

# Oakland School District 1

Code: **JGE**  
Adopted: 3/9/93  
Revised/Readopted: 12/16/97  
Orig. Code(s): 8350

## **Expulsion\*\***

A principal, after reviewing available information, may recommend to the Board that a student be expelled. Expulsion of a student shall not extend beyond one calendar year. Expulsion hearings are required for violations of district policy on drugs and alcohol and for students possessing firearms on school property.

No student may be expelled without a hearing unless the student's parents, 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 agree to abide by the lawful findings of the Board.

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

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

1. The specific charge or charges;
2. The conduct constituting the alleged violation, including the nature of the evidence of the violation;
3. The student's right to a hearing;
4. When and where the hearing will take place; and
5. The right to representation.

The Board will act as hearing officers and will conduct the hearing.

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 or other auxiliary aids or services as appropriate.

The student will be permitted to have a representative present at the hearing to advise and to present arguments. The representative may be an attorney or parent. The school district's attorney may be present.

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 evidence presented by the district.

The Board 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 decision of the Board will be made available to the student and the student's parent(s) as soon after the hearing as possible.

The Board or the student may make a record of the hearing.

Expulsion hearings will be conducted in private and in executive session unless the student or the student's parent requests a public hearing. If an executive session is held by the Board, the following will not be made public:

1. The name of the minor student;
2. The issues involved;
3. The discussion;
4. 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 the student. The district must document to the parent of the student that proposals of alternative programs have been made.

END OF POLICY

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**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](#)