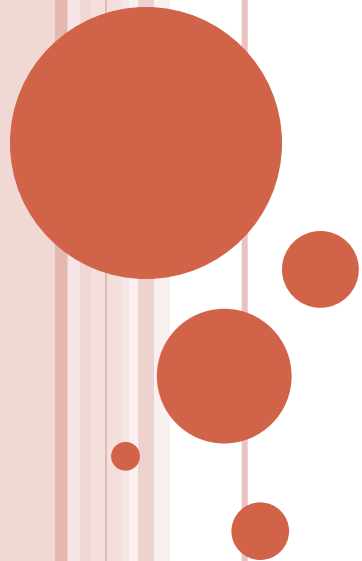


STUDENT DISCIPLINE LAW: AN OVERVIEW OF NC LAW AND CONSTITUTIONAL DUE PROCESS RIGHTS

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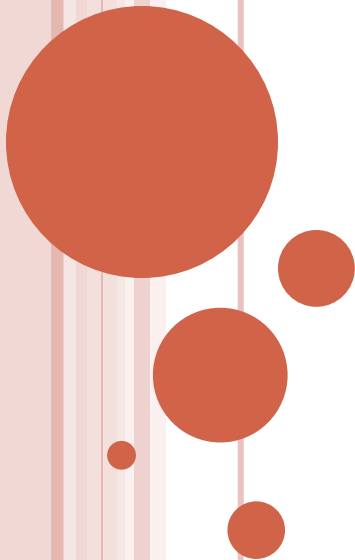


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STATE POLICY

- In order to create and maintain a safe and orderly school environment conducive to learning, school officials and teachers need adequate tools to maintain good discipline in schools. However, the General Assembly also recognizes that removal of students from school while sometimes necessary, can exacerbate behavioral problems, diminish academic achievement, and hasten school dropout.

G.S. § 115C-390.1(a).



STATE POLICY (CONTINUED)

- School discipline must balance these interests to provide a safe and productive learning environment, to continually teach students to respect themselves, others and property, and to conduct themselves in a manner that fosters their own learning and the learning of those around them.

G.S. § 115C-390.1(a).



ALTERNATIVE EDUCATION SERVICES DEFINED

- Alternative education services: Part or full-time programs, wherever situated, providing direct or computer-based instruction that allow a student to progress in one or more core academic courses.

G.S. § 115C-390.1(b)(1).



EXPULSION DEFINED

- Expulsion: “The indefinite exclusion of a student from school enrollment for disciplinary purposes.”

G.S. § 115C-390.1(b)(5).



FIREARM DEFINED

- Firearm: Any of the following:
 - A weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive.
G.S. § 115C-390.1(b)(6)a.
 - The frame or receiver of any such weapon.
G.S. § 115C-390.1(b)(6)b.
 - Any firearm muffler or firearm silencer.
G.S. § 115C-390.1(b)(6)c.



LONG-TERM SUSPENSION DEFINED

- Long-Term Suspension: The exclusion for more than 10 school days of a student from school attendance for disciplinary purposes from the school to which the student was assigned at the time of the disciplinary action.

G.S. § 115C-390.1(b)(7).



LONG-TERM SUSPENSION DEFINED (CONTINUED)

- If the offense leading to the long-term suspension occurs before the final quarter of the school year, the exclusion shall be no longer than the remainder of the school year in which the offense was committed.

G.S. § 115C-390.1(b)(7).



LONG-TERM SUSPENSION DEFINED (CONTINUED)

- If the offense leading to the long-term suspension occurs during the final quarter of the school year, the exclusion may include a period up to the remainder of the school year in which the offense was committed and the first semester of the following school year.

G.S. § 115C-390.1(b)(7).



SHORT-TERM SUSPENSION DEFINED

- The exclusion of a student from school attendance for disciplinary purposes for up to 10 school days from the school to which the student was assigned at the time of the disciplinary action.

G.S. § 115C-390.1(b)(7).



