

The Board of Trustees offers a readmission process for expelled students to assist with their return to the district after the period of expulsion. The readmission process involves a team consisting of the student, the parent/guardian, the Superintendent's designee and, in many cases, outside agencies.

Consistent with Education Code and the Board of Trustees' commitment in maintaining a healthy and safe environment, the Board of Trustees is not required to readmit students expelled from the district or other districts who have not met conditions of a rehabilitation plan or pose a danger to campus, student or employee safety.

The Board of Trustees directs the Superintendent to establish a process for the readmission of expelled students.

## 1.0 Expulsion Readmission Procedures

A pupil expelled from the district may request to be readmitted to the regular instruction program at the conclusion of the term of expulsion. The purpose of a readmission proceeding is to determine whether or not the pupil has met the conditions of the rehabilitation plan and if the student's reinstatement will adversely affect the regular instructional program and the safety of other pupils or employees of the school district.

An expelled pupil may request to be admitted to the instruction program as provided herein.

## 2.0 Procedure Prior to Readmission Conference

2.1 A request for readmission may be filed on or about the date established by the Board of Trustees in its expulsion order through the district office.

2.2 After the request for readmission has been received, the Superintendent's designee shall conduct a review of the request by reviewing, in conference, evidence provided by the pupil, parents and/or guardian. A pupil may be denied readmission if the conditions for rehabilitation have not been met and/or if the student could pose a danger to campus safety or to other pupils or employees of the school district. A description of the procedure for readmission shall be made available to the pupil and the pupil's parent or guardian at the time the expulsion order is entered (Appendix I).

2.3 When the Superintendent's designee has determined that the student has met the conditions for rehabilitation he/she will recommend to the Board of Trustees that the pupil be readmitted. The designee may assign the student to a school within the district other than to the school where the expellable offense occurred. If the student is a special education student, an IEP (Individualized Education Program) meeting will be held to determine the appropriate placement of the student if the student is recommended for readmission.

2.4 If applicable, following reinstatement and after attending school for one complete semester at another school site other than the school where the expellable offense took place, the student or parent/guardian may request readmission to the school where the expellable offense occurred after showing evidence to the school principal that the pupil's attendance, grades and citizenship have been satisfactory and that the student does not pose a threat to other pupils or employees at the school.

- 2.5 In the event the Superintendent's designee cannot make a recommendation for readmission, he/she will request an Administrative Hearing Panel to hear evidence prior to the panel making its decision to grant or deny the request for readmission.
  - 2.5.1 The pupil or parent/guardian of the pupil may appeal the decision not to recommend readmission to a school in the district by contacting the Assistant Superintendent of Administrative Services or his/her designee.
- 2.6 Prior to or at the readmission conference, or Administrative Hearing, the pupil or district may inspect and copy documents in possession of the other, not otherwise privileged, which each intends to use at the readmission conference with the Superintendent's designee or Administrative Hearing Panel.
- 2.7 The Superintendent's designee or the Administrative Hearing Panel shall recommend to the Board of Trustees, through the office of Safe Schools the approval or denial of a request for readmission and/or placement of a student in the Anaheim Union High School District.
- 2.8 After reviewing the request for readmission and receiving the recommendation of the Superintendent's designee or the Administrative Hearing Panel, the Board of Trustees will decide in Closed Session whether the request for readmission be granted or denied.
- 2.9 The decision of the Board of Trustees to grant or deny a request for readmission will be mailed to the pupil and/or parent, setting forth the reasons for its response.
- 2.10 The parent or guardian of the pupil may appeal school placement to an appeal panel. The appeal panel shall consist of a member(s) of the Board of Trustees and the Assistant Superintendent of Administrative Services.

