

CALIFORNIA EDUCATION CODES

SECTION 48900 A pupil shall not be suspended from school or recommended for expulsion unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has:

(Grades K-12):

- (a)(1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (a)(2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any such 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.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance as 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.
- (d) Unlawfully offered, arranged, or negotiated 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 sold, delivered, or otherwise furnished to any person another liquid substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole or attempted to steal school property or private property.
- (h) Possessed or used 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.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm--an imitation firearm is 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.
- (n) Committed or attempted to commit specified acts of sexual assault or committed sexual battery.
- (o) Harassed, threatened or intimidated a pupil who is a complaining witness.
- (p) Unlawfully offered, arranged, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing.
- (r) Bullying by any means including electronic act toward a pupil or group of pupils.
- (t) Aided or abetted the infliction or attempted infliction of physical injury to another person.

SECTION 48900.2 (Grades 4-12):

Committed sexual harassment, inappropriate touching, as defined by Education Code Section 212.5.

SECTION 48900.3 (Grades 4-12):

Caused, attempted to cause, threatened to cause, or participated in an act of hate violence, as defined in subdivision (e) of Educational Code Section 233

SECTION 48900.4 (Grades 4-12):

Intentionally engaged 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 class work, creating substantial disorder, and invading the rights of that pupil or group of pupils by creating an intimidating or hostile educational environment.

SECTION 48900.7 (Grades K-12):

Made terrorist threats against school officials or school property, or both.