

Newberg School District 29J

Code: **JGE**
Adopted: 12/13/04
Readopted: 12/10/07
Orig. Code(s): 5232

Expulsion

A student who violates the policies and rules of the district may be subject to expulsion. A building administrator may recommend to the superintendent that a student be expelled. The superintendent may modify the expulsion recommendation. The expulsion of a student shall not extend beyond one calendar year with the exception of a weapons violation, which shall not be for a period of less than one year. In such cases, the superintendent may modify this expulsion requirement for a student on a case by case basis.

If a recommendation for expulsion is made regarding a student with a disability, Board policy shall be followed.

When an expulsion of a student is recommended, the district shall propose alternative programs of instruction or instruction combined with counseling unless there is a weapons violation. The district must document to the parent of the student that proposals of alternative programs have been made.

No student may be expelled without a hearing unless the student's parent, or the student, if 18 years of age, waives the right to a hearing in writing. By waiving the right to a hearing, the student and parent agree to abide by the decision of a hearings officer.

When an expulsion hearing is not waived, the procedures outlined in the accompanied administrative regulations shall be used to assure that a student and parent have notice of an expulsion hearing, notice of the charges supporting the proposed expulsion, and the opportunity to present evidence at that hearing.

If a hearing is scheduled and the student and parent fail to appear, the decision of a hearings officer shall be made based upon the information presented by the district to the hearings officer.

The hearings officer shall determine the facts of each case based on the evidence presented at the hearing. Findings of fact as to whether the student has committed the alleged conduct along with the hearings officer's recommendation for student discipline, shall be reviewed by the superintendent who shall make the decision regarding expulsion. The superintendent's decision may be appealed to the Board by the student's parents or the student, if the student is 18 years of age or older.

Board review of the hearings officer's decision shall be conducted in executive session unless the student or the student's parent requests a public hearing. The appeal before the Board shall be on the record and no additional evidence may be submitted. Parents of students who are appealing the hearing officer's decision shall have the opportunity to be heard at the time the Board reviews the decision. The Board shall affirm, modify or rescind the decision.

If a review of the expulsion is held by the Board in executive session, the following shall not be made public:

1. The name of the minor student;
2. The issues involved;
3. The discussion; and
4. The vote of Board members.

The superintendent shall develop administrative regulations to implement this policy.

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](#)

[OAR 581-021-0071](#)