Plumas Charter School

**Student Suspension, Dismissal and Expulsion Policy and Procedure**

**Adopted: 5.12.10**

**Revised and Approved: 7.17.12**

**Revised and Approved: 1.12.15**

This Student Suspension, Dismissal and Expulsion Policy has been established in order to promote learning and protect the safety and well being of all students at Plumas Charter School (PCS). This policy may be amended from time to time without the need to amend the charter, so long as the amendments comport with legal requirements.

Staff shall enforce established student conduct rules and procedures fairly and consistently among all PCS students. This Policy and Procedure will be printed and readily available to parents upon request. Standards for student conduct are outlined in the Parent & Student Handbook, which is given to each family at the beginning of the school year or upon enrollment.

Discipline related to behavioral problems includes, but is not limited to, advising and counseling students, conferring with parents/guardians, and expulsion from PCS. Expelled students shall be excluded from all PCS and school-related activities.

Discipline related to academic and attendance issues includes, but is not limited to, advising and counseling students, conferring with parents/guardians, the implementation of additional signed contracts and dismissal from PCS. Dismissed students shall be excluded from all PCS and school-related activities.

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction or willful causing of the infliction of physical pain on a student. For purposes of this Policy, corporal punishment does not include a PCS employee’s use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to PCS property.

A student identified as an individual with disabilities or for whom PCS has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Act of 2004 (“IDEA”) or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is subject to the same grounds for expulsion and dismissal and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. PCS will follow all applicable federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom PCS has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

**Suspension**

* Definition: Suspension is the temporary removal of a pupil from class instruction for adjustment or disciplinary reasons. Suspension results from a student committing a behavioral offense as outlined below. Suspension does not mean any of the following:
* Reassignment to another education program or class at PCS where the student will continue to receive instruction;
* Referral to a certificated employee designated by the Executive Director to advise pupils;
* Removal from the class without reassignment to another class for the remainder of the class period without sending the pupil to the Executive Director or designee.
* While suspended, the pupil may not loiter on or about any PCS grounds at any time, nor attend or participate in any PCS activity at any time, no matter where such activity is taking place. Violation may result in further disciplinary action.
* PCS shall consider suspension from PCS only when other means of correction fail to bring about proper conduct or where the student’s presence would constitute a danger to persons or property or seriously disrupt the educational process.
* A teacher may suspend a student only from his/her classroom for the day of the suspension plus the following school day.The Executive Director or his/her designee may suspend a student from class, classes or the school for a period not to exceed five days. The Executive Director or his/her designee may extend a student’s suspension pending final decision by the Advisory Board (Board) of PCS on a recommendation for expulsion. On a recommendation for expulsion or dismissal, the Board may suspend a special education student being considered for expulsion or dismissal in accordance with the laws relating to expulsion and dismissal of special education students.
* A pupil may not be suspended or expelled for any of the acts enumerated in this Policy unless the act is related to PCS activity or PCS attendance. A pupil may be suspended or expelled for acts that are enumerated in this Policy and related to PCS activity or attendance that occur at any time, including, but not limited to any of the following:
* While on PCS grounds
* While going to or coming from PCS
* During the lunch period, whether on or off the PCS campus
* During, going to, or coming from a PCS sponsored activity
* Grounds: Students may be suspended or expelled for any of the following acts (whether completed, attempted or threatened) when it is determined the pupil:
* Caused physical injury to another person or willfully used force or violence upon the person of another, except in self-defense
* Possessed, sold or otherwise furnished any firearm, knife, explosive or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from an authorized certificated PCS employee, with the Executive Directoror designee’s written concurrence
* Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code sections 11053-11058 (including, but not limited to, opiates, hallucinogenic substances, stimulants, depressants and narcotic drugs), alcoholic beverage or intoxicant of any kind.
* Unlawfully offered, arranged or negotiated to sell any controlled substance as defined in Health and Safety Code sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented the same as a controlled substance, alcoholic beverage or intoxicant
* Committed robbery or extortion
* Caused damage to PCS property or private property
* Stole PCS property or private property
* Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel
* Committed an obscene act or engaged in habitual profanity or vulgarity
* Unlawfully possessed or offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code section 11014.5
* Disrupted PCS activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other PCS officials or other PCS personnel engaged in the performance of their duties
* Knowingly received stolen PCS property or private property
* Possessed an imitation firearm, i.e., a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm
* Committed a sexual assault as defined in Penal Code sections 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code section 243.4
* Harassed, threatened or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness
* Made terrorist threats against PCS officials and/or PCS property
* Committed sexual harassment
* Caused or participated in an act of hate violence
* Carried, possessed, sold or otherwise furnished an electronic signaling device
* Committed hazing
* Committed vandalism/malicious mischief
* Violated academic ethics
* Falsified or misinterpreted notes or phone calls of parents or guardians
* Falsely activated fire alarm
* Habitually violated the dress code
* Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment.

