

VINELAND SCHOOL DISTRICT

Administrator Recommendation for Expulsion Matrix

This matrix is a tool designed to help administrators decide when expulsion of a student is deemed mandatory, expected, or at administrators discretion.

Must Recommend Expulsion (Mandatory)	Shall Recommend Expulsion Unless Particular Circumstances Render Inappropriate (Expulsion Expected)	May Recommend Expulsion (Discretionary)
<p><i>Education Code (EC) 48915(c)</i></p> <p>Act must be committed at school or school activity.</p> <ol style="list-style-type: none"> 1. Firearm <ol style="list-style-type: none"> a. Possessing firearm when a district employee verified firearm possession and when student did not have prior written permission from a certificated employee, which is concurred with by the principal or designee. b. Selling or otherwise furnishing a firearm. 2. Brandishing a knife at another person. 3. Unlawfully selling a controlled substance listed in <i>Health and Safety Code</i> Section 11053 et. seq. 4. Committing or attempting to commit a sexual assault as defined in subdivision (n) of <i>EC</i> 48900 or committing sexual battery as defined in subdivision (n) of 48900. 5. Possession of an explosive. 6. Adapted from San Diego City Schools, Zero Tolerance Graduated Sanctions Student Discipline Guidelines, January 2001 	<p>Act must be committed at school or school activity.</p> <p><i>EC</i> Section 48915 (a) states that an administrator shall recommend expulsion for the following violations [except for subsections (c) and (e)] unless the administrator finds that expulsion is inappropriate due to a particular circumstance.</p> <ol style="list-style-type: none"> 1. Causing serious physical injury to another person, except in self-defense. <i>EC</i> Section 48915 (a)(1). 2. Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil. <i>EC</i> Section 48915 (a)(2). 3. Possession and/or use of any substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the <i>Health and Safety Code</i>, except for the first offense for possession of not more than one avoirdupois ounce of marijuana other than concentrated cannabis. 4. Robbery or extortion. <i>EC</i> Section 48915 (a)(4). 5. Assault or battery, or threat of, on a school employee. <p>The recommendation for expulsion shall be based on one or both of the following:</p> <ol style="list-style-type: none"> 1. Other means of correction are not feasible or have repeatedly failed to bring about proper conduct. 2. Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others [see Section 48915 (b)]. 	<p>Acts committed at school or school activity or on the way to and from school or school activity.</p> <ol style="list-style-type: none"> a. Inflicted physical injury[†] b. Possessed dangerous objects c. Possessed drugs or alcohol (policy determines which offense) d. Sold look alike substance representing drugs or alcohol e. Committed robbery/extortion f. Caused damage to property[‡] g. Committed theft h. Used tobacco (policy determines which offense) i. Committed obscenity/profanity/vulgarity j. Possessed or sold drug paraphernalia k. Disrupted or defied school staff l. Received stolen property m. Possessed imitation firearm n. Committed sexual harassment o. Harassed, threatened or intimidated a student witness p. Sold prescription drug Soma q. Committed hazing r. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel. <p>The recommendation for expulsion shall be based on one or both of the following:</p> <ol style="list-style-type: none"> 1. Other means of correction are not feasible or have repeatedly failed to bring about proper conduct. 2. Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others [see Section 48915 (b)].

		<p>3.</p> <p>† Section 48900 (s) (Statutes of 2001) states a pupil who aids or abets in infliction of physical injury to another, as defined in <i>Penal Code</i> 31, may suffer suspension, but not expulsion. However, if a student is adjudged by a court to have caused, attempted to cause, or threatened personal injury, the student may be expelled.</p> <p>‡ Section 48900 (t) "school property" includes, but is not limited to, electronic files and databases.</p>
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