

**SAN DIEGO UNIFIED SCHOOL DISTRICT**

**Date:** February 1, 2021

**To:** Principals, Vice Principals, School Counselors

**Subject:** Suspension and Expulsion Procedures

**Department:** Administrators of Grades TK-12

**Due Date:** June 30, 2021

**References:** [BP 5144 Restorative Discipline Policy](#)  
[AR 5144.1 Suspension and Expulsion Due Process](#)  
[AR 5144.2 Suspension and Expulsion Students with Disabilities](#)  
[E \(7\) 5144.1 Grounds for Suspension](#)  
Attachment 1: Suspendable Behaviors  
Attachment 2: Suspension form  
Attachment 3: Suspension form in Spanish

**Action Requested:** Update school site discipline policies and procedures for out-of-school suspensions, permissive expulsions, and mandatory expulsions as outlined in the Restorative Discipline Policy, BP 5144

**Brief Explanation:**

School sites will work with their Site Equity Teams and/or appropriate advisory groups to update school discipline policies and procedures to align to the board-approved Restorative Discipline Policy (BP 5144) for full implementation for the 2021-22 school year. The following descriptions have been provided related to out-of-school suspensions, permissive expulsions or change of placement procedures, and mandatory recommendations for expulsion in order to assist sites in aligning their school policies and procedures to district and state guidelines.

***Procedure for Out-of-School Suspensions***

Administrators should consistently implement school preventative and restorative practices and exhaust all site interventions, including alternative-to-suspension programs, prior to issuing an out-of-school suspension.

1. Sites will utilize alternative-to-suspension programs that provide students site based interventions as well as an opportunity to repair harm. See *Attachment 1* for suggested response matrix by suspendable behavior.
  - a. Participation in site-based interventions and alternative-to-suspension programs should be entered into PowerSchool as an [NS] incident.

2. Per E (7) 5144.1, a student may be suspended upon a first offense for any of the reasons listed in sections 48900 (a)-(e), or, if due to the nature of the violation, the student's presence causes danger to others.
3. If an out-of-school suspension is necessary, site administrators must follow the suspension due process procedures as outlined in AR 5144.1 and AR 5144.2.
  - a. All out-of-school suspensions MUST be entered into PowerSchool as a behavior incident with the corresponding suspension code
4. Students must also be assigned a trusted adult "champion" to support them through the suspension process. Sites will be provided a list of potential district-level champions to utilize during the 2020-21 school year.

*Note: Allegations of sexual harassment or sexual assault shall be handled in accordance with the District's sexual harassment policies and regulations as outlined by the Title IX office.*

### ***Procedures for Permissive Expulsions or Change of Placement***

Permissive recommendations for expulsion may be used for any of the following behaviors:

- Assault/battery on a school employee
- Causing serious physical injury to another person, except in self-defense
- Committed or attempted to commit robbery or extortion
- Possessed/sold/furnished a knife/dangerous object

A permissive expulsion must follow all of the expulsion procedures listed in AR 5144.1/AR 5144.2 and requires an immediate 5-day out-of-school suspension. In addition, the school must demonstrate that:

1. Available interventions have been attempted and a record of supports provided for the student has been documented in PowerSchool with an ongoing process of communication with families;
2. An out-of-school suspension has been implemented in the past and appropriate supports have been provided to student;
3. The student intervention history and behavior are severe in nature and represent a risk to the safety of the student, safety of other students and/or safety of adults.

As an alternative to permissive expulsion, the site principal or designee can offer a change of placement in school enrollment:

1. The site administrator and parent/guardian must decide within 24 hours of the incident if a change of placement will be used in lieu of permissive expulsion
2. The student will be assigned a 5-day out-of-school suspension pending the finalization of the change of placement process.
3. The site administrator must immediately notify the area superintendent of the decision for a change of placement and the merits of the case must be communicated to the area superintendent for review.
4. If the area superintendent is in agreement with the change of placement, the area superintendent will coordinate efforts with the current site principal and receiving site principal to complete the site-initiated placement (SIP) process.
5. When the student arrives at the receiving site, a restorative conference will take place that includes the student, parent/guardian, administrator, counselor, and assigned adult champion. During the restorative conference, a support plan will be developed with adult champion input to assist with the student's transition to the new school of enrollment.

