

Policy Code: 4115 Behavior Standards for Transfer Students

This policy applies to students seeking to transfer into one of the schools in the district from a private or public school in this state or another state or another country.

In accordance with State law, the student's parent, guardian or custodian must provide a statement made under oath or affirmation before a notary indicating (1) whether at the time of the admission request the student is under suspension or expulsion from attendance at a private or public school in this or any other state or (2) has been convicted of a felony in this or any other state.

STUDENTS UNDER SUSPENSION/EXPULSION OR CONVICTED OF A FELONY

If at the time of the admission request the student is under suspension or expulsion or has been convicted of a felony, the parent, guardian or custodian must provide to the school district all requested information related to the conduct. The superintendent or his or her designee will review the information and decide whether the student should be admitted and whether any reasonable conditions should be imposed.

- Suspension - The Superintendent may deny admission to a student who is under a suspension for conduct that could have led to a suspension from a school within the school district. Admission may be denied until the suspension has expired.
- Expulsion - The Superintendent may deny admission to a student expelled from school pursuant to [G.S. 115C-390.11](#) or who has been expelled from a school for behavior that indicated the student's continued presence in school constituted a clear threat to the safety of other students or employees. The student may request reconsideration by the board of the decision in accordance with [G.S. 115C-390.12](#).
- Felony Conviction - The Superintendent may deny admission to a student who has been convicted of a felony in this state or any other state. The student may request reconsideration by the board of the decision in accordance with [G.S. 115C-390.12](#).

In any of the above-described circumstances where admission may be denied, the Superintendent alternatively may place reasonable conditions on the admission of the student. Such conditions include but are not limited to behavior contracts, alternative school placement and limits on free time and extracurricular activities. Drug testing and weapon searches also may be reasonable conditions so long as they meet any constitutional requirements.

Notwithstanding the provisions of this policy, students under suspension or expulsion who have been identified as having a disability pursuant to the Individuals with Disabilities Education Act, and who otherwise meet the requirements for enrollment in the school system are entitled to services to the extent mandated by federal and state law for such students.

Legal References: Individuals with Disabilities Education Act, [20 U.S.C. 1400 et seq.](#), [34 C.F.R. pt. 300](#); [G.S. 115C-366](#)(a3), (a4), (a5), [-390.5](#), [-390.7](#), [-390.10](#), [-390.11](#), [-390.12](#)

Cross Reference: Discretionary Admission (policy 4130)

Adopted:

Revised: 4/28/09, 8/12/10, 6/16/11