

Expulsion

The principal will determine whether to refer the student for assessment for eligibility under the Individuals with Disabilities Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 (Section 504) before recommending expulsion. If expulsion is determined to be appropriate, the principal will contact the superintendent's office to schedule a date and time for the hearing. If possible, the hearing should be held within 10 consecutive school days of the suspension date. In situations where the hearing cannot be held within 10 consecutive school days the district shall provide an alternative program until the hearing takes place.

When students with an Education Plan in accordance with IDEA or Section 504 are being considered for expulsion prior to action, the building administrator will contact the director of student services. All procedures will be in accordance with applicable federal and state laws.

Questions concerning grounds for expulsion or other technical matters may be directed to the district's legal counsel through the superintendent.

Copies of the notice of expulsion hearing are to be forwarded to the superintendent at the same time as it is mailed to the parent.

Notice of expulsion hearing may be hand delivered to the parent. When the notice is hand delivered, the parent is to ask to sign receipt of the district copy. If the notice is sent by mail, it is to be sent regular and certified. If service is by certified mail, it must be mailed five calendar days prior to the hearing. A certificate of service should be typed on the last page of the notice and signed by the person actually mailing the documents.

For expulsions other than a weapons policy violation, the administrator in preparing the notice materials shall include the Alternative Education Program Notification Form JGE-AR(D)/IGBHC-AR. Procedures for enrollment in the recommended program will be shared prior to enrollment in the alternative program.

If the parent desires to waive the hearing, the administrator is to ask for that request to be provided in writing. When an expulsion is waived, the hearings officer will, within five days, review the appropriate information and render a written decision.

The district is to be represented by the administrator submitting the request for the expulsion. Exhibits presented should include records of attendance, records of current year discipline and other materials determined to be appropriate. Exhibits are prepared to provide a copy at the hearing for the student/parent/representative, hearings officer and the district representative.

The decision of the hearings officer shall be placed in writing and mailed by regular mail and certified within 24 hours. The student is considered expelled as of the date of the notice.

If notice of appeal is filed, the expulsion decision shall be made available to the Board. The Board shall render its decision to affirm, modify or rescind the hearing officer's decision at the conclusion of the hearing on appeal, unless circumstances justify a delay.