DISCIPLINE POLICIES

- Local boards of education shall adopt policies to govern the conduct of students and establish procedures to be followed by school officials in disciplining students.

G.S. § 115C-390.2(a).



DISCIPLINE POLICIES

- Board policies shall include or provide for the development of a Code of Student Conduct that notifies students of the standards of behavior expected of them, conduct that may subject them to discipline, and the range of disciplinary measures that may be used by school officials.

G.S. § 115C-390.2(b).



DISCIPLINE POLICIES

- Board policies may authorize suspension for conduct not occurring on educational property, but only if the student's conduct otherwise violates the Code of Student Conduct and the conduct has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment.

G.S. § 115C-390.2(c).



DISCIPLINE POLICIES

- Board policies shall not allow students to be long-term suspended or expelled from school solely for truancy or tardiness offenses and shall not allow short-term suspension of more than two days for such offenses.

G.S. § 115C-390.2(d).



DISCIPLINE POLICIES

- Board policies shall not impose mandatory long-term suspensions or expulsions for specific violations unless otherwise provided in State or federal law.

G.S. § 115C-390.2(e).



DISCIPLINE POLICIES

- Board policies shall minimize the use of long-term suspension and expulsion by restricting the availability of long-term suspension to those violations deemed to be serious violations of the board's Code of Student Conduct that either threaten the safety of student's, staff, or school visitors or threaten to substantially disrupt the educational environment.

G.S. § 115C-390.2(f).



DISCIPLINE POLICIES

- Examples of conduct that **would not** be deemed to be a serious violation include:
 - The use of inappropriate or disrespectful language
 - Noncompliance with a staff directive
 - Dress code violations
 - Minor physical altercations that do not involve weapons or injury

G.S. § 115C-390.2(f).



DISCIPLINE POLICIES

- The principal may, however, in his or her discretion, determine that aggravating circumstances justify treating a minor violation as a serious violation.

G.S. § 115C-390.2(f).



DISCIPLINE POLICIES

- Board policies shall not prohibit the superintendent and principals from considering the student's intent, disciplinary and academic history, the potential benefits to the student of alternatives to suspension, and other mitigating or aggravating factors when deciding whether to recommend or impose long-term suspension.

G.S. § 115C-390.2(g).



DISCIPLINE POLICIES

- Board policies shall include the procedures to be followed by school officials in suspending, expelling, or administering corporal punishment to any student, which shall be consistent with this Article.

G.S. § 115C-390.2(h).



DISCIPLINE POLICIES

- Each local board shall publish all policies, administrative procedures, or school rules mandated by this section and make them available to each student and his or her parent at the beginning of each school year and upon request.

G.S. § 115C-390.2(i).



DISCIPLINE POLICIES

- School officials are encouraged to use a full range of responses to violations of disciplinary rules, such as conferences, counseling, peer mediation, behavior contracts, instruction in conflict resolution and anger management, detention, academic interventions, community service, and other similar tools that do not remove a student from the classroom or school building.

G.S. § 115C-390.2(k).



REASONABLE FORCE

- School personnel may use reasonable force to control behavior or to remove a person from the scene in those situations when necessary, for any of the following reasons:
 - To correct students;
 - To quell a disturbance threatening injury to others;
 - To obtain possession of weapons or other dangerous objects on the person, or with the control, of a student;

G.S. § 115C-390.3(b).



REASONABLE FORCE

- For self-defense;
- For the protection of persons or property; and
- To maintain order on educational property, in the classroom, or at a school-related activity on or off educational property.

G.S. § 115C-390.3(b).



CORPORAL PUNISHMENT

- To the extent that corporal punishment is permitted by a school system, the policies adopted for the administration of corporal punishment must comply with G.S. § 115C-390.4, Corporal Punishment.



SHORT-TERM SUSPENSION

- The principal shall have authority to impose short-term suspension on a student who willfully engages in conduct that violates a provision of the Code of Student Conduct authorizing short-term suspension.

