

STUDENTS EXPELLED FROM OTHER DISTRICTS

In order to prohibit the enrollment of a potentially dangerous student, the Governing Board shall order a hearing to be held before admitting any student expelled from another district. Enrollment shall be denied for any student who has committed one or more of the following offenses:

1. Possessing, selling, or otherwise furnishing a firearm, or possessing a knife, explosive or other dangerous object of no reasonable use to the student at school or on school grounds.
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, or possessing a controlled substance except for the first offense of possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
4. Committing or attempting to commit a sexual assault, or committing a sexual battery.
5. Causing serious physical injury to another person, except in self-defense.
6. Robbery or extortion. (Education Code 48915.2)

The hearing and notice shall be conducted in accordance with expulsion procedures. (Education Code 48915.1)

(cf. 5152 - Suspension and Expulsion)

The Board, when making its determination whether to enroll an individual during the term of expulsion from another district for offenses other than those listed above, will consider the following options:

1. Deny enrollment.
2. Permit enrollment.
3. Permit conditional enrollment in a regular school program or another educational program along with agreement by the student and the student's parent/guardian to comply with the terms of an Expulsion Rehabilitation Plan.

STUDENTS EXPELLED FROM OTHER DISTRICTS (continued)

If the parent/guardian 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)

Upon determining, at this hearing, that the student poses a potential danger to District students or employees, the Board may deny enrollment for the remainder of the expulsion period. If the student is found not to pose a danger and has established legal residency in the District, he/she shall be admitted or conditionally admitted. (Education Code 48915.1)

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