— KNOW YOUR RIGHTS — Expulsions

What is an expulsion?

An expulsion occurs when a district removes a student from their regular education setting due to a violation of school rules or policies.

What are the consequences of getting expelled?

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

What offenses can lead to expulsion?

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

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

- Damage to school property
- Sexual assault or battery
- Hazing/bullying
- Terroristic threats
- Selling drugs



What are your rights during and after expulsion?

- Right to an expulsion hearing within 30 days
- Right to postpone an expulsion hearing up to 30 days to have more time to prepare
- 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

For free legal help, please contact NLSLA: NLSLAEducationTeamenIsla.org | (888) 907-0444 | nlsla.org/services/education-rights

All Services are Free of Charge

Neighborhood Legal Services of Los Angeles County

NLSL

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 <u>must</u> be listed in §48900 of the Education Code School may only expel a student for breaking a rule while: On school grounds Going or coming from school or school activity During on- or off- campus lunch 		 Student has right to make written request that hearing be public, although the board will still make the final decision in private The board will still meet in private to make a final decision BUT, if board lets non-board members into private meeting, student & advocates must be allowed in 		 Board, panel, or hearing officer may do 3 things: Recommend expulsion Suspend expulsion for up to 1 year. Student must obey all rules or risk immediate expulsion Reinstate student in school with no other consequences 	
	 Student must get written notice 10 days before hearing with: Charges and supporting facts Hearing location and date Copy of rules broken List of rights: e.g., right to bring an attorney, inspect documents, question witnesses, and present evidence. 		 Hearing can be conducted by: Governing board of school district Appointed threemember panel County or OAH hearing officer Student has right to request one (1) 30-day postponement in writing 		 Appeal to County Board of Education can raise these procedural errors: Hearing not held in proper timelines, rule violation was not expellable, or conduct was not related to school activity Lack of fair hearing Board failed to make required findings Problems with evidence