

# EGUSD STUDENT DISCIPLINE

## Disciplinary Practices

A student may be disciplined, suspended, or expelled for acts enumerated in Disciplinary Practices and Progressive Discipline 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:

1. While on school grounds.
2. While going to or coming from school.
3. During the lunch period whether on or off campus.
4. During, while going to, or coming from a school sponsored activity.
5. For conduct which occurs after school hours and off District property, but which is reasonably likely to cause or causes a substantial disruption of a school activity or attendance. [EGUSD AR 5144.1]

## Alternatives, Interventions and Progressive Discipline

EGUSD has a defined and progressive set of interventions, remediations and consequences that schools follow when a student misbehaves. The superintendent or principal may use his or her discretion to provide alternatives to suspension or expulsion to address student misconduct. [E.C. 48900(v), 48900.5] [EGUSD AR 5144]

- Parent Contact – verbal or written communication with the parent or guardian
- Counseling – individual or group meetings of the student, which consist of teachers, counselors, administrators, parents, and the student to address the behavior issue and develop a plan of action to correct the student's behavior.
- Personal Responsibility – students participate in directed activities such as written apologies, restitution, school/community service, conflict resolution skills.
- Detention – Students participate in behavior modification for a period of 30 minutes to 1 hour during non-instructional time.
- Community Service - Student may be assigned work performed in the community or on school grounds in the areas of outdoor beautification, community or campus betterment, and teacher, peer, or youth assistance programs.
- Parent Conference – a formal meeting between the parents or guardians and school personnel to discuss the student's needs.
- In-School Suspension – assignment of student to separate supervised activity during the school day with the intent of correcting inappropriate activity.

## Grounds for Suspension or Expulsion

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 an act as defined by any of the following subdivisions identified in Ed Code 48900 inclusive of:

- Acts of Violence [E.C. 48900(a)]
- Weapons and Dangerous Objects [E.C. 48900(b)]
- Drugs and Alcohol [E.C. 48900(c)]

- Sale of "Look-Alike" Controlled Substance or Alcohol [E.C. 48900(d)]
- Robbery or Extortion [E.C. 48900(e)]
- Damage to Property [E.C. 48900(f)]
- Theft or Stealing [E.C. 48900(g)]
- Tobacco [E.C. 48900(h)]
- Profanity, Obscene Acts, Vulgarity [E.C. 48900(i)]
- Drug Paraphernalia [E.C. 48900(j)]
- Willful Defiance or Disruption of School Activities [E.C. 48900(k)(1)]
- Possession of Stolen Property [E.C. 48900(l)]
- Imitation Firearm [E.C. 48900(m)]
- Sexual Assault or Sexual Battery [E.C. 48900(n)]
- Harassment of a Student Witness [E.C. 48900(o)]
- Prescription Drug Soma [E.C. 48900(p)]
- Hazing [E.C. 48900(q)]
- Bullying and Bullying by Electronic Act [E.C. 48900(r)]

*(Please see the Table of Education Codes Related to Discipline for more detail.)*

Students who commit these offenses may be suspended from school and/or to the Superintendent's designee with the recommendation for reassignment to an alternative program or expulsion and transfer to an alternative program. Major acts of misconduct must be reported to the school administrator immediately after the incident and may result in the immediate removal of a student from the school following suspension due process procedures.

Suspension is the removal of a student from the classroom for disciplinary reasons for a defined period of time by a teacher or school administrator. A principal or designee may suspend a student for up to five days. A teacher may suspend a student for the remainder of the class in which the misbehavior occurred and for the next day's class. A suspension may be extended under certain conditions.

There are two kinds of suspension – on-campus suspension and home suspension. 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. They may, however, be required to complete assignments and tests which will be made available to them through an intermediary.

Expulsion, as ordered by the Board of Education, is the removal of a student from all schools in the Elk Grove Unified School District for violating the California Education Code. The expulsion is for a defined period of time, but an application for re-admission must be considered within a specified time period. State law provides for due process and rights to appeal any order of expulsion.

