

STUDENTS EXPELLED FROM OTHER DISTRICTS

In order to prohibit the enrollment of a potentially dangerous student, the Expulsion Hearing Committee shall hold a hearing if required by Education Code before admitting any student expelled from another district using the existing expulsion procedures. (Education Code 48915.1)

(cf. 5111 - Admission)

(cf. 5111.1 - District Residency)

(cf. 5117 - Interdistrict Transfer)

(cf. 5144.1 - Suspension and Expulsion)

Legal Reference:

EDUCATION CODE

46600 Agreements for interdistrict attendance

46601 Failure to approve interdistrict attendance; expulsion prohibiting appeal

48915 Expulsion; particular circumstances

48915.1 Expelled individuals: enrollment in another district

48918 Rules governing expulsion procedures

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The Expulsion Hearing Committee shall hold a hearing whenever it finds that a person who has established residence and is seeking enrollment was expelled from another district and has not been completely reinstated by that district. (Education Code 48915 et al)

Note: Hearings do not have to be held for students expelled for Education Code 48915(a) or (c) during the period of expulsion.

The hearing and notice shall be conducted in accordance with expulsion procedures (BP and AR 5144 et al) except the hearing will not be scheduled until the information regarding the expulsion is received from the other district. (Education Code 48915.1 & 48918)

(cf. 5144.1 - Suspension and Expulsion)

Note: District's receiving requests regarding an expelled student shall respond no later than 5 working days from the date of the request. (Education Code 48915.1 (a))

If the parent/guardian or student upon seeking enrollment did not inform the district, as required by law, of the student's status with his/her previous district, this lack of compliance shall be recorded and discussed during the hearing. (Education Code 48915.1 (b))

Students awaiting a meeting with the expulsion hearing committee and a decision by the Board of Education, under this section may voluntarily enroll in Independent Study or the local County Community Day School.

Upon determining, at this hearing that the student poses a potential danger to district students or employees, the Expulsion Hearing Committee may recommend to deny enrollment, and, if denied, a rehabilitative program must be recommended and a date be given when they may reapply for admission. If the student is found not to pose a danger, he/she may be admitted or conditionally admitted. (Education Code 48915.1 (d))