

## 5620 EXPULSION

The Board of Education recognizes that expulsion from this district is the most severe sanction that can be imposed upon a **student pupil**. ~~For the purposes of this policy, “expulsion” means the Board discontinuing the educational services or discontinuing payment of educational services for a general regular education pupil from school pursuant to N.J.S.A. 18A:37-2.~~

The Board may expel a general education **student from school, pursuant to N.J.S.A. 18A:37-2**, ~~pupil~~ only after the Board has provided the procedural due process rights set forth in N.J.A.C. ~~6A:16-7.3~~ **6A:16-7.1(c) 3** and ~~7.4 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 ~~appropriate educational 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:16-9.21 **et seq.**, Alternative Educational Programs, and N.J.A.C. 6A:16-10.2, Home or Out-of-School Instruction for General Education Students, and N.J.A.C. 6A:14-2 **et seq.**, Special Education, Procedural Safeguards and N.J.A.C. 6A:14-4.31 **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 pupils** of similar grades and attainments, pursuant to ~~the provisions of N.J.S.A. 18A:38-25.~~

~~An~~ **Any** appeal of the Board’s decision regarding the cessation of the **student’s pupil’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 ~~appropriate educational 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 pupil**.

~~The Board shall comply with the mandated pupil removal from general education pursuant to N.J.A.C. 6A:16-7.4. The Board shall follow N.J.A.C. 6A:16-5.5 for pupil removal for firearm offenses, N.J.A.C. 6A:16-5.6 for pupil removal for assaults with weapons offenses, and N.J.A.C. 6A:16-5.7 for pupil removal for assaults on district Board of Education members and employees.~~

**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 pupil** 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:16-7.5~~ **6A:14 et seq.**

Adopted: 17 July 2012  
**Revised:**

DRAFT

