

Morrow County School District

Code: **JGE**
Adopted: 12/11/95
Readopted: 5/12/03
Orig. Code(s): 5145.12

Expulsion**

Expulsion is the termination of the student's right to attend school and school activities for a substantial period of time. Expulsion of a student shall not extend beyond one calendar year.

The student shall be suspended by the principal pending possible expulsion to protect the welfare of the students and staff, and to protect district property. A principal may, after reviewing available information, recommend to the superintendent that a student be expelled.

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 of a hearing, the student and parent or guardian agree to abide by the expulsion recommendation. Such agreement will be communicated to the Board by the superintendent.

When an expulsion hearing is mandated by district policy or regulation and is not waived, the following procedure is required:

1. Notice will be given by the principal 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. In case either parent or the student has difficulty understanding the English language or has other serious communication disabilities, the district will provide a translator;
3. The Board will review the suspension and recommendation of expulsion at its next regular meeting or at a special meeting;
4. The student will be permitted to have a representative present at the hearing to advise and present arguments. The representative may be a parent, guardian or legal representative. The district's attorney may be present;
5. The student will be afforded the right to present his/her version as to the charges and to introduce evidence by testimony, writings or other exhibits. The student will be permitted to be present and to hear the evidence presented by the district;

6. The Board will determine the facts of each case on the evidence presented at the hearing. Evidence may include the relevant past history and student records. Findings of fact as to whether the student has committed the alleged conduct will be submitted to the Board;
7. Expulsion hearings will be conducted in executive session unless the student or the student's parent or guardian requests a public hearing. If an executive session is held by the Board, 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 session.

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 programs have been made.

END OF POLICY

Legal Reference(s):

[ORS 192.660](#)
[ORS 332.061](#)
[ORS 336.615 - 336.665](#)
[ORS 339.115](#)
[ORS 339.240](#)
[ORS 339.250](#)
[ORS 339.260](#)

[OAR 581-021-0050](#)
[OAR 581-021-0070](#)