

Assembly Bill No. 307

CHAPTER 405

An act to add Section 48900.7 to the Education Code, relating to pupils.

[Approved by Governor September 5, 1997. Filed with Secretary of State September 5, 1997.]

LEGISLATIVE COUNSEL'S DIGEST

AB 307, Kaloogian. Pupils: suspension and expulsion.

Existing law specifies the acts for which a pupil may be suspended or expelled. Those acts include causing, attempting to cause, or threatening to cause physical injury to another person; possessing, selling, or otherwise furnishing an explosive or other dangerous object, as specified; causing or attempting to cause damage to school or private property; and disrupting school activities or otherwise willfully defying the valid authority of school personnel engaged in the performance of their duties.

This bill would add making terroristic threats, as specified, against school officials or school property, or both, to the acts for which a pupil may be suspended or expelled.

The people of the State of California do enact as follows:

SECTION 1. Section 48900.7 is added to the Education Code, to read:

48900.7. (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.

O