If a student's behavior is a threat to the safety, health or emotional well-being of others, and previous methods of prevention and intervention have not been successful, that student may be suspended in accordance with state law and district policy.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated Education Code 48900(a)-(e) or if the student's presence causes a danger to persons. [E.C. 48900.5]

For all other acts and conduct for which a student is subject to discipline under Education Code 48900 through 48900.7 and which are not specifically listed or addressed under Education Code 48915(a) or 48915(c), a student may be recommended for expulsion where other means of correction are not feasible or have repeatedly failed to bring about proper conduct, or where due to the nature of the student's conduct violation, the presence of the student causes a continuing danger to the physical safety of the student or others. [E.C. 48915(b) and (e)]

### The Role of Parents and Guardians

School rules are designed to teach children to be responsible, respectful, and safe. Parents and guardians have a key role in maintaining welcoming, safe campus environments that are conducive to learning.

Parents and guardians are urged to review district and school standards of conduct and rules with their children at the start of each school year, with special emphasis during critical transitional years when children move from elementary to middle school, and from middle to high school. Reinforcing positive behavior and acknowledging children for demonstrating appropriate conduct is important. If parents or guardians spot a behavior problem, they should contact school staff, who will partner with them to find solutions. Parent/student handbooks are available online in English, Spanish, Hmong and Vietnamese.

The Elk Grove Unified School District is committed to strong partnerships between home and school to establish and enforce appropriate standards of conduct for students. In the event of student misconduct, teachers, school or district personnel will contact parents first, unless the infraction is so serious that police notification is mandated.

Assistance is available for parents or guardians who are dealing with difficult or out-of-control children. Parents are given tools to empower them as they work toward modifying the behavior of their difficult children. To find out more, visit the webpage of the Student Support and Health Services at [www.egusd.net/student-support-and-health-services](http://www.egusd.net/student-support-and-health-services).

### Behavioral Requirements for Participation in Graduation Ceremonies

Students must demonstrate good citizenship to participate in the graduation ceremony. Any student who has received an off-campus suspension from school in the spring semester prior to graduation will be notified in writing that if a second off-campus suspendable event occurs, he/she will not be eligible to participate in the graduation ceremony. Any senior student who receives an off-campus suspension within the last 20 school attendance days prior to the date of graduation may be denied the privilege of participating in the graduation ceremony, even if that off-campus suspension is the student's first off-campus suspension during his/her senior year. If a student receives an off-campus

suspension that falls on the day of graduation practice or of the graduation ceremony, that student will not be allowed to participate in graduation. A senior student with a second off-campus suspension will be denied the privilege of participating in the graduation ceremony. In addition, a senior student may not attend the graduation ceremony while under off-campus suspension, even if the off-campus suspension is the first for the student during the senior year. Each high school student and his/her parent/guardian will receive annual notification of this policy. [B.P. 5127(a)]

### Prohibition on Possession and Use of Tobacco and Nicotine Products

District policy and the Education Code prohibit the possession, use, manufacture, distribution, or dispensing of tobacco and nicotine products at school or during school related activities. The District defines "tobacco and nicotine products" as a lighted or unlighted cigarette, cigar, pipe or other smoking product or material, smokeless tobacco in any form, and electronic cigarettes. "Electronic cigarettes" are defined as battery-operated or other electronic products designed to deliver nicotine, flavor, and other chemicals by turning the substance into a vapor that is inhaled by the user, including, but not limited to electronic vaping devices, personal vaporizers, digital vapor devices, electronic nicotine delivery systems, and hookah pens.

Students determined to have used or to be in possession of tobacco or nicotine products at school or school related activities may be subject to discipline under District policy, Education Code 48900(h), and/or other applicable laws. Students determined to have used or to be in possession of products at school or school related activities that can be used to consume and/or use tobacco or nicotine products, including but not limited to "electronic cigarettes" as defined above, but which do not contain tobacco, nicotine, or any other controlled substance, may be subject to discipline under District policy, Education Code 48900(k)(1), and/or other applicable laws. [E.C.48901]

### Law Enforcement Partnerships

The Division of Safety and Security works in cooperation with the Sacramento County Sheriff's Department. This department also works closely with the Elk Grove Police, Sacramento Police, Rancho Cordova Police and the Sacramento County Probation Department. Each comprehensive high school region has an assigned Sheriff's deputy as a School Resource Officer (SRO).

