

**Hood River County
School District**

Code: **JGE**
Adopted: 5/14/14
Revised/Readopted: 9/24/14; 1/31/18
Orig. Code(s): 9130; 9350

Expulsion**

A principal, after reviewing available information, may recommend to the superintendent that a student be expelled. Expulsion of a student shall not extend beyond one calendar year.

No student may be expelled without a hearing unless the student's parents or guardians, or the student if 18 years of age, waive the right to a hearing, either in writing or by their failure to appear at a scheduled hearing. By waiving the right to a hearing, the student and parent or guardian agree to abide by the findings of the hearings officer.

When an expulsion hearing is not waived, the following procedure is required:

1. Notice will be given to the student and the parent or guardian by personal service or by certified mail at least five days prior to the scheduled hearing.

Notice will include:

- a. The specific charge or charges;
 - b. The conduct constituting the alleged violation, including the nature of the evidence of the violation;
 - c. A recommendation for expulsion;
 - d. The student's right to a hearing;
 - e. When and where the hearing will take place; and
 - f. The right to representation;
2. The principal or designee will act as hearings officer. The district may contract with an individual who is not employed by the district to serve as the hearings officer. The hearings officer will conduct the hearing and will not be associated with the initial actions of the building administrators;
 3. In case the parent or student has difficulty understanding the English language or has other serious communication disabilities, the district will provide an interpreter;
 4. The student may be represented at the hearing by an attorney or parent. The school district's attorney may be present;
 5. The student will be afforded the right to present his/her version of the charges and to introduce evidence by testimony, writings or other exhibits;
 6. The student will be permitted to be present and to hear the evidence presented by the district;

7. The student shall be permitted to inspect in advance of the hearing any affidavits or exhibits which the school intends to submit at the hearing.
8. The hearings officer will determine the facts of each case on the evidence presented at the hearing and submit these findings to the superintendent. Evidence may include the relevant past history and student education records. Findings of fact as to whether the student has committed the alleged conduct will be submitted to the superintendent, along with the officer's decision on disciplinary action, including the duration of any expulsion. The determination will be made within five school days of the hearing and will be available in identical form to the superintendent, the student and the student's parents or guardians at the same time. When students are expelled, the hearings officer shall include notification of alternative education programs which may be available at no cost to the parents during the term of the expulsion;
9. The district shall make a complete record of the hearing;
10. The parent/guardian or student may appeal the expulsion with notice to the superintendent within ten calendar days after the date the results are made available. The superintendent can affirm, modify, or reverse the recommendation of the hearings officer. The superintendent will communicate this decision in writing to the parent/guardian within ten calendar days. If an appeal is not made, the disciplinary action shall take effect immediately.
11. The decision may be appealed to the Board. At its next regular or special meeting the Board will review the hearings officer's decision and will affirm, modify, or reverse the decision. Parents of students who wish to appeal the hearings officer's decision will have the opportunity to be heard at the time the Board reviews the decision;
12. Expulsion of a student shall not extend beyond one calendar year;
13. Expulsion hearings will be conducted in private and Board review of the hearings officer's decision will be conducted in executive session unless the student or the student's parent requests a public hearing. If an executive session is held by the Board or a private hearing by the hearings officer, the following will not be made public:
 - a. The name of the minor student;
 - b. The issues involved;
 - c. The discussion;
 - d. The vote of Board members, which may be taken in executive sessions.

Prior to expulsion, the district must propose alternative programs of instruction or instruction combined with counseling to a student subject to expulsion for reasons other than a weapons policy violation. The district must document to the parent of the student that proposals of alternative education programs have been made.

The Board shall deny regular school admission for one calendar year from the date of the expulsion to a student who has become a resident of the district and who has been expelled from another school district for a weapons policy violation. The Board may deny regular school admission for the term of the

expulsion to a student who has become a resident of this district and who has been expelled from another school district for reasons other than a weapons policy violation.

principal, after reviewing available information, may recommend to the superintendent that a student be expelled. Expulsion of a student shall not extend beyond one calendar year.

