

Students

INVOLUNTARY TRANSFER TO CONTINUATION SCHOOL

A. Involuntary Transfer

1. Age of student

Students eligible for continuation education classes shall be age 16 or 17 at the time of their enrollment and shall not have graduated from high school. (Education Code 48400, 48413)

2. Basis for decision to transfer

A decision to transfer a student involuntarily into continuation education classes shall be based on a finding that the student meets either of the following conditions: (Education Code 48432.5)

- a. The student committed an act enumerated in Education Code 48900.

Involuntary transfer to a continuation school shall be made only when other means fail to bring about student improvement. However, a student may be involuntarily transferred the first time he/she commits an act enumerated in Education Code 48900 if the principal determines that the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48432.5)

- b. The student has been habitually truant or irregular in legally required school attendance

3. Prior written notice

Prior to an involuntary transfer, the student and parent/guardian shall be given written notice stating the facts and reasons for the decision, and notice that the parent/guardian may request a meeting with the Superintendent or designee. The notice shall indicate that the pupil may return to the regular school when the following conditions have been met:

- i. Attendance at continuation school for one full semester
- ii. Maintenance of 80% attendance
- iii. Earning a minimum of ~~10~~ 30 units of credit
- iv. With consent of the principals involved, the above rules regarding grades and attendance may be waived
- v. For students who attend Laguna at least one half of the final quarter of the year, rule "a" above may be waived with the consent of the principals involved.

4. Right to Meeting

A student or parent/guardian may request a meeting with the Superintendent or designee. At the meeting, the student or parent/guardian shall be informed of the specific facts and reasons for the proposed transfer. The student or parent/guardian shall have the opportunity

to inspect all documents relied upon, question any evidence and witnesses presented, and present evidence on the student's behalf. The student may designate one or more representatives and witnesses to be present with him/her at the meeting. (Education Code 48432.5)

A written decision to transfer, stating the facts and reasons for the decision, shall be sent to the student and parent/guardian. It shall indicate whether the decision is subject to periodic review and the procedure for such review. (Education Code 48432.5)

The persons making the final decision for involuntary transfer shall not be members of the staff of the school in which the student is enrolled at the time. (Education Code 48432.5)

No involuntary transfer to a continuation school shall extend beyond the end of the semester following the semester when the acts leading to the involuntary transfer occurred. (Education Code 48432.5)

B. Voluntary Transfer

1. Age of student

With the consent of the Superintendent or designee, a student who is 16 years old or older may voluntarily enroll in continuation classes in order to take advantage of the school's alternative instructional program. Students so enrolled may return to the regular high school at the beginning of the following school year, or earlier with consent of the Superintendent or designee. (Education Code 48432.5)

2. Reenrollment after obtaining Certificate of Proficiency

Any person age 16 or 17 who left school after obtaining a certificate of proficiency may voluntarily reenroll in continuation school without prejudice. If the student leaves a second time, the Superintendent or designee may deny reenrollment until the beginning of the next semester. (Education Code 48414)