The SRO is stationed at the high school and works with each region's middle school and elementary schools' site staff to enforce laws and mentor the District's youth. Additional officers are dedicated to the alternative education sites, assist at elementary and middle schools as well as address truancy problems.

### Interview of a Student by Law Enforcement

Students can be interviewed by law enforcement officers while at school. In instances where law enforcement is involved, the principal or designee shall attempt to minimize disruption at the school and provide privacy to the student. School officials are required to make every effort to contact

a parent or guardian at the time a peace officer requests to interview a student, unless directed not to by the peace officer. For example, no notification will be made in the case of child abuse or neglect. The principal or designee may be present for the interview if allowed by the officer and with the student's approval. [B.P. 5145.11]

### Release of a Student to Peace Officer

If a peace officer removes a student from school, the principal or designee shall take immediate steps to notify a parent or guardian, except when a student has been taken into custody as a victim of suspected child abuse or neglect. In such cases, the peace officer will notify the parent or guardian. [E.C. 48906; Penal Code 11165.6]

### Search and Seizure Policy

The Search and Seizure Policy governs the District's authority to search individual students and their property and the student's responsibility to submit to searches. Under Board Policy 5145.12, school officials may conduct a search when there is a reasonable suspicion the search will uncover evidence that the student is violating the law or the rules of the

school or District.

General inspections of school properties, such as lockers and desks, may be conducted on a regular, announced basis. Any items in a locker shall be considered the property of the student to whom the locker was assigned.

The school principal or designee may search the person of a student, the student's locker, backpack, purse or other belongings if there is a reasonable suspicion to believe the student may have a concealed weapon, narcotics, stolen property or contraband. [U.S. Supreme Court Case: New Jersey v. T.L.O. (1985) 469 U.S. 325; B.P. 5145.12]

To ensure the safety of students and staff, schools may conduct random searches for weapons using metal detectors.

The District may use specially trained, non-aggressive dogs to detect the presence of substances prohibited by law or District policy. Dogs may be used in the inspection of lockers, vehicles, or personal property, but may not be used to search a person.

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# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(a)(1)

### CAUSING PHYSICAL INJURY

Caused, attempted to cause, or threatened to **cause physical injury** to another person.

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 1–3 day suspension</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Contact Family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 2–4 day suspension</li> <li>• Extreme Fights – contact Director or SSHS</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 3–5 day suspension</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>

-Table 1-

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(a)(2)

### ACTS OF VIOLENCE

**Willfully used force** or violence upon the person of another, **except in self-defense**.

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 1–3 day suspension</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 2–4 day suspension</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 3–5 day suspension</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>

-Table 2-

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(b)

### WEAPONS AND DANGEROUS OBJECTS

Possessed, sold, or otherwise furnished any **firearm, knife, explosive, or other dangerous object**, unless, in the case of possession of any 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.

Ed. Code 48915(g) – As used in this section, "knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 ½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.

Ed. Code 48915(h) – As used in this section, the term "explosive" means "destructive device" as described in Section 921 of Title 18 of the United States Code. \*If student possessed, sold, or otherwise furnished a firearm, please refer to CA Ed. Code 48915(c)(1)

\*If student brandished a knife at another person, please refer to CA Ed. Code 48915(c)(2)

\*If Student possessed an explosive please refer to CA Ed. Code 48915(c)(5) and (h).

