

STUDENT EXPULSION

At times the behavior of a student can be considered so serious as to justify total removal from the educational program for a prolonged period of time. Expulsion should generally be viewed as a last resort; however, at times the student's action may be so serious as to merit expulsion as its immediate consequence. Actions meriting expulsion are outlined in the Student Code of Conduct. Only the Superintendent may expel a student. Expulsion is the removal of a student for more than 10 days, but not more than 80 days' duration unless provided otherwise by Board policy. An expulsion can extend beyond the end of the school year. If there are fewer school days than expulsion remaining in the school year, then the Superintendent may apply any remaining part or all of the period of the expulsion to the following school year.

The Superintendent will initiate expulsion proceedings against a student who has committed an act that warrants expulsion even if the student withdraws from school before the Superintendent has held the hearings or made the decision to expel the student.

The Superintendent is permitted to impose a community service requirement in conjunction with or in place of applying the expulsion if the Superintendent determines that such community service in conjunction with or in place of expulsion is beneficial to the student and will not have an adverse impact on the school or other students.

The Superintendent will give the student and parent, guardian or custodian written notice of the intended expulsion, including reasons for the intended expulsion. The student and parent or representative have the opportunity to appear on request before the Superintendent or his/her designee to challenge the action or to otherwise explain the student's actions. This notice will state the time and place to appear which must not be less than three days nor later than five days after the notice is given.

Within 24 hours of the expulsion the Superintendent will notify the parents, guardians or custodians of the student and Treasurer of the Board.

The notice will include the reasons for the expulsion and the right of the student, parent, guardian or custodian to appeal to the Board of Education or its designee; the right to be represented at the appeal and the right to request the hearing be held in executive session.

Permanent Exclusion

If the offense is one for which a District may seek permanent exclusion, then the notice will contain that information.

Appeal to the Board

A student who is 18 or older or a student's parent(s) or guardian(s) may appeal the expulsion by the Superintendent to the Board or its designee. They may be represented in all such appeal proceedings and will be granted a hearing before the Board or its designee.

A verbatim record will be kept of the hearing which may be held in executive session at the request of the student, parent or guardian.

The procedure to pursue such appeal will be in accordance with the Ohio Revised Code. Notice must file, within 10 days of the Superintendent's decision to expel, to the Board directly or through the Superintendent's office. Notice of intent to appeal must be made within 10 days of the Superintendent's decision to expel.

Appeal to Court

Under state law, the decision of the Board may be further appealed to the Court of Common Pleas.

Any student who is expelled from school for more than 20 days or into the following semester or school year will be referred to an agency which will work towards improving the student's attitudes and behavior. The Superintendent will provide the student and his/her parent, guardian, or custodian with the names, addresses and phone numbers of the public and private agencies.

[Adoption date: May 17, 2001]

LEGAL REFS: ORC 3313.66; 3313.661; 3313.662

CROSS REF: JEGA, Permanent Exclusion
JGD, Student Suspension
JGDA, Emergency Removal of Student from Curricular Activities

Fairfield City School District, Fairfield, Ohio