authority; observe good order and propriety of deportment; be diligent in study; respectful to his teacher and others in authority; kind and courteous to schoolmates; and refrain from the use of profane and vulgar language. California Criminal Regulations Title 5, Sec. 300.

All pupils shall comply with the regulations, pursue the required course of study, and submit to the authority of the teachers of the schools California Education Code section 48908.

## Definitions

- **Suspension:** is the removal of a student from the classroom for disciplinary reasons for a defined period of time. A principal or designee may suspend a student for up to five days. A suspension may be extended under certain conditions. Students placed on home suspension are not permitted on or near the school campus, nor are they allowed to participate in any school activities during suspension.
- **Expulsion:** as ordered by the Board of Education, is the removal of a student from all schools in the Tahoe Truckee Unified School District for violating the California Education Code. The expulsion is for a defined period of time not to exceed one calendar year.
- **Brandishing:** is to wave a weapon menacingly.
- **Assault:** is an unlawful attempt, coupled with present ability, to commit a violent injury on the person of another.
- **Battery:** is any willful and unlawful use of force or violence upon the person of another.
- **Serious bodily injury:** means a serious impairment of physical condition, including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement.
- **Self defense:** to establish the defense, the person must be free from fault or provocation; must have no means of escape or retreat; and there must be an impending peril.
- **Terroristic threat:** shall include 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 (\$1,000), 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.
- **Bullying:** any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students as defined in Education Code section 48900.2, 48900.3, or 48900.4, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
  - (A) Placing a reasonable student or student in fear of harm to that student's or those students' person or property.
  - (B) Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
  - (C) Causing a reasonable student to experience substantial interference with his or her academic performance.
  - (D) Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.
- **Electronic act:** the transmission, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
  1. A message, text, sound, or image.
  2. A post on a social network Internet Web site including, but not limited to:
    - a) Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).
  3. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed that the pupil was or is the pupil who was impersonated.
  4. Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.  
Notwithstanding an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet. "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

## Alternatives To Suspension Include But Not Limited To:

- Letter of apology/restitution activity
- Social probation, loss of privileges
- Student Study Team
- Campus beautification
- Reteach Education Opportunity
- Detention
- Student mentor
- Conflict mediation
- No contact contract
- Voluntary transfer
- Positive Behavior Intervention Support
- Counseling/Special Friends
- Student/parent conference/contract
- 504/Special Education Evaluation
- Parent Classroom Supervision
- Visit from law enforcement
- Class/schedule change
- Special Assignment
- SART/SARB referral
- Letter to parent/guardian regarding recent incident
- Social Skill Group
- Community Service
- Behavior support contract
- CORR Drug Prevention Program
- Saturday school
- SMART Referral
- Check In/Check Out
- Restorative justice
- Teen Intervene
- Assign as an assistant
- Join student activity group
- Substance abuse contract
- Restriction/Loss of technology privileges