No student may be expelled without a hearing unless the student's parents or guardians, or the student if 18 years of age, waive the right to a hearing, either in writing or by their failure to appear at a scheduled hearing. By waiving the right to a hearing, the student and parent or guardian agree to abide by the findings of the hearings officer.

When an expulsion hearing is not waived, the following procedure is required:

1. Notice will be given to the student and the parent or guardian by personal service or by certified mail at least five days prior to the scheduled hearing.

Notice will include:

- a. The specific charge or charges;
 - b. The conduct constituting the alleged violation, including the nature of the evidence of the violation;
 - c. A recommendation for expulsion;
 - d. The student's right to a hearing;
 - e. When and where the hearing will take place; and
 - f. The right to representation;
2. The principal or designee will act as hearings officer. The district may contract with an individual who is not employed by the district to serve as the hearings officer. The hearings officer will conduct the hearing and will not be associated with the initial actions of the building administrators;
 3. In case the parent or student has difficulty understanding the English language or has other serious communication disabilities, the district will provide an interpreter;
 4. The student may be represented at the hearing by an attorney or parent. The school district's attorney may be present;
 5. The student will be afforded the right to present his/her version of the charges and to introduce evidence by testimony, writings or other exhibits;
 6. The student will be permitted to be present and to hear the evidence presented by the district;
 7. The student shall be permitted to inspect in advance of the hearing any affidavits or exhibits which the school intends to submit at the hearing.
 8. The hearings officer will determine the facts of each case on the evidence presented at the hearing and submit these findings to the superintendent. Evidence may include the relevant past history and student education records. Findings of fact as to whether the student has committed the alleged conduct will be submitted to the superintendent, along with the officer's decision on disciplinary

action, including the duration of any expulsion. The determination will be made within five school days of the hearing and will be available in identical form to the superintendent, the student and the student's parents or guardians at the same time. When students are expelled, the hearings officer shall include notification of alternative education programs which may be available at no cost to the parents during the term of the expulsion;

9. The district shall make a complete record of the hearing;
10. The parent/guardian or student may appeal the expulsion with notice to the superintendent within ten calendar days after the date the results are made available. The superintendent can affirm, modify, or reverse the recommendation of the hearings officer. The superintendent will communicate this decision in writing to the parent/guardian within ten calendar days. If an appeal is not made, the disciplinary action shall take effect immediately.
11. The decision may be appealed to the Board. At its next regular or special meeting the Board will review the hearings officer's decision and will affirm, modify, or reverse the decision. Parents of students who wish to appeal the hearings officer's decision will have the opportunity to be heard at the time the Board reviews the decision;
12. Expulsion of a student shall not extend beyond one calendar year;
13. Expulsion hearings will be conducted in private and Board review of the hearings officer's decision will be conducted in executive session unless the student or the student's parent requests a public hearing. If an executive session is held by the Board or a private hearing by the hearings officer, the following will not be made public:
 - a. The name of the minor student;
 - b. The issues involved;
 - c. The discussion;
 - d. The vote of Board members, which may be taken in executive sessions.

Prior to expulsion, the district must propose alternative programs of instruction or instruction combined with counseling to a student subject to expulsion for reasons other than a weapons policy violation. The district must document to the parent of the student that proposals of alternative education programs have been made.

The Board shall deny regular school admission for one calendar year from the date of the expulsion to a student who has become a resident of the district and who has been expelled from another school district for a weapons policy violation. The Board may deny regular school admission for the term of the expulsion to a student who has become a resident of this district and who has been expelled from another school district for reasons other than a weapons policy violation.

END OF POLICY

Legal Reference(s):

[ORS 192.660](#)
[ORS 332.061](#)
[ORS 336.615 to -336.665](#)

[ORS 339.115](#)
[ORS 339.240](#)
[ORS 339.250](#)

[OAR 581-021-0050 to -0075](#)

Cross Reference(s):

JFC - Student Conduct
JG - Student Discipline
JHFDA - Suspension of Driving Privileges