

AR 5119 Students Expelled from Other Districts

Hearings and notices regarding enrollment of students expelled from other districts shall be procedurally consistent with Education Code 48918. (Education Code 48915.1, 48915.2)

No student shall be enrolled before his/her term expires if the student was expelled for any of the following acts: (Education Code 48915, 48915.2)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission from a certificated school employee, with the principal or designee's concurrence, to possess the item.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code 48900(n).
5. Causing serious physical injury to another person, except in self-defense
6. Possessing any knife, explosive or other dangerous object of no reasonable use to the student
7. Unlawfully possessing any controlled substance, defined in the Health and Safety Code, except for the first offense for possessing one ounce or less of marijuana, other than concentrated cannabis
8. Robbery or extortion
9. Assault or battery upon a school employee as defined in Penal Code 240 and 242.

Enrollment during the Term of Expulsion

The parent/guardian or emancipated student shall, prior to enrollment, inform the district of the student's status with the previous district. Failure to notify the district of the expulsion will be recorded and discussed at the hearing. (Education Code 48915.1)

If the Board determines that the student does not pose a danger to district students or employees, and the student was not expelled for any act specified in Education Code 49815 (a) or (c), the Board shall admit or conditionally admit the student. Prior to admission the student must establish legal residence in the district or be enrolling under an interdistrict agreement. (Education Code 48915, 48915.1)

If the Board determines that the student poses a danger to the district's students or employees, and the student was not expelled for any act specified in Education Code 48915 (a) or (c), the Board may deny enrollment for the remainder of the expulsion period. (Education Code 48915, 48915.1)

Board Approved:

September 23, 2004

Effective Date: September 23, 2004