

INVOLUNTARY TRANSFER TO CONTINUATION SCHOOL

1. The principal or principal's designee may recommend that a student be involuntarily transferred to the continuation school. The recommendation shall be based on a finding that the student committed a prohibited act enumerated in Administrative Regulation 5144.1, Suspension and Expulsion/Due Process, or has been habitually truant or irregular in attendance.
2. Upon making a recommendation to involuntarily transfer a student, the principal or principal's designee shall prepare and collect the following documents to be forwarded to the district administrator responsible for discipline:
 - a. The specific facts and reasons for the proposed transfer.
 - b. A copy of the Rules of Student Discipline.
 - c. Copies of all suspensions and any other relevant disciplinary information.
 - d. Copies of the student's K-8 or 4-year card and any other relevant academic data including an IEP or 504 Accommodation Plan.
 - e. Copies of attendance records.

Upon receipt of the documents, the district administrator responsible for discipline, who shall not be a member of the staff in which the student is enrolled, will review the principal or principal designee's recommendation to involuntarily transfer the student.

In the event that the district administrator responsible for discipline determines that it is not appropriate for the student to be involuntarily transferred to the continuation school, the district administrator responsible for discipline shall inform the principal or principal's designee in writing and the student shall be permitted to return to the school of his/her enrollment after completion of his/her suspension, if any.

In the event that the district administrator responsible for discipline agrees with the principal or principal's designee's recommendation that the student be involuntarily transferred to the continuation school, the district administrator responsible for discipline shall notify the principal or principal's designee of the decision.

3. Prior to the involuntary transfer, the principal or principal's designee shall provide written notice (LSS-13) to the student and the student's parent/guardian informing them of the reason(s) for the proposed involuntary transfer and informing them that they have the opportunity to meet with a designee of the Superintendent (PP-4B), who shall not be a member of the staff of the school in which the student is enrolled.

INVOLUNTARY TRANSFER TO CONTINUATION SCHOOL (continued)

The meeting shall be held not later than five days following receipt of the principal or principal designee's recommendation to involuntarily transfer the student.

4. At the meeting with the Superintendent's designee, the student or the student's parent/guardian shall be informed of the following:
 - a. The specific facts and reasons for the proposed transfer.
 - b. The opportunity to inspect all documents relied upon.
 - c. The opportunity to question any evidence and witnesses presented.
 - d. The opportunity to present evidence on the student's behalf.
 - e. The right to designate one or more representatives or witnesses to be present at the hearing.
5. A decision to transfer a student involuntarily to the continuation school shall be based on a finding that the student committed a prohibited act enumerated in Administrative Regulation 5144.1, Suspension and Expulsion/Due Process or has been habitually truant or irregular in attendance. Involuntary transfer may be imposed only when other means fail to bring about student improvement; however, a student may be involuntarily transferred the first time he or she commits an offense enumerated in Administrative Regulation 5144.1 if the principal determines the student's presence causes a danger to persons or property or threatens to disrupt the instructional process.
6. Following a decision by the Superintendent's designee to involuntarily transfer a student, a written notice shall be sent to the student and the student's parent/guardian stating the reasons for that decision. The decision shall also state whether the decision is subject to periodic review and the procedure therefore.
7. No involuntary transfer to the continuation school shall extend beyond the end of the semester following the semester during which the acts leading directly to the involuntary transfer occurred.
8. The decision of the Superintendent's designee to involuntarily transfer a student shall be final.

INVOLUNTARY TRANSFER TO CONTINUATION SCHOOL (continued)

Return of Student to School of Origin

1. A student may return to the school to which he or she was involuntarily transferred from (referred to as "school of origin") at the completion of the term of the

involuntary transfer, and upon completion of all terms and conditions imposed upon the student pursuant to the involuntary transfer.
2. At least 30 days prior to the end of the term of the involuntary transfer, the student or the student's parent/guardian may request a meeting with the continuation school principal or designee. At this meeting, the principal or designee shall determine whether the student has successfully completed all terms and conditions placed upon the student at the time the involuntary transfer was ordered.
3. If the continuation school principal or designee determines that the student has successfully complied with all of said terms and conditions, the continuation school principal or designee shall inform the school from which the student was transferred of the student's eligibility to return to the school of origin. Thereafter, the student shall be permitted to re-enroll at the school from which the student was originally transferred.
4. If the principal or designee determines that the student has not successfully complied with all terms and conditions of the involuntary transfer, the principal or designee shall inform the student and his/her parents or guardians of the fact, and of the particular term(s) or condition(s) which must be satisfied prior to re-enrolling in the school of origin. A student who fails to comply with all the terms and conditions of the involuntary transfer shall not be eligible to return to the school of origin until such time that the student complies with said terms and conditions of involuntary transfer.
5. Students who have successfully completed the term of involuntary transfer and are eligible to re-enroll in the school of origin may request a meeting with the continuation school principal to remain at the continuation school. Students may remain enrolled in the continuation school with the consent of the principal or designee.