G.S. § 115C-390.5(a).



SHORT-TERM SUSPENSION

- If a student's short-term suspensions accumulate to more than 10 days in a semester, to the extent the principal has not already done so, he or she shall invoke the mechanisms provided for in the applicable safe schools plan adopted pursuant to G.S. § 115C-105.47(b)(5) and (b)(6). *(If one is in place.)*



SHORT-TERM SUSPENSION PROCEDURES

- Except as authorized in this section, no short-term suspension shall be imposed upon a student without first providing the student an opportunity for an informal hearing with the principal. The notice to the student of the charges may be oral or written, and the hearing may be held immediately after the notice is given. The student has the right to be present, to be informed of the charges and the basis for the accusations, and to make statements in defense or mitigation of the charges.

G.S. § 115C-390.6(a).



SHORT-TERM SUSPENSION PROCEDURES

- The principal may impose a short-term suspension without providing the student an opportunity for a hearing if the presence of the student creates a direct and immediate threat to the safety of other students or staff, or substantially disrupts or interferes with the education of other students or the maintenance of discipline at the school.
- In such cases, the notice of the charges and informal hearing described in subsection (a) of this section shall occur as soon as practicable.

G.S. § 115C-390.6(b).



SHORT-TERM SUSPENSION PROCEDURES

- The principal shall provide notice to the student's parent of any short-term suspension, including the reason for the suspension and a description of the alleged student conduct upon which the suspension is based. The notice shall be given by the end of the workday during which the suspension is imposed when reasonably possible, but in no event more than two days after the suspension is imposed. The notice shall be given by certified mail, telephone, facsimile, e-mail or any other method reasonably designed to achieve actual notice.

G.S. § 115C-390.6(c).



SHORT-TERM SUSPENSION PROCEDURES

- A student is not entitled to appeal the principal's decision to impose a short-term suspension to the superintendent or local board of education. Further, such a decision is not subject to judicial review. Notwithstanding this subsection, the local board of education, in its discretion, may provide students an opportunity for review or appeal of a short-term suspension to the superintendent or local board of education.

G.S. § 115C-390.6(e).



LONG-TERM SUSPENSION

- A principal may recommend to the superintendent the long-term suspension of any student who willfully engages in conduct that violates a provision of the Code of Student Conduct that authorizes long-term suspension. Only the superintendent has the authority to long-term suspend a student.

G.S. § 115C-390.7(a).

- (Note that the definition of superintendent in G.S. § 115C-390.1(b)(14) includes the superintendent's designee.)



LONG-TERM SUSPENSION

- Before the superintendent's imposition of a long-term suspension, the student must be provided an opportunity for a hearing consistent with G.S. § 115C-390.8.

G.S. § 115C-390.7(b).



LONG-TERM SUSPENSION

- If the student recommended for long-term suspension declines the opportunity for a hearing, the superintendent shall review the circumstances of the recommended long-term suspension. Following such review, the superintendent (i) may impose the suspension if it is consistent with board policies and appropriate under the circumstances, (ii) may impose another appropriate penalty authorized by the board policy, or (iii) may decline to impose any penalty.

G.S. § 115C-390.7(c).



LONG-TERM SUSPENSION

- If a teacher is assaulted or injured by a student and as a result the student is long-term suspended or reassigned to alternative education services, the student shall not be returned to that teacher's classroom unless the teacher consents.

G.S. §115C-390.7(d).



LONG-TERM SUSPENSION

- Disciplinary reassignment of a student to a full-time educational program that meets the academic requirements of the standard course of study established by the State Board of Education as provided in G.S. 115C-12 and provides the student with the opportunity to make timely progress towards graduation and grade promotion is not a long-term suspension requiring the due process procedures described in G.S. § 115C-390.8.

G.S. § 115C-390.7(e).