**3.0 Readmission Conference**

- 3.1 A district official shall assist the pupil and parent/guardian prepare materials for use in applying for readmission of the pupil to the Anaheim Union High School District. When the conditions of the readmission have been met, the official shall:
  - 3.1.1 Provide information to assist the parent/guardian in writing a statement requesting readmission.
  - 3.1.2 Calendar the date, time and place of the readmission conference at the request of the student/parent/guardian.
  - 3.1.3 Contact persons or agencies who worked with the student during the period of expulsion to collect information regarding pupil progress toward the conditions for readmission, if necessary.
  - 3.1.4 Request a calendar date from the Administrative Hearing Panel chairperson, when applicable.
  - 3.1.5 Set the date and time of the hearing with the pupil, parent/guardian and notify them of their right to attend.
- 3.2 An informal conference is held with the Superintendent's designee. During the conference, a review of the conditions for readmission and the progress of the pupil in meeting all of the conditions for readmission will be made (Appendix I).
- 3.3 At the conference, the pupil and parent/guardian may submit any documentation or present any witnesses on his/her behalf.
- 3.4 The Superintendent's designee shall prepare a recommendation to the Board of Trustees. The recommendation shall be given to the pupil and parent/ guardian within three (3) school days of the conference.
- 3.5 When there is disagreement as to whether or not the readmission conditions have been fulfilled, the parent/guardian shall have the right to appeal to the Administrative Hearing Panel through the office of the Assistant Superintendent of Administrative Services within three (3) school days of the readmission conference.

- 3.6 The Board of Trustees shall act in a public meeting following a Closed Session on cases submitted for readmission at the next regularly scheduled meeting of the governing board following the readmission conference or hearing.
  - 3.7 The pupil and parent/guardian shall be notified in writing of the decision of the Board of Trustees by the Assistant Superintendent of Administrative Services or designee within five (5) school days of the governing board's decision. A copy of the letter shall be sent to the principal of the receiving school along with all school records and a copy of the Notification of Serious Offense, Anaheim Union High School District Board Policy 8707 (Safe and Secure Learning Environment) per Welfare and Institutions Code 827), if applicable.
  - 3.8 The school shall record the effective date of readmission on the pupil's permanent and cumulative records and notify appropriate staff as required by Anaheim Union High School District Board Policy 8707.
  - 3.9 After it has been determined that a pupil has made satisfactory behavioral and academic progress for one year or upon graduation, the pupil may request the Board to order the expungement of any or all records of the expulsion proceedings.
  - 3.10 Upon review of a pupil's request to expunge records of expulsion, the Superintendent or designee will forward a recommendation for response to the Board which may, at its discretion, grant expungement.
  - 3.11 The filing of any false or misleading statements on the readmission forms shall be grounds for denial of readmission.
  - 3.12 The decision of the governing board as to readmission of the pupil shall be final.
- 4.0 Readmission by the Administrative Hearing Panel
- This procedure shall govern the readmission hearing by the Administrative Hearing Panel. Where this procedure is silent, or good cause is shown, the person(s) conducting the hearing may apply other rules of adjudication.
- 4.1 The Assistant Superintendent of Administrative Services shall designate an individual to conduct the hearing and rule on questions concerning evidence and procedure.

- 4.2 The Administrative Hearing Panel shall consist of:
    - 4.2.1 The Assistant Superintendent of Administrative Services or his/her designee
    - 4.2.2 One non-involved principal from the same level as the school involved (senior high school or junior high school) to be selected by the Superintendent or his/her designee
    - 4.2.3 One district level administrator
    - 4.2.4 The Administrative Hearing Panel shall conduct hearings to consider readmission petitions. Following such hearings, the panel shall present findings of fact and their recommendation to the Board of Trustees.
  - 4.3 The readmission hearing shall be closed to the public unless the parent/guardian has made a written request for a public hearing at least three (3) days prior to the hearing date. If such request is made, the hearing shall be public.
  - 4.4 Technical rules of evidence shall not apply to the readmission hearing, but evidence may be admitted and given probative effect only if it is the kind of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs.
  - 4.5 The pupil has the burden of proving that readmission will not adversely affect the regular instructional program.
  - 4.6 The pupil and the district each may be represented by counsel, call available witnesses, introduce evidence, testify, be called to testify, and question witnesses present.
  - 4.7 The readmission hearing shall be completed within one (1) hour on the date on which the hearing began unless the Administrative Hearing Panel approves an extension of time due to special circumstances.
- 5.0 Presentation of Evidence
- The hearing shall proceed in the following manner, unless the person(s) conducting the hearing, for good cause, directs otherwise.