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Confiscate object</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Give object to appropriate law enforcement</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/ practice identified behavior skills, facilitate student re-entry</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• 1–5 day suspension</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Confiscate object</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Give object to appropriate law enforcement</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/ practice identified behavior skills, facilitate student re-entry</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• 3–5 day suspension</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Confiscate object</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Give object to appropriate law enforcement</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/ practice identified behavior skills, facilitate student re-entry</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• 3–5 day suspension</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>

-Table 3-

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(c)

### UNLAWFUL POSSESSION OF CONTROLLED SUBSTANCE

**Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, 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.

\*If Student was unlawfully selling a controlled substance please refer to CA Ed. Code 48915(c)(3).

Ed. Code 48915(c)(3) – The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds... unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Notify law enforcement within 1 school day (EC 48902)</li> <li>• Give substance to appropriate law enforcement authority</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/ practice identified behavior skills, facilitate student re-entry</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> <li>• 1–3 day suspension (Marijuana and alcohol)</li> <li>• Others Substances – contact Director or SSHS</li> </ul> <p><b>Selling Drugs</b></p> <ul style="list-style-type: none"> <li>• 5 Day Suspension if Student is selling or sold a controlled substance</li> <li>• Recommendation for expulsion if Student is selling or sold a controlled substance</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Notify law enforcement within 1 school day (EC 48902)</li> <li>• Give substance to appropriate law enforcement authority</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/ practice identified behavior skills, facilitate student re-entry</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> <li>• 2 –4 day suspension (Marijuana and alcohol)</li> <li>• Others Substances – contact Director or SSHS</li> </ul> <p><b>Selling Drugs</b></p> <ul style="list-style-type: none"> <li>• 5 Day Suspension if Student is selling or sold a controlled substance</li> <li>• Recommendation for expulsion if Student is selling or sold a controlled substance</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Notify law enforcement within 1 school day (EC 48902)</li> <li>• Give substance to appropriate law enforcement authority</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/ practice identified behavior skills, facilitate student re-entry</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> <li>• 3–5 day suspension (Marijuana and alcohol)</li> <li>• Others Substances – contact Director or SSHS</li> </ul> <p><b>Selling Drugs</b></p> <ul style="list-style-type: none"> <li>• 5 Day Suspension if Student is selling or sold a controlled substance</li> <li>• Recommendation for expulsion if Student is selling or sold a controlled substance</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> </ul>

-Table 4-

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(d)

### SALE OF "LOOK-ALIKE" CONTROLLED SUBSTANCE OR ALCOHOL

**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 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.

\*Reminder: If Student is unlawfully selling a controlled substance, it may also be a violation of 48915(c). If so, please refer to CA Ed. Code 48915(c)(3).

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Notify law enforcement within 1 school day (EC 48902)</li> <li>• Give substance to appropriate law enforcement authority</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• 1–3 day suspension</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Notify law enforcement within 1 school day (EC 48902)</li> <li>• Give substance to appropriate law enforcement authority</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• 2–4 day suspension</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Notify law enforcement within 1 school day (EC 48902)</li> <li>• Give substance to appropriate law enforcement authority</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• 3–5 day suspension</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>

-Table 5-

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(e)

### ROBBERY OR EXTORTION

Committed or attempted to **commit robbery or extortion.**

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 1–3 day suspension</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Contact Family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 2–4 day suspension</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 3–5 day suspension</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>

-Table 6-

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(f)

### DAMAGE TO PROPERTY

Caused or attempted to cause damage to school or private property.

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Suspension only permitted on "first offense" if student's presence causes a danger to persons. In such instances, 1–3 day suspension.</li> <li>• "First offense" refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/or 48915, although formal exclusionary disciplinary action may not have been taken against the student.</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 2–4 day suspension</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 3–5 day suspension</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>

-Table 7-

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(g)

### THEFT OR STEALING

Stole or attempted to steal school property or private property.

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Suspension only permitted on "first offense" if student's presence causes a danger to persons. In such instances, 1–3 day suspension.</li> <li>• "First offense" refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/or 48915, although formal exclusionary disciplinary action may not have been taken against the student.</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 2–4 day suspension</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 3–5 day suspension</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>

-Table 8-

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(h)

### TOBACCO OR NICOTINE PRODUCTS

**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.

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Suspension only permitted on "first offense" if student's presence causes a danger to persons. In such instances, 1–3 day suspension.</li> <li>• "First offense" refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/or 48915, although formal exclusionary disciplinary action may not have been taken against the student.</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• 2–4 day suspension</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• 3–5 day suspension</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>

-Table 9-

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(i)

### OBSCENE ACTS

Committed an **obscene act** or engaged in **habitual** profanity or vulgarity.