LONG-TERM SUSPENSION PROCEDURES

- When a student is recommended by the principal for long-term suspension, the principal shall give written notice to the student's parent. The notice shall be provided to the student's parent by the end of the workday during which the suspension was recommended when reasonably possible or as soon thereafter as practicable. The written notice shall provide at least the following information:

G.S. § 115C-390.8(a).



LONG-TERM SUSPENSION PROCEDURES

- A description of the incident and the student's conduct that led to the long-term suspension recommendation.
G.S. § 115C-390.8(a)(1).
- A reference to the provisions of the Code of Student Conduct that the student is alleged to have violated.
G.S. § 115C-390.8(a)(2).
- The specific process by which the parent may request a hearing to contest the decision, including the number of days within which the hearing must be requested.
G.S. § 115C-390.8(a)(3).



LONG-TERM SUSPENSION PROCEDURES

- The process by which a hearing will be held, including, at a minimum, the procedures described in subsection (e) of this section.

G.S. § 115C-390.8(a)(4).

- Notice that the parent is permitted to retain an attorney to represent the student in the hearing process.

G.S. § 115C-390.8(a)(5).



LONG-TERM SUSPENSION PROCEDURES

- The extent to which the local board policy permits the parent to have an advocate, instead of an attorney, accompany the student to assist in the presentation of his or her appeal.

G.S. § 115C-390.8(a)(6).



LONG-TERM SUSPENSION PROCEDURES

- Notice that the parent has the right to review and obtain copies of the student's educational records before the hearing.

G.S. § 115C-390.8(a)(7).

- A reference to the local board policy on the expungement of discipline records as required by G.S. 115C-402.

G.S. § 115C-390.8(a)(8).



FOREIGN LANGUAGE

- Written notice may be provided by certified mail, fax, e-mail, or any other written method reasonably designed to achieve actual notice of the recommendation for long-term suspension. When the school personnel are aware that English is not the primary language of the parent or guardian when the appropriate foreign language resources are readily available. All notices described in this section shall be written in plain English and shall include the following information translated into the dominant non-English language used by residents within the local school administrative unit:
G.S. § 115C-390.8(b).



FOREIGN LANGUAGE

- The nature of the document, i.e., that it is a long-term suspension notice.
G.S. § 115C-390.8(b)(1).
- The process by which the parent may request a hearing to contest the long-term suspension.
G.S. § 115C-390.8(b)(2).
- The identity and phone number of a school employee that the parent may call to obtain assistance in understanding the English language information included in the document.
G.S. § 115C-390.8(b)(3).



HEARINGS

- No long-term suspension shall be imposed on a student until an opportunity for a formal hearing is provided to the student. If a hearing is timely requested, it shall be held and a decision issued before a long-term suspension is imposed, except as otherwise provided in this subsection. The student and parent shall be given reasonable notice of the time and place of the hearing.

G.S. § 115C-390.8(c).



HEARINGS

- If no hearing is timely requested, the superintendent shall follow the procedures described in G.S. 115C-390.7(c).

G.S. § 115C-390.8(c)(1)

- If the student or parent requests a postponement of the hearing, or if the hearing is requested beyond the time set for such request, the hearing shall be scheduled, but the student shall not have the right to return to school pending the hearing.

G.S. § 115C-390.8(c)(2).



HEARINGS

- If neither the student nor parent appears for the scheduled hearing, after having been given reasonable notice of the time and place of the hearing, the parent and student are deemed to have waived the right to a hearing and the superintendent shall conduct the review required by G.S. § 115C-390.7(c).

G.S. § 115C-390.8(c)(3).



HEARINGS

- The formal hearing may be conducted by the local board of education, by the superintendent, or by a person or group of persons appointed by the local board or superintendent to serve as a hearing officer or hearing panel. Neither the board nor the superintendent shall appoint any individual to serve as a hearing officer or on a hearing panel who is under the direct supervision of the principal recommending suspension.

G.S. § 115C-390.8(d).



