

5620 EXPULSION

The Board of Education recognizes that expulsion from this district is the most severe sanction that can be imposed upon a **student**.

The Board may expel a general education **student from school, pursuant to N.J.S.A. 18A:37-2**, only after the Board has provided the procedural due process rights set forth in N.J.A.C. 6A:16-7.1©3 and 7.3, and as outlined in Policy and Regulation 5610, subsequent to a long-term suspension pursuant to N.J.A.C. 6A:16-7.3; and only after the Board has provided an appropriate educational program or services, based on the criteria set forth under N.J.A.C. 6A:16-7.3(f) and as outlined in Regulation 5610. The educational program or service shall be consistent with the provisions of N.J.A.C. 6A:16-9.1 et seq., Alternative Educational Programs, and N.J.A.C. 6A:16-10.2, Home or Out-of-School Instruction for General Education Pupils, and N.J.A.C. 6A:14-2 et seq., Special Education, Procedural Safeguards and N.J.A.C. 6A:14-4.1 et seq., Special Education, Programs and Instruction, whichever are applicable. The educational services provided, either in school or out of school, shall be comparable to those provided in the public schools for **students** of similar grades and attainments, pursuant to N.J.S.A. 18A:38-25.

An appeal of the Board's decision regarding the cessation of the **student's** general education program shall be made to the Commissioner of Education in accordance with N.J.S.A. 18A:6-9 and N.J.A.C. 6A:3-1.3 through 1.17. The Board shall continue to provide an appropriate educational program or services in accordance with N.J.A.C. 6A:16-7.4(a)2 until a final determination has been made on the appeal of the Board's action to expel a **student**.

A **student with a disability shall only be expelled from his or her current program in accordance with N.J.A.C. 6A:14 et seq.** An expulsion of a **student** with a disability from a receiving school shall be handled in accordance with N.J.A.C. 6A:14 et seq.

N.J.S.A. 18A:37-2

N.J.A.C. 6A:16-7.4; 6A:14 et seq.

Adopted: 24 February 2010