The above list is not exhaustive and depending upon the offense, a pupil may be suspended or recommended for expulsion.

## Procedures Required to Suspend

* The Executive Director shall investigate the incident and determine whether or not it merits suspension.

*Searches*: In order to investigate an incident, a student’s attire,[[1]](#footnote-1) personal property, vehicle or PCS property, including books, desks and PCS lockers, may be searched by the Executive Director or designee who has reasonable suspicion that a student has violated or is violating the law or the rules of PCS. *Illegally possessed items shall be confiscated and turned over to the police.*

* Unless a student poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, a suspension will be preceded by an informal conference between the Executive Directorand the student in which the student shall be orally informed of the reason for the suspension, the evidence against him, and be given the opportunity to present informal proof of his/her side of the story. If the student poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, the informal conference will be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason, including, but not limited to, hospitalization or detention in a correctional facility.
* The Executive Director or designee determines the appropriate length of the suspension (up to 5 days). When suspensions do not include a recommendation for expulsion, they shall not exceed 5 consecutive school days per suspension.
* The Executive Director fills out a *Notice of Suspension Form*, a copy of which will be sent to the student’s parent/guardian and to the student. A copy of this form is also placed in the student’s cumulative file at PCS. The Notice of Suspension Form shall state the fact of suspension, its duration and the specific offense committed by the student. In addition, the notice may state the date and time when the student may return to PCS. The notice shall also state that if desired by the parent/guardian, a prompt meeting or hearing will be held at which the suspension may be discussed and at which the student may be present and afforded an opportunity to present informal proof of his/her side of the case. Additionally, if the PCS officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request the parent/guardian to respond to such requests without delay.
* The Executive Director determines whether the offense warrants a police report and will report certain offenses to law enforcement authorities in accordance with Education Code section 48902.When the Executive Director releases a minor pupil to a peace officer for the purpose of removing the minor from the school premises, he/she will take immediate steps to notify the parent, guardian or responsible relative of the minor regarding the release of the minor to the officer and regarding the place to which the minor is reportedly being taken, unless the minor has been taken into custody as a victim of suspected child abuse.
* The Executive Director may require the student and his/her parent/guardian to sign an additional contract that states the conditions that the student is expected to meet while at PCS. Copies of the signed contract are kept by PCS and given to the parent/guardian.
* At the time of the suspension, a PCS employee shall make a reasonable effort to contact the parent/guardian by telephone or in person to inform him/her of the suspension and the reasons for it. If a student is suspended without the informal conference, both the student and the parent/guardian will be notified of a student’s right to return to PCS for the purpose of a conference.
* Special Education Student Suspensions.
* When suspensions involve special education students, a manifestation determination meeting shall be held no later than the 10th suspension day (whether consecutive or cumulative for the school year). The Executive Director shall notify the student’s special education teacher when the student’s cumulative days of suspension for that school year reaches eight. The manifestation determination meeting shall include the Executive Director, the parent, and relevant members of the student’s IEP Team.
* The student shall be treated as a general education student for disciplinary purposes, except to the extent that educational services must continue, if at the manifestation determination meeting the following are both determined in the negative, after reviewing all relevant information in the student’s file, including the student’s IEP, any teacher observations and any relevant information provided by the parents: 1) the conduct in question was caused by, or had a direct and substantial relationship to, the student’s disability; or 2) the conduct in question was the direct result of the LEA’s failure to implement the IEP. If it is determined at the manifestation determination meeting that 1) or 2) is answered in the affirmative, the conduct is deemed a manifestation of the disability.
* If the conduct is deemed a manifestation of the disability, the IEP Team must conduct a functional behavioral assessment, create a plan and implement it, or if the plan is preexisting, review it and modify it as necessary to address the behavior.
* In the case of a manifestation of a disability, the student will be returned to the placement from which he/she was removed, unless the LEA and parent agree to a change of placement as part of the modification of the behavioral intervention plan.
* The special education student may be removed from PCS to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student’s disability if the student: 1) carries a weapon to or possesses a weapon at PCS, on PCS premises or to or at a PCS function under the jurisdiction of PCS; 2) knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance, while at PCS, on PCS premises, or at a PCS function under the jurisdiction of PCS; or 3) has inflicted serious bodily injury upon another person while at PCS, on PCS premises, or at a PCS function under the jurisdiction of PCS.

*Appeal Process:* A student or the student’s parent/guardian may appeal those disciplinary actions, other than expulsion, imposed upon a student for his/her School related offenses. Appeals must be made first in writing at the School level, and should be directed to the Executive Director within 5 of days of PCS sending the Notice of Suspension Form to the parent/guardian and the student. The Executive Director will attempt to resolve the appeal with a written response within ten school days of receiving the written appeal. After appeal at the School level, if further appeal is desired, the student or his/her parent/guardian should appeal in writing to the Board within 10 days of the date of the PCS level written response and should direct it to the Chair of the Board for final resolution within 15 school days. If any appeal is denied, the student, his/her parent/guardian may place a written rebuttal to the action in the student’s file.