HEARINGS

- If the hearing is conducted by an appointed hearing officer or hearing panel, such officer or panel shall determine the relevant facts and credibility of witnesses based on the evidence presented at the hearing. Following the hearing, the superintendent or local board shall make a final decision regarding the suspension. The superintendent or board shall adopt the hearing officer's or the panel's factual determinations unless they are not supported by substantial evidence in the record.

G.S. § 115C-390.8(d).



HEARINGS

- Long-term suspension hearings shall be conducted in accordance with policies adopted by the board of education. Such policies shall offer the student procedural due process including, but not limited to, the following:

G.S. § 115C-390.8(e).



HEARINGS

- The right to be represented at the hearing by counsel, or in the discretion of the local board, a non-attorney advocate.

G.S. § 115C-390.8(e)(1).

- The right to be present at the hearing, accompanied by his or her parents.

G.S. § 115C-390.8(e)(2).



HEARINGS

- The right of the student, parent and the student's representative to review before the hearing any audio or video recordings of the incident and, consistent with federal and State student records laws and regulations, the information supporting the suspension that may be presented as evidence at the hearing, including statements made by witnesses related to the charges consistent with subsection (h) of this section.

G.S. § 115C-390.8(e)(3).



HEARINGS

- The right of the student, parent, or the student's representative to question witnesses appearing at the hearing.

G.S. § 115C-390.8(e)(4).

- The right to present evidence on his or her own behalf, which may include written statements or oral testimony, relating to the incident leading to the suspension, as well as any of the factors listed in G.S. 115C-390.2(g).

G.S. § 115C-390.8(e)(5).



HEARINGS

- The right to have a record made of the hearing.

G.S. § 115C-390.8(e)(6).

- The right to make his or her own audio recording of the hearing.

G.S. § 115C-390.8(e)(7).



HEARINGS

- The right to a written decision, based on substantial evidence presented at the hearing, either upholding, modifying, or rejecting the principal's recommendation of suspension and containing at least the following information:
 - The basis for the decision, including a reference to any policy or rule that the student is determined to have violated;
 - Notice of what information will be included in the student's official record pursuant to G.S. 115C-402; and
 - The student's right to appeal the decision and notice of the procedures for such appeal.

G.S. § 115C-390.8(e)(8).



HEARINGS

- Following the issuance of the decision, the superintendent shall implement the decision by authorizing the student's return to school or by imposing the suspension reflected in the decision.

G.S. § 115C-390.8(f).



HEARINGS

- Unless the decision was made by the local board, the student may appeal the decision to the local board in accordance with G.S. § 115C-45(c) and policies adopted by the board. Notwithstanding the provisions of G.S. § 115C-45(c), a student's appeal to the board of a decision upholding a long-term suspension shall be heard and a final written decision issued in not more than 30 calendar days following the request for such appeal.

G.S. § 115C-390.8(g).



HEARINGS

- Nothing in this section shall compel school officials to release names or other information that could allow the student or his or her representative to identify witnesses when such identification could create a safety risk for the witness.

G.S. § 115C-390.8(h).



HEARINGS

- A decision of the local board to uphold the long-term suspension of a student is subject to judicial review in accordance with Article 4 of Chapter 150B of the General Statutes. The action must be brought within 30 days of the local board's decision. A person seeking judicial review shall file a petition in the superior court or the county where the local board made its decision. Local rules notwithstanding, petitions for judicial review of a long-term suspension shall be set for hearing in the first succeeding term of superior court in the county following the filing of the certified copy of the official record.

G.S. § 115C-390.8(i).



ALTERNATIVE EDUCATION SERVICES

- Students who are long-term suspended shall be offered alternative education services unless the superintendent provides a significant or important reason for declining to offer such services. The following may be significant or important reasons depending on the circumstances and the nature and setting of the alternative education services:

G.S. § 115C-390.9(a).



ALTERNATIVE EDUCATION SERVICES

- The student exhibits violent behavior.

G.S. § 115C-390.9(a)(1).

- The student poses a threat to staff or other students.

