

1 This policy applies to transfer students seeking admission to the school system. Transfer  
2 students are students who have been enrolled in or who have attended a private school or a  
3 public school in this state or another state.

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

#### 10 **STUDENTS UNDER SUSPENSION/EXPULSION OR CONVICTED OF A FELONY**

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13 If at the time of the admission request the student is under a suspension or an expulsion or has  
14 been convicted of a felony, the parent, guardian, or custodian must provide to the school system  
15 all requested information related to the conduct. The superintendent or designee shall review the  
16 information and make a recommendation to the [Transylvania County Board of Education \(the](#)  
17 ["board"\)](#) as to whether the student should be admitted and, if so, whether any reasonable  
18 conditions should be imposed.

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20 1. Suspension: The board may deny admission to a student who is under a suspension for  
21 conduct that could have led to a suspension from a school within the school system.  
22 Admission may be denied until the suspension has expired.
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24 2. Expulsion: The board may deny admission to a student who has been expelled from a  
25 school pursuant to G.S. 115C-390.11 or who has been expelled from a school for  
26 behavior that indicated the student's continued presence in school constituted a clear  
27 threat to the safety of other students or employees. The student may request  
28 reconsideration of the board's decision in accordance with G.S. 115C-390.12.
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30 3. Felony Conviction: The board may deny admission to a student who has been convicted  
31 of a felony in this state or any other state. The student may request reconsideration of the  
32 board's decision in accordance with G.S. 115C-390.12.

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

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

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

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48 Cross References: Discretionary Admission (policy 4130)

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50 Adopted:

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