KNOW YOUR RIGHTS Expulsions

What is an expulsion?

An expulsion is when a school district prevents a student from attending traditional schools in that particular district.

What are the consequences of getting expelled?

Expulsion from school has many negative effects, including:

- > Falling behind in coursework
- > School failure
- > Grade retention
- > Greater likelihood of dropping out
- > Can affect college admission

What offenses can lead to an expulsion?

The California Education Code limits the behaviors for which a student can be expelled. Among these offenses are:

- > Causing physical injury
- > Possession of a weapon
- > Possession or sale of a controlled substance
- > Theft or robbery

- ➤ Damage to school property
- > Possession of drug paraphernalia
- > Sexual assault or battery
- > Hazing or bullying
- > Terroristic threats



What are your rights during and after expulsion?

- Right to an expulsion hearing within 30 days
- Right to a district-provided education program before your hearing
- Right to written notice of hearing date 10 days before
- Right to inspect district's evidence & question witnesses
- Right to bring a lawyer
- Right to present evidence & call witnesses
- Right to a written final decision
- Right to an appeal
- Right to return to school if you win your hearing





Expulsion Process Timeline

Student Expelled	Notice of Hearing	Option to Request Public Meeting	Hearing Scheduled	Final Decision	Option to Appeal
	10 days before hearing	5 days before hearing	30 days after recommended expulsion	10 days after hearing	Within 30 days after final decision
 Broken rule must be listed in §48900 of the Education Code School may only expel a student for breaking a rule while: On school grounds Traveling to/from school During on- or off-campus lunch Going to/from or while at a school activity 		 Student has right to make written request that hearing be made public Regardless of the hearing being public or private, the board will meet in private to make a final decision BUT, if board lets non-board members into closed meeting, student & advocates must be allowed in 		 Board, panel, or hearing officer may do 3 things: Recommend expulsion, barring student from attending any district school Suspend expulsion for up to 1 year. The student must obey all rules or risk immediate expulsion Reinstate the student in school with no other consequences 	
	 Student must get written notice at least 10 days before the hearing containing: Charges and supporting facts Hearing date/location Copy of rules broken Notice of duty to inform new district of expulsion before enrollment Student rights at hearing 		 Hearing can be conducted by: Governing board of student's school district Panel of 3 appointees (e.g. teachers) County hearing officer Hearing officer through the California Office of Administrative Hearings Student has right to request one (1) 30-day postponement in writing 		• Appeal to County Board of Education can only raise these procedural errors: ○ Hearing was not held in proper timelines, rule violation was not expellable act, or conduct was not related to school activity ○ Lack of fair hearing ○ Board failed to make required findings to support expulsion ○ Problems with evidence