

EXPULSION

Only the Board may remove a student from the school environment for more than ten (10) consecutive days.

Students may be expelled for violations of board policy, school rules or the law. It shall be within the discretion of the board to discipline a student by using an expulsion for a single offense or for a series of offenses depending on the nature of the offense and the circumstances surrounding the offense.

It shall be within the discretion of the Director of Student and At-Risk Services to recommend to the Superintendent, who recommends 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. The principal shall keep records of expulsions in addition to the Board's records.

When a student is recommended for expulsion by the Board, the student shall be provided with:

1. Notice of the reasons for the proposed expulsion;
2. The names of the witnesses and an oral or written report on the facts to which each witness testifies unless the witnesses are students whose names may be released at the discretion of the Superintendent;
3. An opportunity to present a defense against the charges and provide either oral testimony or written affidavits of witnesses on the student's behalf;
4. The right to be represented by counsel; and,
5. The results and finding of the Board in writing are open to the student's inspection.

In addition to these procedures, a special education student must be provided with additional procedures. The Director of Special Education will facilitate the expulsion process for all students receiving special education services. A determination should be made of whether the student is actually guilty of the misconduct. A staffing team should determine whether the student's behavior is caused by the student's disability and whether the conduct is the result of inappropriate placement. Discussions and conclusions of this meeting should be recorded.

If the special education student's conduct is not caused by the disability, the student may be expelled or suspended for a long-term period following written notice to the parent and pursuant to the school district's expulsion hearing procedures. If the misconduct is caused by the disability and a change in placement is recommended, the change must be made pursuant to the placement procedures used by the school district.

During the term of the expulsion, the student cannot be on any school property or at any school activities. This includes the following:

1. all school buildings, on the school campus, in bus garages, administrative office, and parking lots within established school boundaries.

2. in close proximity to the school campus when discipline infractions occur in close proximity to the school day or away from school grounds or school events if the misconduct directly affects the good order, efficient management and welfare of the school district.
3. on school operated or chartered buses or while being transported under supervision of school personnel or in close proximity to the bus stop.
4. attending school-sponsored or school-related activities in which a district school participates, whether or not on district-owned premises. This includes events away from the school district if a district school participates.

Legal Ref.: Goss v. Lopez, 419 U.S. 565 (1975).
Wood v. Strickland, 420 U.S. 308 (1975).
Southeast Warren Comm. School District v. Dept. of Public Instruction, 285 N.W.2d 173 (Iowa 1979).
 Iowa Code §§ 21.5; 282.3, .4, .5.
 281 I.A.C. 12.3(6).

Cross Ref.: 103.1 Anti-bullying/Harassment
 504.3 Student Conduct Code
 504.4 Suspension
 504.4-R2 Suspension of Special Education Students
 504.5-R2 Expulsion of Special Needs Students

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