- 5.1 The pupil's petition for readmission and information regarding the Rehabilitation Plan and the status of the conditions for readmission will be presented by the Superintendent's designee.
  - 5.2 The pupil/parent/guardian, followed by the district, shall be given an opportunity to make an opening statement briefly summarizing their case, describing the evidence to be presented, and how it will support their position.
  - 5.3 The pupil/parent/guardian may present witnesses and other evidence subject to examination by the district.
  - 5.4 The district may present witnesses and other evidence subject to examination by the pupil/parent/guardian. The pupil may be called as a witness by the district.
  - 5.5 The parties may respectively offer rebuttal evidence.
  - 5.6 The district and the pupil/parent/guardian may address the person(s) conducting the hearing regarding the manner in which the evidence admitted during the hearing supports their position.
- 6.0 Readmission Decision
- 6.1 The Administrative Hearing Panel shall prepare findings of fact which support their decision as to whether the pupil's readmission will or will not adversely affect the regular instructional program, if the conditions for readmission have been met, or if the student poses a danger to campus safety.
  - 6.2 All findings of fact must be supported by the evidence received at the readmission hearing.
  - 6.3 The Administrative Hearing Panel shall submit their written findings and recommendation regarding readmission to the Board of Trustees. The Board of Trustees shall receive the findings of fact and recommendation in Closed Session.
  - 6.4 The Board of Trustees may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees (Education Code 48916).

6.5 If the Board of Trustees denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county/community school (Education Code 48916). If the student is a special education student, an IEP (Individualized Education Program) meeting will be held to determine the appropriate placement of the student.

## 7.0 Definitions

7.1 "Day" means a calendar day unless otherwise specifically provided.

7.2 "Expulsion" means removal of a pupil from (1) the immediate supervision and control, or (2) the general supervision, of school personnel, as those terms are used in Education Code Section 46300.

7.3 "School day" means a day upon which the schools of the district are in session or weekdays during the summer recess.

7.4 "Pupil" includes a pupil's parent or guardian or legal counsel.

## Cross Reference:

Anaheim Union High School District Board Policy  
8707 Safe and Secure Learning Environment

## Legal References:

Education Code  
46300 Average Daily Attendance  
48916 Expulsion Order

Welfare and Institutions Code  
827 Notice to Schools

## Board of Trustees

October 14, 1982

Revised: July 12, 1990

Revised: July 16, 1992

Revised: July 1993

Revised: July 1995

Revised: November 1998

Revised: November 2006

Revised: December 2007

A



**READMISSION CONFERENCE/ADMINISTRATIVE HEARING PANEL**

**SET UP:** Student/parent/guardian calls the district to schedule a conference with the Superintendent's designee at the end of the term of expulsion. The Superintendent's designee prepares the readmission packet.

**PURPOSE:** The purpose of the conference is to validate that the student has met all the requirements for readmission to the district. The Superintendent's designee/panel recommends readmission to the Board of Trustees who makes a final decision to readmit.

Readmission means that the student can attend programs in the district and does not pose a threat to staff or students. A readmitted student may be placed at a school other than the school where the expellable offense occurred. A readmitted student may attend a comprehensive or alternative education program for at least the first semester upon the pupil's reinstatement in the district.

**CONFERENCE PROCESS:**

1. Introductions (Designee)
2. Request for written documentation (Designee)
3. Identification of pages of documents (Designee and pupil)
4. Designee reads documents
5. Presentation of pertinent facts (Designee)
  - Incident/expulsion
  - Steps accomplished by student
  - Recommendation to panel if necessary
6. Student/parent/guardian statement
7. Question and answer (Designee/student/parent)
  - "What have you learned from the experience?"
  - "How have you changed your behavior?"
  - "What plans do you have for the future?"
  - Others
8. Deliberation
9. Recommendation to reinstate, or if not recommending reinstatement, the Designee will inform the student/parent/guardian of their right to appeal the Designee's decision to the office of the Assistant Superintendent of Administrative Services.

CLOSURE: Follow-up next steps (Designee)

- Summary for Board of Trustees Closed Session packet
- Board of Trustees action
- Letter to parent (copy to Principal)
- Referral to appropriate educational setting
- School of assignment requests records from office of Safe Schools/Community Day School/last school of attendance