

Policy 5119: Students Expelled From Other Districts

Status: ADOPTED

Original Adopted Date: 02/01/1994 | Last Revised Date: 03/01/2007 | Last Reviewed Date: 03/01/2007

The Governing Board may grant admission to students expelled from other districts in accordance with law and when consistent with the Board's goal to provide a safe and secure environment for students and staff.

If a student expelled from another district is granted enrollment, in accordance with the procedures specified below, he/she shall either establish legal residence in this district or enroll pursuant to an interdistrict attendance agreement. (Education Code 48915.1, 48915.2)

Enrollment During the Term of the Expulsion

The district shall not enroll a student expelled by another district for any of the offenses listed in Education Code 48915(a) or (c) (mandatory expulsion offenses) during the term of the student's expulsion, unless the enrollment is at a community day school. (Education Code 48915.2)

Upon receiving a request for enrollment from a student expelled from another district for acts other than those specified in Education Code 48915(a) or (c), the Board shall hold a hearing to determine whether the student poses a continuing danger to students or staff. The hearing shall be conducted and notice shall be provided in accordance with procedures governing expulsion of students described in Education Code 48918. (Education Code 48915.1)

If the student or parent/guardian neglects to inform the district that the student was expelled from his/her previous district for an act other than those listed in Education Code 48915(a) or (c), the Board shall record and discuss this lack of compliance during the hearing. (Education Code 48915.1)

If the Board finds that a student expelled for acts other than those specified in Education Code 48915(a) or (c) does not pose a continuing danger to students or staff, the student may be admitted or conditionally admitted during the term of expulsion. If the Board determines that the student does pose a continuing danger to students or staff, the student shall not be admitted. (Education Code 48915.1)

Enrollment After the Term of the Expulsion

A student expelled for an act specified in Education Code 48915(a) or (c) may enroll in the district after the term of his/her expulsion if the Board finds, at a hearing, that the student does not pose a continuing danger to students or staff. The hearing shall be conducted and notice shall be provided in accordance with procedures governing expulsion of students described in Education Code 48918. (Education Code 48915.2)

A student expelled for any act other than those specified in Education Code 48915(a) or (c) may

request enrollment after the term of his/her expulsion in accordance with the district's procedures for establishing residency or interdistrict transfer.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

Ed. Code 46601

Description

[Failure to approve interdistrict attendance; expulsion prohibiting appeal](#)

Ed. Code 48200

[Compulsory attendance](#)

Ed. Code 48645.1

[Juvenile court school](#)

Ed. Code 48660-48666

[Community day schools](#)

Ed. Code 48915

[Expulsion; particular circumstances](#)

Ed. Code 48915.1

[Expelled individuals; enrollment in another district](#)

Ed. Code 48915.2

[Expelled student; enrollment during and after period of expulsion](#)

Ed. Code 48918

[Rules governing expulsion procedures](#)

Management Resources

Website

Description

[CSBA District and County Office of Education Legal Services](#)

Website

[U.S. Department of Education, Office of Safe and Healthy Students](#)

Website

[California Attorney General's Office](#)

Website

[California Department of Education](#)

Website

[CSBA](#)

Cross References

Code

5111

Description

[Admission](#)

5111

[Admission](#)

5111.1

[District Residency](#)

5111.1

[District Residency](#)

5117

[Interdistrict Attendance](#)

5117	<u>Interdistrict Attendance</u>
5125	<u>Student Records</u>
5125	<u>Student Records</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5145.6	<u>Parent/Guardian Notifications</u>
5145.6-E(1)	<u>Parent/Guardian Notifications</u>
9000	<u>Role Of The Board</u>
9321	<u>Closed Session</u>
9321-E(1)	<u>Closed Session</u>
9321-E(2)	<u>Closed Session</u>