G.S. § 115C-390.9(a)(2).

- The student substantially disrupts the learning process.

G.S. § 115C-390.9(a)(3).



ALTERNATIVE EDUCATION SERVICES

- The student otherwise engaged in serious misconduct that makes the provision of alternative educational services not feasible.

G.S. § 115C-390.9(a)(4).

- Educationally appropriate alternative education services are not available in the local school administrative unit due to limited resources.

G.S. § 115C-390.9(a)(5).

- The student failed to comply with reasonable conditions for admittance into an alternative education program.

G.S. § 115C-390.9(a)(6).



ALTERNATIVE EDUCATION SERVICES

- If the superintendent declines to provide alternative education services to the suspended student, the student may seek review of such decision by the local board of education as permitted by G.S. 115C-45(c)(2). If the student seeks such review, the superintendent shall provide to the student and the local board, in advance of the board's review, a written explanation for the denial of services together with any documents or other information supporting the decision.

G.S. § 115C-390.9(b).



365-DAY SUSPENSION FOR GUN POSSESSION

- All local boards of education shall develop and implement written policies and procedures, as required by the federal Gun Free Schools Act, 20 U.S.C. § 7151, requiring suspension for 365 calendar days of any student who is determined to have brought or been in possession of a firearm or destructive device on educational property, or to a school-sponsored event off of educational property.

G.S. § 115C-390.10(a).



365-DAY SUSPENSION FOR GUN POSSESSION

- A principal shall recommend to the superintendent the 365-day suspension of any student believed to have violated board policies regarding weapons. (i.e. firearm or destructive device.) The superintendent has the authority to suspend for 365 days a student who has been recommended for such suspension by the principal when such recommendation is consistent with board policies.

G.S. § 115C-390.10(a).



365-DAY SUSPENSION FOR GUN POSSESSION

- Notwithstanding the foregoing, the superintendent may modify, in writing, the required 365-day suspension for an individual student on a case-by-case basis.

G.S. § 115C-390.10(a).



365-DAY SUSPENSION FOR GUN POSSESSION

- The superintendent shall not impose a 365-day suspension if the superintendent determines that the student took or received the firearm or destructive device from another person at school or found the firearm or destructive device at school, provided that the student delivered or reported the firearm or destructive device as soon as practicable to a law enforcement officer or a school employee and had no intent to use such firearm or destructive device in a harmful or threatening way.

G.S. § 115C-390.10(a).



365-DAY SUSPENSION FOR GUN POSSESSION

- The principal must report all incidents of firearms or destructive devices on educational property or at a school-sponsored event as required by G.S. 115C-288(g) and State Board of Education policy.

G.S. § 115C-390.10(b).



365-DAY SUSPENSION FOR GUN POSSESSION

- Nothing in this provision shall apply to a firearm that was brought onto educational property for activities approved and authorized by the local board of education, provided that the local board of education has adopted appropriate safeguards to protect student safety.

G.S. § 115C-390.10(c).



365-DAY SUSPENSION FOR GUN POSSESSION

- At the time the student and parent receive notice that the student is suspended for 365 days under this section, the superintendent shall provide notice to the student and the student's parent of the right to petition the local board of education for readmission pursuant to G.S. § 115C-390.12.

G.S. § 115C-390.10(d).



EXPULSION

- Upon recommendation of the superintendent, a local board of education may expel any student 14 years of age or older whose continued presence in school constitutes a clear threat to the safety of other students or school staff.

G.S. § 115C-390.11(a).



EXPULSION

- Prior to the expulsion of any student, the local board shall conduct a hearing to determine whether the student's continued presence in school constitutes a clear threat to the safety of other students or school staff. The student shall be given reasonable notice of the recommendation in accordance with G.S. § 115C-390.8(a) and (b), as well as reasonable notice of the time and place of the scheduled hearing.

G.S. § 115C-390.11(a).



