

Ector County ISD
068901

STUDENT DISCIPLINE
EXPULSION

FOD
(EXHIBIT)C

ORDER FOR MANDATORY EXPULSION FOR FIREARM VIOLATION

When a student is expelled, the campus behavior coordinator is required by law to promptly contact the parent or guardian by telephone or in person and make a good faith effort to provide written notice of the disciplinary action to the student, on the day the action is taken, for delivery to the student's parent or guardian. See FO(LEGAL).]

Date: _____

VIA CERTIFIED MAIL /
RETURN RECEIPT REQUESTED

Name of parent or guardian: _____

Address of parent or guardian: _____

[If the period of an exclusion is inconsistent with the guidelines included in the SCOC, the order must give notice of the inconsistency.]

Re: Expulsion Hearing—_____ (student's name)

Dear _____ (name of parent or guardian):

This letter is to inform you that on the basis of the evidence presented at the expulsion hearing held on _____ (date of original hearing before the Board or position of individual designated by the Board in the District's Code of Conduct), the Ector County Independent School District (Board of Trustees or position of individual designated by the Board in the District's Code of Conduct) has decided to expel _____ (student's name) for the term of one calendar year (365 days) for bringing a firearm to school in violation of Section 37.007(e) of the Texas Education Code. In making this decision, the District considered factors relating to the violation, such as self-defense, intent or lack of intent at the time the student engaged in the conduct, disciplinary history, or a disability that impairs the student's capacity to appreciate the wrongfulness of the conduct.

[The Superintendent is authorized to modify the term of expulsion. According to Texas Education Code Section 37.007(e)(1), the Superintendent may shorten the expulsion term and/or place the student in the District's disciplinary alternative education program (DAEP). If the District decides to modify an expulsion for firearm offenses, it should explain in this letter the specific terms of the modification.]

During the period of expulsion, _____ (student's name) is prohibited from being on school premises or attending or participating in any school-sponsored or school-related

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activities. You are required by Texas Education Code Section 37.009(h)(2) to provide adequate supervision of the student during the period of expulsion.

[Use the following paragraph if the expulsion hearing was conducted by the Superintendent or other Board designee.]

The decision of the _____ (*Superintendent or other Board designee*) may be appealed to the Board of Trustees of Ector County Independent School District in accordance with the District's Student Code of Conduct and FNG(LOCAL). (*Attach local policy to this letter.*)

[Use the following paragraph if the decision to expel was made by the Board of Trustees.]

The decision of the Board of Trustees may be appealed by *trial de novo* to a district court of Ector County (*county's name*), the county in which Ector County Independent School District's central administration office is located. You are required by Texas Education Code Section 37.009(h)(2) to provide adequate supervision of _____ (*student's name*) during the period of expulsion.

A copy of this order will be delivered to the authorized officer of the juvenile court in the county in which _____ (*student's name*) resides. In addition, the District has notified law enforcement authorities of the offense pursuant to Texas Education Code Section 37.015(a). ***[The District should confirm that the offense for which the student was expelled is to be reported to law enforcement under Section 37.015(a).]*** The District will also notify each teacher with whom _____ (*student's name*) has regular contact. This information will remain confidential to the extent permitted by law.

If you have any questions regarding this matter, please call my office at

_____ (*telephone number*).

Sincerely,

(*Superintendent of Ector County Independent School District or position of other individual designated by the Board*)

cc: Juvenile Court

cc: _____ (*appropriate police department*)

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