6. The student must stay enrolled at the new school of enrollment for a minimum of the length of the current semester plus one additional semester or until any victim associated with the incident no longer attends the home school site.

Behavior incidents that result in a change of placement must have an action added to the incident that states "Change of Placement" as a resolution and the exit code for behavior must be used in the enrollment history.

*Note: The above requirements shall not apply where a student is determined to have committed sexual assault or engaged in sexual harassment or where a change of placement is mandated under Education Code section 48915(d)(3).*

### ***Procedures for Mandatory Expulsions***

Mandatory recommendations for expulsion must be used for any of the following behaviors:

- Brandishing a knife
- Possession of explosive
- Possession of a firearm
- Selling a controlled substance (except 1st offense marijuana possession) ● Sexual assault

Immediate suspension and a recommendation for expulsion for the above behaviors is required. Site administrators must follow the expulsion due process procedures as outlined in AR 5144.1/AR5144.2. The Placement & Appeals office will work in collaboration with area superintendents and departments included in Leadership and Learning in order to maintain ongoing communication about students that are being recommended for expulsion.

### ***Role of Law Enforcement***

When a student or non-student commits any of the mandatory expulsion acts on a school site, the principal or the principal's designee must report the act to the city police or county sheriff with jurisdiction over the school and the school security department or the school police department, as applicable. Mandatory expulsion acts are as follow:

1. Possessing, selling, or otherwise furnishing a firearm.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance.
4. Committing or attempting to commit a sexual assault or committing a sexual battery.
5. Possession of an explosive

In addition, if a student commits any of the acts listed below, the principal or designee must notify School Police:

1. PC 245 - Assault with a deadly weapon or firearm or by any means of force likely to produce great bodily injury. *Report prior to suspension or expulsion. Per Ed. Code 48902, report must be forwarded to SDPD.*
2. EC 48900(c) - Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance, alcoholic beverage, or intoxicant. *Report within one school day after suspension or expulsion. Per Ed. Code 48902, Reports on sale of narcotics or controlled substances must be forwarded to SDPD.*
3. EC 48900(d) - Unlawfully offered, arranged, or negotiated to sell a controlled substance, 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 the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant. *Report within one school day after suspension or expulsion. Per Ed. Code 48902, Reports on sale of narcotics or controlled substances must be forwarded to SDPD.*

4. PC 626.9 - Possessed, discharged or attempted to discharge a firearm on school grounds or within a distance of 1,000 feet from the grounds of the school. *Per Ed. Code 48902, reports of possession of a firearm must be forwarded to SDPD.*
5. PC 626.10 - Brought or possessed any dirk, dagger, ice pick, knife having a blade longer than 2½ inches, folding knife with a blade that locks into place, razor with an unguarded blade, taser or stun gun, any instrument that expels a metallic projectile, or any spot marker gun. *Per Ed. Code 48902, reports of possession of any of the above must be forwarded to SDPD. Note that the length of the blade is 2½ inches, which differs from the definition of a knife in EC 48915(g). None of the items listed above should be returned to students but may be returned to parents upon request.*

Any law enforcement contact and/or case numbers should be included in the incident log for each event. Any other behavior incidents NOT described above should generally NOT involve School Police, however, school staff should err on the side of caution in the event of a risk of serious injury and call School Police at 619-291-7678 with any questions or concerns that may require law enforcement assistance and should always call in the event of an emergency at 619-291-7678 (press #1 for emergencies) or dial 911. Additionally reports of theft or destruction of property should be reported to Risk Management and may be reported by Risk Management to School Police if required for insurance claim purposes.

If site administrators have any questions or need assistance with suspension or expulsion procedures, please contact Richard McFall, Counselor for Placement & Appeals, at [rmcfall@sandi.net](mailto:rmcfall@sandi.net).

APPROVED:

Tavga Bustani  
Chief of Leadership and Learning

Attachment 1: Suspendable Behaviors  
Attachment 2: Suspension Report  
Attachment 3: Suspension Report - Spanish