

## **Expulsion**

### **Procedure**

1. The hearings officer will convene the hearing, establish introductions of all present and determine if all criteria is met.
2. The hearings officer will determine the facts of each case on the evidence presented at the hearing. Evidence may include the relevant past history and records of the student. The order of receiving testimony will be:
  - a. The district's testimony, writings or other exhibits;
  - b. The student's testimony, writings or other exhibits;
  - c. Other testimony, writings or exhibits from the district;
  - d. Other testimony, writings or exhibits from the student.
3. Following the receiving of testimony, the hearings officer will close the hearing and dismiss all participants.
4. Within three calendar days of the hearing, the hearings officer will render a decision based upon the facts of each case as determined by the evidence presented at the hearing. If the rights of a hearing have been waived, the decision will be made based upon the evidence presented by the district.
5. The decision of the hearings officer will be mailed by certified mail to the last known address of the student and to the student's parent if the student is under age 18. The decision will include the following information:
  - a. A brief summary of the findings of fact as to whether or not the student committed the alleged conduct;
  - b. Whether or not the student is to be expelled;
  - c. The duration of the expulsion, if any;
  - d. If the expulsion is for a weapon at school, the expulsion will be for one calendar year (superintendent can make exceptions).
6. The decision of the hearings officer will be mailed to each member of the Board at the same time it is mailed to the student and parent.
7. When a student is expelled, the superintendent shall consider and propose to the student prior to the expulsion and document to the parent, alternative programs of instruction, or instruction combined with counseling, for the student.

8. If appealed, at the next regular or special Board meeting, the Board will review the decision of the hearings officer. The review will occur in executive session and shall not include the submission of new evidence.

### **Appeal**

1. The student, if over age 18, or his/her parents may appeal the decision of the hearings officer by notifying the district superintendent in writing within 7 calendar days of the date of the postmark of the certified letter.
2. The appeal will be heard by the Board at its next regular or special meeting. The Board will review the decision of the hearings officer, receive testimony, writings or exhibits from the student or his/her representative, and from the district. No new evidence is to be submitted. The Board will then affirm, modify or reverse the decision of the hearings officer.
3. The conduct of the appeal will be in executive session unless the student or the student's parents request a public meeting.

### **Public Release of Information**

If a private hearing is held by the hearings officer, or an executive session by the Board, the following shall not be made public:

1. The name of the minor student;
2. The issues involved;
3. The discussion;
4. Individual Board member's vote on the issue. Board members may vote in executive session pursuant to ORS 332.061.