**Behavioral Expulsion**

A student may be expelled for prohibited misconduct if the act is related to PCS activity or PCS attendance and occurs on any occasion, including but not limited to, a) while on PCS grounds; b) while going to or coming from PCS; c) during, going to, or coming from a PCS-sponsored activity.

 Students may be expelled for any of the following acts when it is determined that the pupil:

* Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force of violence upon the person of another, except in self-defense;
* Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated PCS employee, with the Executive Director or designee’s approval;
* Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance (as defined in Health and Safety Code 11053-11058), alcoholic beverage, or intoxicant;
* Unlawfully offered, arranged, or negotiated to sell any controlled substance (as defined in Health and Safety Code 11053-11058), alcoholic beverage or intoxicant, and then sold, delivered or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcoholic beverage or intoxicant;
* Committed or attempted to commit robbery or extortion;
* Caused or attempted to cause damage to PCS property or private property;
* Stole or attempted to steal PCS property or private property;
* Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel;
* Committed an obscene act or engaged in habitual profanity or vulgarity;
* Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.
* Disrupted PCS activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, or other PCS personnel engaged in the performance of their duties;
* Knowingly received stolen PCS property or private property;
* Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm;
* Committed or attempted to commit a sexual assault as defined in Penal code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4;
* Harassed, threatened, or intimidated a student who was a complaining witness or witness in a PCS disciplinary proceeding for the purpose of preventing that student from being a witness and/or for the purpose of retaliating against that student for being a witness;
* Unlawfully offered, arranged to sell, negotiated to sell, or sold any prescription medication;
* Engaged in or attempted to engage in hazing of another;
* Aiding or abetting, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury upon another person;
* Made terrorist threats against PCS officials and/or PCS property;
* Committed sexual harassment;
* Caused, attempted to cause, threatened to cause, or participated in an act of hate violence;
* Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and violating student rights by creating an intimidating or hostile educational environment.

The above list is not exhaustive, and, depending on the offense, a pupil may be expelled for serious misconduct not specified above.

**Authority to Dismiss or Expel**

A student may be dismissed by the PCS Board following a hearing before it upon the recommendation of the Executive Director or designee.

**Academic Dismissal**

Students who enroll with PCS agree to complete their assigned work in a timely manner, communicate regularly with their ES, and arrive promptly and well-prepared to each scheduled meeting. The student and parent or guardian sign a *Master Agreement for Independent Study* which details the student’s obligations in order to attend an Independent Study program. Failure to meet any or all of these requirements is grounds for dismissal. Because Plumas Charter School claims attendance using an Independent Study model, where attendance is based on the time value of the work completed, if a student is missing a significant amount of school work, they are in fact truant. When any student enrolls with PCS, the student and family are informed of this fact, and through the signing of the Master Agreement, they are agreeing that the student and parent will ensure that the student completes the work assigned.

A student may be dismissed from PCS if:

* Student fails to complete and submit more than three assignments during any one learning period.
* Student fails to communicate by phone, email, or in person with the ES at least once per week and respond promptly to all ES attempts to establish contact.
* Student misses more than one scheduled appointment without notifying the ES beforehand.
* Student fails to demonstrate academic progress.

**Academic Dismissal Procedure**

The overall procedure for academically dismissing a student is the same as that for behaviorally expelling a student. The following steps are additional preemptive steps PCS will take to help students avoid academic dismissal.

* If student fails to fulfill the obligations outlined in the *Master Agreement*, the ES will give the student and parent(s) a verbal warning to the effect that continued enrollment may be in jeopardy.
* The student may be assigned additional study hall periods, or lunch/afterschool detention where they can receive extra assistance and time to complete school work.
* If the student fails to respond to the warning with appropriate remediation, the ES will notify student and parent/guardian via U.S. Registered Mail and a phone call, of specific student work and learning records that must be delivered to the ES by a given date. A meeting will be called that will include the parent/guardian, ES, student and Executive Director or designee, where an additional contract will be employed asking students to not only to get themselves caught up, but to stay caught up.
* If the work and documents are not received by the ES by the specified date, and/or if the student is unable to stay caught up on their assignments even with school based interventions, the parent/guardian and student will be notified by the Executive Director via Registered Mail that the student is being recommended for academic dismissal.

**Expulsion/Dismissal Procedure**

Students recommended for dismissal or expulsion are entitled to a hearing before the PCS Board of Directors, to determine whether dismissal or expulsion is warranted. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Executive Director or designee determines that the pupil has committed a dismissible or expellable offense.

