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Three Rivers School District

8550 New Hope Rd • PO Box 160 • Murphy, OR 97533

Policy: JGE
Adopted: 10/16/06

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.~~

~~When an expulsion hearing is pending, the following procedure is followed:~~

~~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:~~

- ~~a. The specific charge or charges;~~
- ~~b. The conduct constituting the alleged violation, including the nature of the evidence of the violation;~~
- ~~c. The school's recommendation for expulsion;~~
- ~~d. The student's rights to a hearing;~~
- ~~e. Who to contact to schedule a hearing;~~
- ~~f. The right to representation.~~

~~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 orally or in writing or by their failure to request a hearing under the timeline provided. By waiving the right to a hearing, the student and parent agree to abide by the lawful findings of a hearings or review officer.~~

~~The Superintendent or designee will act as Hearings Officer and will conduct the hearing. The Hearings Officer will conduct the hearing and will not be associated with the initial actions of the building administrators. The district may contract with an individual who is not employed by the district to serve as the Hearings Officer.~~

~~In case the parent or student has difficulty understanding the English language or has other serious communication disabilities, the Hearings Officer will provide a translator.~~

~~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 and/or parent. The 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 the evidence presented by the district.~~

~~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 student education records. Findings of fact as to whether the student has committed the alleged conduct will be submitted to the Board, along with the officer's decision on disciplinary action, if any, including the duration of any expulsion. This decision, in identical form, will be available to the Board, to the student and the student's parents.~~

~~The hearings officer or the student may make a record of the hearing.~~

If the decision of the hearings officer is appealed, the Board, at its next regular meeting or special meeting, will review the decision of the hearing officer and will affirm, modify or reverse the decision. Parents of students who wish to appeal the decision of the hearings officer will have the opportunity to be heard at the time the Board reviews the decision. A request for appeal must be made to the superintendent within 5 days of the parent or student receiving the notice of expulsion.

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 session.

Prior to expulsion, the district must propose alternative programs of instruction or 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

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OAR 581-021-0070