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Suspension only permitted on "first offense" if student's presence causes a danger to persons. In such instances, 1–3 day suspension.</li> <li>• "First offense" refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/or 48915, although formal exclusionary disciplinary action may not have been taken against the student.</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 2–4 day suspension</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 3–5 day suspension</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>

-Table 10-

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(j)

### DRUG PARAPHERNALIA

Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any **drug paraphernalia**.

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Suspension only permitted on "first offense" if student's presence causes a danger to persons. In such instances, 1–3 day suspension.</li> <li>• "First offense" refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/or 48915, although formal exclusionary disciplinary action may not have been taken against the student.</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• 2–4 day suspension</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• 3–5 day suspension</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>

-Table 11-

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(k)

### DISRUPTION OF SCHOOL ACTIVITIES

**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**.

**NOTE:**

- School districts cannot suspend students in kindergarten through grade 3 for disruption or willful defiance;
- School districts cannot recommend any student for expulsion for disruption or willful defiance, regardless of grade level;
- For students in grades 4 to 12, school districts cannot suspend them for disruption or willful defiance if it is their first offense; and
- Teachers are permitted to suspend any student, regardless of grade, from their classroom for disruption or willful defiance, whether it's a student's first offense or not.

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• <i>Depending on the severity of the incident, as well as, pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 1–3 day suspension (9th thru 12th grades)</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 2–5 day suspension (9th thru 12th grades)</li> </ul>

-Table 12-



# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(l)

### POSSESSION OF STOLEN PROPERTY

Knowingly received stolen school property or private property.

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Suspension only permitted on "first offense"</li> <li>• If student's presence causes a danger to persons. In such instances, 1–3 day suspension.</li> <li>• "First offense" refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/or 48915, although formal exclusionary disciplinary action may not have been taken against the student.</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notification to law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 1–4 day suspension</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 3–5 day suspension</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>

-Table 13-

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(m)

### IMITATION FIREARM

Possessed an imitation firearm. As used in this section, "imitation firearm" means 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.

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Suspension only permitted on "first offense" if student's presence causes a danger to persons. In such instances, 1–3 day suspension.</li> <li>• "First offense" refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/or 48915, although formal exclusionary disciplinary action may not have been taken against the student.</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notification to law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 2–4 day suspension</li> <li>• <i>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</i></li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 3–5 day suspension</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>

-Table 14-

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(n)

### SEXUAL ASSAULT OR SEXUAL BATTERY

**Committed or attempted to commit a sexual assault** as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

If student committed or attempted to commit a sexual assault please refer to CA Ed. Code 48915(c)(4).

Ed. Code 48915(c)(4) – The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds... committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>In consultation with site principal and Director - File CPS Report</li> <li>Contact Director or SSHS</li> <li>5 day suspension and recommendation for expulsion</li> <li>Refer to California Education Code 48915 (c)(4).</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>In consultation with site principal and Director - File CPS Report</li> <li>Contact Director or SSHS</li> <li>5 day suspension and recommendation for expulsion</li> <li>Refer to California Education Code 48915 (c)(4).</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>In consultation with site principal and Director - File CPS Report</li> <li>Contact Director or SSHS</li> <li>5 day suspension and recommendation for expulsion</li> <li>Refer to California Education Code 48915 (c)(4).</li> </ul>

-Table 15-

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(o)

### HARASSMENT OF A STUDENT WITNESS

**Harassed, threatened, or intimidated** a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or **retaliating against that pupil for being a witness**, or both.