EXPULSION

- The procedures described in G.S. § 115C-390.8(e)(1)-(8) apply to students facing expulsion, except that the decision to expel a student by the local board of education shall be based on clear and convincing evidence that the student's continued presence in school constitutes a clear threat to the safety of other students and school staff.

G.S. § 115C-390.11(a)(1).



EXPULSION

- A local board of education may expel any student subject to G.S. § 14-208.18 in accordance with the procedures of this section. Prior to ordering the expulsion of a student, the local board of education shall consider whether there are alternative education services that may be offered to the student.

G.S. § 115C-390.11(a)(2).



EXPULSION

- As provided by G.S. § 14-208.18(f), if the local board of education determines that the student shall be provided educational services on school property, the student shall be under the supervision of school personnel at all times.

G.S. § 115C-390.11(a)(2).



EXPULSION

- During the expulsion, the student is not entitled to be present on any property of the local school administrative unit and is not considered a student of the local board of education.

G.S. § 115C-390.11(b).



REQUEST FOR READMISSION

- All students suspended for 365 days or expelled may, after 180 calendar days from the date of the beginning of the student's suspension or expulsion, request in writing readmission to the local school administrative unit. The local board of education shall develop and publish written policies and procedures for the readmission of all students who have been expelled or suspended for 365 days, which shall provide, at a minimum, the following process:

G.S. § 115C-390.12(a).



READMISSION PROCESS

- At the local board's discretion, either the superintendent or the local board itself shall consider and decide on petitions for readmission. If the decision maker is the superintendent, the superintendent shall offer the student an opportunity for an in-person meeting. If the decision maker is the local board of education, the board may offer the student an in-person meeting or may make a determination based on the records submitted by the student and the superintendent.

G.S. § 115C-390.12(a)(1)a.



READMISSION PROCESS

- The student shall be readmitted if the student demonstrates to the satisfaction of the board or superintendent that the student's presence in school no longer constitutes a threat to the safety of other students or staff.

G.S. § 115C-390.12(a)(1)b.



READMISSION PROCESS

- A superintendent's decision not to readmit the student may be appealed to the local board of education pursuant to G.S. § 115C-45(c). The superintendent shall notify the parents of the right to appeal.

G.S. § 115C-390.12(a)(1)c.

- There is no right to judicial review of the board's decision not to readmit a 365-day suspended student.

G.S. § 115C-390.12(a)(1)d.



READMISSION PROCESS

- The board of education shall consider all petitions for readmission of expelled students, together with the recommendation of the superintendent on the matter, and shall rule on the request for readmission. The board shall consider the petition based on the records submitted by the student and the response by the administration and shall allow the parties to be to be heard in the same manner as provided by G.S. § 115C-45(c).

G.S. § 115C-390.12(a)(2)a.



READMISSION PROCESS

- The student shall be readmitted if the student demonstrates to the satisfaction of the board or superintendent that his or her presence in a school no longer constitutes a clear threat to the safety of other students or staff.

G.S. § 115C-390.12(a)(2)b.

- A decision by a board of education to deny readmission of an expelled student is not subject to judicial review.

G.S. § 115C-390.12(a)(2)c.



READMISSION PROCESS FOR EXPELLED STUDENTS

- An expelled student may subsequently request readmission not more often than every six months. The local board of education is not required to consider subsequent readmission petitions filed sooner than six months after the previous petition was filed.

G.S. § 115C-390.12(a)(2)d.

- A decision on readmission under this section shall be issued within 30 days of the petition.

G.S. § 115C-390.12(a)(2)e.



REQUEST FOR READMISSION

- If a student is readmitted under this section, the board and the superintendent have the right to assign the student to any program within the school system and to place reasonable conditions on the readmission.

G.S. § 115C-390.12(b).



REQUEST FOR READMISSION

- If a teacher was assaulted or injured by a student, and as a result the student was expelled, the student shall not be returned to that teacher's classroom following readmission unless the teacher consents.

G.S. § 115C-390.12(c).

