

STUDENTS - Series 500

502 Student Behavior and Discipline

502.3 Student Expulsion

Students shall conduct themselves in accordance with board policy, "Student Conduct". Students who fail to abide by policy may be expelled from school.

It shall be within the discretion of the superintendent to recommend to the board the expulsion of a student for disciplinary purposes. Only the board may take action to expel a student and to readmit the student. It shall be within the discretion of the board to discipline a student depending on the nature of the offense and the circumstances surrounding the offense.

When a student is recommended for expulsion by the board, the school shall provide:

1. Written notice to the student and his/her parents of the alleged misconduct. This notice shall contain:
 - (a) specific rule violated
 - (b) alleged misconduct
 - (c) time, date, place of the hearing
 - (d) notification of the right of representation.
2. The opportunity for the student and parents to examine documents presented as evidence against the student.
3. The student the opportunity to cross-examine witnesses against him/her, especially if the credibility of those witnesses is at issue, and only if the witnesses are under no danger by being present at the hearing.
 1. The student the right to present witnesses on his/her own behalf.

The hearing shall be recorded and the decision of the Board of Education shall be explicitly outlined in writing.

In addition to these procedures, a special education student will be provided with the following procedures:

1. Determine whether the student is actually guilty of the misconduct.

1. A staffing team should determine whether the student's behavior is caused by the student's handicap and whether the conduct is the result of inappropriate placement. Discussions and conclusions of this meeting should be recorded.
2. If the handicapped student's conduct is not caused by the handicap, the student may be expelled or suspended for a long-term period following written notice to the parent and pursuant to the district's expulsion hearing procedures.
3. If the misconduct is caused by the handicap and a change in placement is recommended, the change must be made pursuant to the placement procedures used by the school district.
4. If a change in placement is not recommended, a determination must be made as to how to cope with the student in the future.

Adoption Date: December 9, 1991

Review Date: November 10, 2008

Revision Date:

Legal References: Iowa Code Sections 282.4; 282.5; 28A
Court Cases: U.S. Supreme Court, Goss v. Lopez, 1
975 U.S. Supreme Court, Wood v. Strickland, 1975
Southeast Warren Comm. Sch. Dist. v. Dept. of Public
Instruction. 285 N.W. 2d 173.

Cross References: 500 Statement of Guiding Principles (Student Rights and Responsibilities)
502.2 Student Suspension
502.1 Student Conduct