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>Ensure due process</li> <li>Conference with student</li> <li>Collect statements from other witnesses</li> <li>Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/ practice identified behavior skills ,facilitate student re-entry.</li> <li>Review past alternative means of correction</li> <li>(Ed. Code 48900.5)</li> <li>Contact family/guardian</li> <li>Review student's past similar behaviors and document current incident in Synergy</li> <li>Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>Consider alternatives to suspension</li> <li>Restorative Practices/Interventions</li> <li>Student Study Team (SST)</li> <li>Referral to school counselor</li> <li>Contact Foster Youth Services</li> <li>Site MTSS process</li> <li>Referral to Student Support Centers for outside services/supports</li> <li>Notification to law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>Suspension only permitted on "first offense"</li> <li>If student's presence causes a danger to persons. In such instances, 1–3 day suspension.</li> <li>"First offense" refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/ or 48915, although formal exclusionary disciplinary action may not have been taken against the student.</li> <li>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>Ensure due process</li> <li>Conference with student</li> <li>Collect statements from other witnesses</li> <li>Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>Review past alternative means of correction (Ed. Code 48900.5)</li> <li>Contact family/guardian</li> <li>Review student's past similar behaviors and document current incident in Synergy</li> <li>Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>Consider alternatives to suspension</li> <li>Restorative Practices/Interventions</li> <li>Student Study Team (SST)</li> <li>Referral to school counselor</li> <li>Contact Foster Youth Services</li> <li>Site MTSS process</li> <li>Referral to Student Support Centers for outside services/supports</li> <li>Notification to law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>2–4 day suspension</li> <li>Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>Ensure due process</li> <li>Conference with student</li> <li>Collect statements from other witnesses</li> <li>Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/ practice identified behavior skills, facilitate student re-entry</li> <li>Review past alternative means of correction (Ed. Code 48900.5)</li> <li>Contact family/guardian</li> <li>Review student's past similar behaviors and document current incident in Synergy</li> <li>Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>Consider alternatives to suspension</li> <li>Restorative Practices/Interventions</li> <li>Student Study Team (SST)</li> <li>Referral to school counselor</li> <li>Contact Foster Youth Services</li> <li>Site MTSS process</li> <li>Referral to Student Support Centers for outside services/supports</li> <li>Notification to law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>3–5 day suspension</li> <li>Possible consideration for a Recommendation of Expulsion</li> </ul>

-Table 16-

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(p)

### PRESCRIPTION DRUG SOMA

Unlawfully offered, arranged to sell, negotiated to sell, or sold **the prescription drug Soma**.

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Confiscate substance</li> <li>• Notify law enforcement within 1 school day (EC 48902)</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Follow CA Education Code Requirements for controlled substances</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> <li>• Contact Director or SSHS</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notification to law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Suspension only permitted on "first offense" if student's presence causes a danger to persons. In such instances, 1 – 3 day suspension.</li> <li>• "First offense" refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/or 48915, although formal exclusionary disciplinary action may not have been taken against the student.</li> <li>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Confiscate substance</li> <li>• Notify law enforcement within 1 school day (EC 48902)</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Follow CA Education Code Requirements for controlled substances</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> <li>• Contact Director or SSHS</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 2 – 4 day suspension</li> <li>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Confiscate substance</li> <li>• Notify law enforcement within 1 school day (EC 48902)</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Follow CA Education Code Requirements for controlled substances</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> <li>• Contact Director or SSHS</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 3 – 5 day suspension</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>

-Table 17-

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(q)

### HAZING

Engaged in, or attempted to engage in, **hazing**. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school sanctioned events.

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports.</li> <li>• Notification to law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Suspension only permitted on "first offense" if student's presence causes a danger to persons. In such instances, 1–3 day suspension.</li> <li>• "First offense" refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/or 48915, although formal exclusionary disciplinary action may not have been taken against the student.</li> <li>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 2–4 day suspension</li> <li>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 3–5 day suspension</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>

-Table 18-

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(r)

### BULLYING

Engaged in the act of **bullying**.

"Electronic act" means the creation and transmission originated on or off the school site, 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, as specified.

