

Students

Series 500

Policy Title Student Expulsion

Code No. 503.2-R

If in the course of school procedures a Board hearing concerning student expulsion is necessary, the following procedures will be followed.

The Board hearing shall be before a majority of the members of the Board. The student may be accompanied to the hearing or be represented by parents, guardians, legal counselor, or other representative of the student's choice. The administration or the Board may also be advised by legal counsel or other representative of their choice.

The hearing shall follow the outline as set out below as nearly as possible:

- a. The administration may make a brief opening statement.
- b. The student or his/her representative may make a brief opening statement.
- c. The administration shall present evidence in support of the recommendation. The student or his/her representative shall have the opportunity to cross-examine.
- d. The student or his/her representative may present evidence to refute the recommendation. The administration shall have the opportunity to cross-examine.
- e. The parties may present rebuttal evidence.
- f. The administration may make a brief closing statement.
- g. The student or his/her representative may make a brief closing statement.
- h. The Board may ask questions at any time.

The hearing shall be administrative in nature and shall not be governed by formal rules of evidence or procedure. If any participant at the hearing conducts himself/herself in a disruptive manner, the Board may exclude him/her and proceed with the hearing.

The hearing shall be in closed session of the Board of Directors unless an open session is requested by the student or the student's parent or guardian if the student is a minor. In the event an open session is requested, it shall be deemed a waiver of confidentiality of any information regarding the student used at the hearing.

If the student or his/her representative fails to appear at the hearing, or if the student desires to make no response, the administration shall nevertheless submit evidence in support of the recommendation.

A transcript and/or tape recording shall be made of the hearing.

At the conclusion of the hearing, the Board shall consider all relevant evidence introduced at the hearing and shall make a decision based on the evidence presented during the hearing. The decision shall be made within ten (10) days. The Board may adopt, modify, or deny the administration's recommendation. Written findings of fact and conclusions of law shall be sent to or personally delivered to the parent or guardian or student by his/her representatives.

If a Marshalltown student is expelled, the Marshalltown School District will offer an alternative educational opportunity to maintain the student's school involvement.

Students expelled from school shall be considered for readmission only by the Board of Directors. The procedures for reconsideration shall be forwarded to the student in the letter of

expulsion. Following an expulsion period, a transitional conference will be held at school prior to re-entry to new classes. Specific student and staff expectations/conditions will be covered with the student and the parent or guardian. Appropriate and reasonable accommodations will be offered to support a positive transition.

Adopted: May 23, 1988

Legal Reference: (Code of Iowa)

Reviewed: December 15, 2008
December 6, 2013
January 16, 2018

21.5; 282.4; 282.5; Court Cases: U.S. Supreme Court, Goss v. Lopez, 1975; U.S. Supreme Court, Wood v. Strickland, 1975; Southeast Warren Comm. Schl. Dist. v. Dept. of Public Instruction 285 N.W. 2d 173

Amended: September 11, 1995

Cross Reference: 500.1 Statement of Guiding Principles
(Students Rights and Responsibilities)
503.1 Student Conduct