



# Turlock Unified School District

## Office of Student Services

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### EXPULSION MATRIX

<p><u>Must</u> Recommend Expulsion (Mandatory)</p>	<p><u>Shall</u> Recommend Expulsion Unless Particular Circumstances Render Inappropriate (Expulsion Expected)</p>	<p><u>May</u> Recommend Expulsion (Discretionary)</p>
<p>Act <u>must</u> be committed at school or at a school activity.</p> <p>EC Section 48915(c) states that an administrator <u>must</u> recommend expulsion for the following violations:</p> <ol style="list-style-type: none"> <li>1. Firearm           <ol style="list-style-type: none"> <li>a. Possessing a 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.</li> <li>b. Selling, or otherwise furnishing a firearm.</li> </ol> </li> <li>2. Brandishing a knife at another person.</li> <li>3. Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053 et. seq.</li> <li>4. Committing or attempting to commit a sexual assault as defined in subdivision (n) of EC 48900 or committing sexual battery as defined in subdivision (n) of 48900.</li> <li>5. Possession of an explosive.</li> </ol>	<p>Act <u>must</u> be committed at school or at a school activity.</p> <p>EC Section 48915 (a) states that an administrator <u>shall</u> recommend expulsion for the following violations unless the administrator finds that the expulsion is inappropriate due to a particular circumstance:</p> <ol style="list-style-type: none"> <li>1. Causing serious physical injury to another person, except in self-defense. EC Section 48915 (a)(1)(A).</li> <li>2. Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil. EC Section 48915 (a)(1)(B).</li> <li>3. 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 for possession of not more than one avoirdupois ounce of marijuana other than concentrated cannabis. EC Section 48915(a)(1)(C).</li> <li>4. Robbery or extortion. EC Section 48915 (a)(1)(D).</li> <li>5. Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.</li> </ol> <p>The recommendation for expulsion shall be based on one or both of the following:</p> <ol style="list-style-type: none"> <li>1. Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.</li> <li>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.</li> </ol>	<p>Act <u>must</u> be committed at school or a school activity off school grounds, or on the way to and from school or a school activity off school grounds.</p> <p>EC Section 48900 states that an administrator <u>may</u> recommend expulsion for the following violations:</p> <ol style="list-style-type: none"> <li>a. Inflicted physical injury</li> <li>b. Possessed dangerous objects</li> <li>c. Possessed drugs or alcohol</li> <li>d. Sold look alike substance</li> <li>e. Committed robbery/extortion</li> <li>f. Caused damage to property</li> <li>g. Committed theft</li> <li>h. Possessed or used tobacco</li> <li>i. Committed obscene act or habitual profanity/vulgarity</li> <li>j. Possessed or sold drug paraphernalia</li> <li>k. Disrupted or defied school staff*</li> <li>l. Received stolen property</li> <li>m. Possessed imitation firearm</li> <li>n. Committed sexual harassment</li> <li>o. Harassed, threatened or intimidated a student witness</li> <li>p. Sold prescription drug Soma</li> <li>q. Committed hazing</li> <li>r. Engaged in bullying</li> </ol> <p>48900.2 – Sexual harassment          48900.3 – Hate crimes          48900.4 – Hostile educational environment          48900.7 – Terroristic threats</p> <p>The recommendation for expulsion shall be based on one or both of the following:</p> <ol style="list-style-type: none"> <li>1. Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.</li> <li>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.</li> </ol>

## OTHER MEANS OF CORRECTION

Pursuant to California Education Code Section 48900.5, 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. This is particularly true for violations enumerated in Section 48900 (f)-(r) and (t) upon the first offense. The alternative means to suspension provided must be age appropriate and designed to address and correct the student's specific misbehavior. It is strongly recommended that documentation detailing the alternative means applied be maintained in the student's cumulative record for a minimum of three years. Other means of correction include, but are not limited to, the following:

- 1) A conference between school personnel, the pupil's parent or guardian, and the pupil.
- 2) Referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling.
- 3) Study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the pupil and his or her parents.
- 4) Referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program, or a plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973.
- 5) Enrollment in a program for teaching prosocial behavior or anger management.
- 6) Participation in a restorative justice program.
- 7) A positive behavior support approach with tiered interventions that occur during the school day on campus.
- 8) After-school programs that address specific behavioral issues or expose pupils to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups.
- 9) Community service (as described in EC 48900.6).

## Expulsion Process

- 1) If a suspension is warranted and you believe a Recommendation for Expulsion should be made, consult your principal. If the principal agrees, suspend the student for five days. On the suspension form, check-off that an expulsion may be recommended, and ensure you have all necessary signatures. Continue with your investigation and evidence collection. Document in Aeries.
- 2) On the same day, contact the Director of Student Services to determine if there is sufficient evidence to warrant a Recommendation for Expulsion. If the Recommendation for Expulsion is warranted, the Director of Student Services will authorize you to continue with the process, and will arrange for a Pre-Expulsion Due Process Meeting. This meeting will be scheduled by the Office of Student Services, and must take place by the end of the school day on the 5<sup>th</sup> day of suspension. Document in Aeries and fax/email the expulsion referral to Student Services.
- 3) If the student is a Special Education student, in addition to contacting the Director of Student Services, contact the Director of Special Education, the school psychologist, and the student's case carrier. Notify them that you are requesting a Manifestation Determination, which must happen by the 10<sup>th</sup> day of suspension. Document in Aeries.
- 4) Prepare an expulsion packet. See the "Expulsion Packet Checklist" for contents. All documents are available via Student Services. **The completed expulsion packet must be hand-delivered to the Office of Student Services no later than the end of the day on the third day of the suspension.** (The expulsion report is due on the 10<sup>th</sup> day of suspension.)
- 5) No later than the end of the day on the 5<sup>th</sup> day of suspension, the Director of Student Services will meet with the student and parents for a Pre-Expulsion Due Process Meeting. At this meeting, the student and parents will:
  - a. Receive a letter notifying them that the suspension is being extended until the Board votes to expel the student.
  - b. Review the documents presented by the school in the expulsion packet.
  - c. Have an opportunity to present their side of the story.
  - d. Receive a copy of Ed Code and Board policies regarding suspension and expulsion.
  - e. Review to expulsion process.
  - f. Be offered the opportunity to sign a stipulated expulsion and waive their rights to an expulsion hearing.
  - g. Be informed that the Office of Student Services will notify the student and parents of the hearing date once it is scheduled.