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor, school psychologist, social work, child welfare attendance personnel, or other school support personnel for case management and counseling.</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Suspension only permitted on "first offense" if student's presence causes a danger to persons. In such instances, 1–3 day suspension.</li> <li>• "First offense" refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/or 48915, although formal exclusionary disciplinary action may not have been taken against the student.</li> <li>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 2–4 day suspension</li> <li>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 3–5 day suspension</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(r)

**Engaged in an act of bullying.** For purposes of this subdivision, the following terms have the following meanings:

- (1) **"Bullying"** means 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 pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
  - (A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
  - (B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
  - (C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
  - (D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.
- (2) (A) **"Electronic act"** means the creation or transmission originated on or off school site, 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:
  - (i) A message, text, sound, video or image.
  - (ii) A post on a social network Internet Web site including, but not limited to:
    - (I) 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).
    - (II) 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.
    - (III) 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.
    - (IV) (iii) An act of cyber sexual bullying.
    - (V) (I) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
    - (VI) (II) For purposes of this clause "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
      - (B) Notwithstanding paragraph (1) and subparagraph (A), 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.
- (3) **"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.

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900(t)

### AIDED OR ABETTED TO INFLICT PHYSICAL INJURY

A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, **but not expulsion**, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Suspension only permitted on "first offense" if student's presence causes a danger to persons. In such instances, 1–3 day suspension.</li> <li>• "First offense" refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/or 48915, although formal exclusionary disciplinary action may not have been taken against the student.</li> <li>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 2–4 day suspension</li> <li>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 3–5 day suspension</li> <li>• Student only subject to expulsion if the student has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury.</li> </ul>

-Table 21-

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900.2

### SEXUAL HARASSMENT

**Additional grounds** for suspension or expulsion: **sexual harassment.**

This section does not apply to students in kindergarten through grade 3.

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• File CPS Report</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Suspension only permitted on "first offense" if student's presence causes a danger to persons. In such instances, 1–3 day suspension.</li> <li>• "First offense" refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/or 48915, although formal exclusionary disciplinary action may not have been taken against the student.</li> <li>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• File CPS Report</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 2–4 day suspension (4th thru 12th grades)</li> <li>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• File CPS Report</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 3–5 day suspension (4th thru 12th grades)</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>

-Table 22-

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900.3

### HATE VIOLENCE

In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has **caused, attempted to cause, threatened to cause, or participated in an act of, hate violence**, as defined in subdivision (e) of Section 233.

This section does not apply to students in kindergarten through grade 3.

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Suspension only permitted on "first offense" if student's presence causes a danger to persons. In such instances, 1–3 day suspension.</li> <li>• "First offense" refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/or 48915, although formal exclusionary disciplinary action may not have been taken against the student.</li> <li>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 2–4 day suspension</li> <li>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 3–5 day suspension</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>

-Table 23-

# EGUSD STUDENT DISCIPLINE

## ED CODE 48900.4

### HARASSMENT, THREATS OR INTIMIDATION

**Additional grounds** for suspension or expulsion: **harassment, threats or intimidation**

In addition to the grounds specified in Sections 48900 and 48900.2, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has 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 classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

This section does not apply to students in kindergarten through grade 3.

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Suspension only permitted on "first offense" if student's presence causes a danger to persons. In such instances, 1–3 day suspension.</li> <li>• "First offense" refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/or 48915, although formal exclusionary disciplinary action may not have been taken against the student.</li> <li>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 2–4 day suspension</li> <li>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• 3–5 day suspension</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>

-Table 24-

## ED CODE 48900.7

### TERRORISTIC THREATS

a) In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, and 48900.4, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made **terroristic threats against school officials or school property, or both.**

(b) For the purposes of this section, **“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, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

