



Huntington Beach Union High School District Board Policies and Administrative Regulations

AR 6174
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Instruction

Continuation/Alternative Education - Voluntary/Involuntary Transfer

1. Purpose and Scope

To provide guidelines and procedures for transfer of students to alternative education.

2. Regulation

A. Voluntary Transfer

- (1) A student may be transferred to alternative education and the decision shall be based on finding that the student:
 - (a) Committed an act enumerated in Education Code Section 48900, or
 - (b) Has been habitually truant or irregular in attendance from instruction upon which he/she is lawfully required to attend.
- (2) A student, with the concurrence of the Superintendent or his/her designee, may transfer voluntarily to alternative education in order to receive special attention such as individualized instruction.
- (3) A student who has voluntarily enrolled for at least nine (9) weeks in an alternative education program shall have the right to apply at the end of a semester to return to the regular high school provided the following criteria are met:
 - (a) Appropriate academic progress for length of enrollment.
 - (b) At least 85% attendance with no truancy.
 - (c) A good behavior record.
 - (d) At least nine weeks of enrollment.

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- (e) Recommendation by the alternative program administrator and the consent of the Superintendent's designee.
 - (4) Before a student is voluntarily transferred, the appropriate form is to be completed and the parent notified.
- B. Involuntary Transfer
- (1) A student may be transferred involuntarily to alternative education. The decision shall be based on finding that the student:
 - (a) Committed an act enumerated in Education Section 48900, or
 - (b) Has been habitually truant or irregular in attendance from instruction upon which he/she is lawfully required to attend.
 - (2) Involuntary transfer to alternative education shall be imposed only when other means fail to bring about student improvement, provided that a student may be involuntarily transferred the first time he/she commits an act enumerated in Section 48900 if the principal determines that the student's presence causes a danger to persons or property or threatens to disrupt the instructional process.
 - (3) The final decision to involuntarily transfer a student to an alternative education program will be made by the principal of the continuation high school reviewing the recommendations of the comprehensive high school. Independent Study and Adult School are both voluntary programs; continuation high school is the only involuntary program.

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- (4) The decision to transfer shall be in writing, stating the facts and reasons for the decision, and sent to the student and the student's parent/ guardian. The decision is subject to review at the end of each semester and is initiated by a written request by parent and student to the administrator of the alternative education program to review the case to return to a comprehensive high school. The review will include the following findings:
- (a) Appropriate academic progress for length of enrollment.
 - (b) At least 85% attendance with no truancy.
 - (c) A good behavior record.
 - (d) At least nine weeks of enrollment.
 - (e) Recommendation by the alternative program administrator; with the consent of the Superintendent's designee, the student may return at any time.
- (5) The parent/guardian and student shall also be provided a written notice informing them of the opportunity to request a meeting with the Superintendent's designee prior to transfer, if they desire to appeal.

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- (6) If the parent/guardian wishes to appeal as indicated in (5), at the meeting, the student and the student's parent/guardian shall be informed of the specific facts and reasons for the proposed transfer and shall have the opportunity to inspect all documents relied upon and present information on the student's behalf. The student may designate one or more representatives and witnesses to be present with him/her at the meeting. The designee's decision shall be forwarded to the Superintendent. The Superintendent shall inform the parent in writing of the final decision. The decision is not subject to appeal.