The hearing shall be held in closed session unless the pupil makes a written request for a public hearing three (3) days prior to the date of the scheduled hearing.

Written notice of the hearing shall be forwarded to the student and the student’s parent/guardian at least ten (10) calendar days before the date of the hearing. When the notice is mailed, it shall be deemed served upon the pupil.

When a student is recommended for academic dismissal, the parent can choose to waive their due process rights with respect to the academic dismissal, if they agree that Plumas Charter School is no longer an appropriate placement for their student. Parents will be provided with a waiver form, and advised of this option. Parents will be asked to return the waiver form within 5 school days. The waiver form will include the option to waive due process rights, or to proceed with the hearing.

The notice shall include:

* The date and place of the dismissal or expulsion hearing
* A statement of specific facts, charges and offenses upon which the proposed dismissal or expulsion is based;
* A copy of the PCS standards for student conduct relating to the alleged violation;
* Notification of the student’s or parent/guardian’s obligation to provide information about the student’s disciplinary status at Plumas Charter School to any other school district or school to which the student seeks enrollment;
* The opportunity for the student or the student’s parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
* Notification of the rights of the student and parent/guardian, including:
	+ The right to inspect and obtain copies of all documents to be used at the hearing;
	+ The opportunity to confront and question all witnesses who testify at the hearing;
	+ The opportunity to question all evidence presented and to present oral and documentary evidence on the student’s behalf including witnesses;

#### Special procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

PCS may, upon finding a good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations which shall be examined only by the PCS Board, Executive Director, or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

* The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable standards for student conduct and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
* PCS must also provide the victim a room separate from the hearing room for the complaining witness’ use prior to and during breaks in testimony.
* At the discretion of the person or panel conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
* The person conducting the expulsion or dismissal hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
* The person conducting the expulsion or dismissal hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
* Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
* If one or both of the support persons is also a witness, PCS must present evidence that the witness’ presence is both desired by the witness and will be helpful to PCS. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
* The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the hearing room during that testimony.
* Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being dismissed, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing by means of closed-circuit television.
* Evidence of specific instances of a complaining witness’ prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstances can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

**Record of Hearing**

A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made.

**Presentation of Evidence**

While technical rules of evidence do not apply to dismissal or expulsion hearings, evidence may be admitted and used as proof only if it is evidence of the quality on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Executive Director or designee to dismiss or expel a student must be supported by substantial evidence that the student committed an expellable or dismissible offense.

Findings of fact shall be based solely on the evidence presented at the hearing. While hearsay evidence is admissible, no decision to dismiss or expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses whose identity, if disclosed, might subject them to an unreasonable risk of physical or psychological harm in the judgment of the Executive Director or PCS Board Chair.

If, due to a written request by the accused pupil, the hearing is held at a public meeting and the charge is committing or attempting to commit a sexual assault or committing a sexual battery (as defined in Education Code Section 48900), a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

The decision of the PCS Board of Directors shall be in the form of written findings of fact and a written recommendation to the PCS Board, which will make a final determination regarding the expulsion or dismissal. The decision by the PCS Board shall be made within ten (10) school days following the conclusion of the hearing and shall be final.

If the dismissal or expulsion hearing panel decides not to recommend dismissal or expulsion, the pupil shall immediately be returned to his/her educational program.

**Written Notice of Dismissal or Expulsion**

Following a decision of the PCS Board to dismiss or expel, the Executive Director or designee shall send written notice of the decision, including the PCS Board’s findings of fact, to the student or parent/guardian. This notice shall also include the following:

* Notice of the specific offense committed by the student;
* Notice of the student’s or parent/guardian’s obligation to inform any new district in which the student seeks to enroll of the student’s expulsion or dismissal from Plumas Charter School.

The Executive Director or designee shall send a copy of the written notice of the decision to dismiss or expel to the student’s district of residence. This notice shall include the following:

* The student’s name;
* The specific dismissible or expellable offense committed by the student

**Disciplinary Records**

PCS shall maintain records of all student dismissals and expulsions at the Charter School. Such records shall be made available to the District upon request.

**No Right to Appeal**

The pupil shall have no right of appeal dismissal or expulsion from PCS, as the PCS Board decision to dismiss or expel shall be final.

**Dismissed and Expelled Pupils/Alternative Education**

Pupils who are dismissed or expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence.

**Readmission**

The decision to readmit a previously dismissed or expelled pupil or to admit an expelled pupil from another school district or charter school shall be at the sole discretion of the PCS Executive Director. The pupil’s ( re)admission is also contingent upon PCS’s capacity at the time the student seeks readmission.

1. This does not include removing clothing to permit visual inspection of the under clothing, breasts, buttocks or genitalia of the pupil. [↑](#footnote-ref-1)