FIRST INTERVENTION/ CONSEQUENCE	SECOND INTERVENTION/ CONSEQUENCE	THIRD, SUBSEQUENT INTERVENTION/ CONSEQUENCE
<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/ practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• Suspension only permitted on “first offense” if student's presence causes a danger to persons. In such instances, 1–3 day suspension.</li> <li>• “First offense” refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/or 48915, although formal exclusionary disciplinary action may not have been taken against the student.</li> <li>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/ practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• 2–4 day suspension</li> <li>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</li> </ul>	<p><b>Mandatory Actions:</b></p> <ul style="list-style-type: none"> <li>• Ensure due process</li> <li>• Conference with student</li> <li>• Collect statements from other witnesses</li> <li>• Notify law enforcement (refer to AR 5144.3 and 5145.11)</li> <li>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/ practice identified behavior skills, facilitate student re-entry</li> <li>• Review past alternative means of correction (Ed. Code 48900.5)</li> <li>• Contact family/guardian</li> <li>• Review student's past similar behaviors and document current incident in Synergy</li> <li>• Hold re-entry conference if suspended</li> </ul> <p><b>Other potential actions:</b></p> <ul style="list-style-type: none"> <li>• Consider alternatives to suspension</li> <li>• Restorative Practices/Interventions</li> <li>• Student Study Team (SST)</li> <li>• Referral to school counselor</li> <li>• Contact Foster Youth Services</li> <li>• Site MTSS process</li> <li>• Referral to Student Support Centers for outside services/supports</li> <li>• 3–5 day suspension</li> <li>• Possible consideration for a Recommendation of Expulsion</li> </ul>

## ED CODE 48915

48915. (a) (1) Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:

- (A) Causing serious physical injury to another person, except in self-defense.
- (B) Possession of any knife or other dangerous object of no reasonable use to the pupil.
- (C) 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 either of the following:
  - (i) The first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
  - (ii) The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.
- (D) Robbery or extortion.
- (E) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

(2) If the principal or the superintendent of schools makes a determination as described in paragraph (1), he or she is encouraged to do so as quickly as possible to ensure that the pupil does not lose instructional time.

(b) Upon recommendation by the principal or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board of a school district may order a pupil expelled upon finding that the pupil committed an act listed in paragraph (1) of subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel a pupil for any of those acts shall be based on a finding of one or both of the following:

- (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.

(c) The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds.

- (1) Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district. The act of possessing an imitation firearm, as defined in subdivision (m) of section 48900, is not an offense for which suspension or expulsion is mandatory pursuant to this subdivision and subdivision (d), but it is an offense for which suspension, or expulsion pursuant to subdivision (c), may be imposed.
- (2) Brandishing a knife at another person.
- (3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
- (4) Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (m) of Section 48900
- (5) Possession of an explosive.

(d) The governing board of a school district shall order a pupil expelled upon finding that the pupil committed an act listed in subdivision (c), and shall refer that pupil to a program of study that meets all of the following conditions:

- (1) Is appropriately prepared to accommodate pupils who exhibit discipline problems.
- (2) Is not provided at a comprehensive middle, junior, or senior high school, or at any elementary school.
- (3) Is not housed at the school site attended by the pupil at the time of suspension.

(e) Upon recommendation by the principal or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board of a school district may order a pupil expelled upon finding that the pupil, at school or at a school activity off of School grounds violated subdivision (f), (g), (h), (i), (k), (l), or (m) of Section 48900, or Section 48900.2, 48900.3, or 48900.4, and either of the following:

- (1) That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- (2) That due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

(f) The governing board of a school district shall refer a pupil who has been expelled pursuant to subdivision (b) or (e) to a program of study that meets all of the conditions specified in subdivision (d). Notwithstanding this subdivision, with respect to a pupil expelled pursuant to subdivision (e) if the county superintendent of schools certifies that an alternative program of study is not available at a site away from a comprehensive middle, junior, or senior high school, or another elementary school. The pupil may be referred to a program of study that is provided at a comprehensive middle, junior, or senior high school, or at an elementary school.

(g) As used in this section “knife” means any dirk, dagger, or other weapons with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 ½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.

(h) As used in this section, the term “explosive” means destructive device” as described in Section 921 of Title 18 of the United States Code. (Amended by Stats. 2012, Ch. 431, Sec 3. (AB 2537) Effective January 1, 2013.)