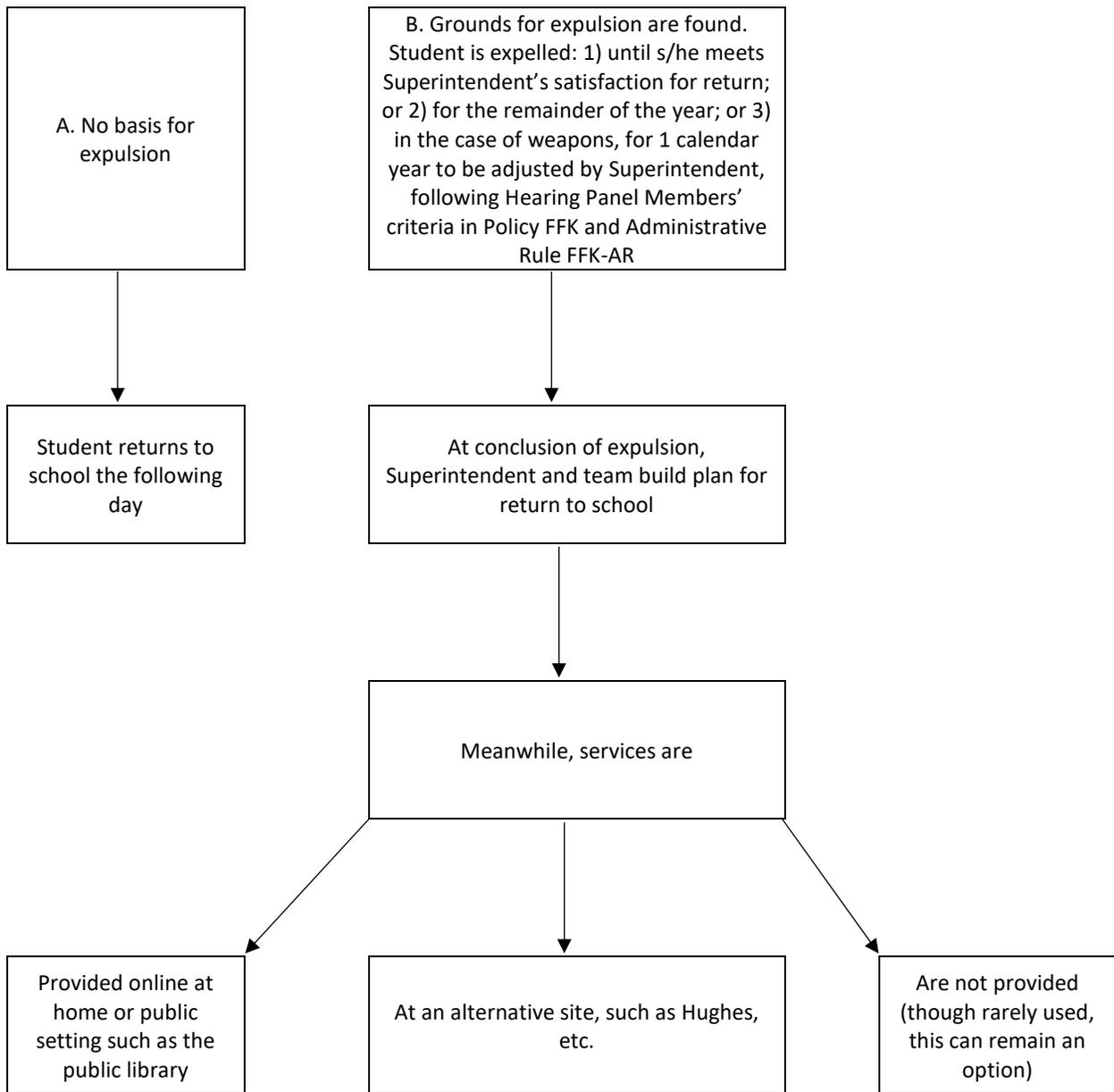


Suggested Expulsion Hearing Process for Students in General Education

Expulsion Hearing Process for Student in General Education

1. Incident occurs and is investigated by building principal or designee
2. A complete file review by principal or designee to determine special education (or reason to suspect)
3. Reported recommendation to superintendent
4. If a student is brought to the Hearing Panel Members for an expulsion hearing based on Policy FFK, must be within 10 days of the incident

At the hearing, Hearing Panel Members use Policy FFK to arrive at one of two conclusions:



Note: if issue is firearm brought to school, the Hearing Panel is limited by NDCC to choose B.

The following guidelines are offered, recognizing that each expulsion hearing may call for a slightly different method of presentation. Expulsion hearings will be kept informal so that the truth may be obtained and a fair and just result reached.

1. **Advise the Parties of the Procedures to be Followed:**
 - a. The hearing is being recorded, and either side may request the witnesses be sent to another room to be called individually. The student's parent(s) may be present.
 - b. No formal rules of evidence will be followed and the hearing will be informal, as it is not a court proceeding. However, certain procedures have been established to facilitate the hearing.
 - c. The Business Manager or designee who is receiving the evidence and recording should be identified as the person to whom exhibits and/or other written evidence or materials are to be presented.
 - d. All present will be identified for the record, prior to commencing the hearing.
2. **State the Reasons for the Proposed Expulsion:** The Superintendent or designee will read the written reasons that were mailed or otherwise delivered to the student, his/her parents, and his/her representative, which are the basis for the possible expulsion. This is to assure that the record will adequately reflect the reasons for the proposed expulsion, to substantiate that all parties had notice of the proposed reasons and possible consequences, and to narrow the issues.
3. **Allow the School's Witnesses to Present Information:** The witnesses for the administration then present their evidence in support of the reasons given for the proposed expulsion. This may be done in any manner that is conducive to reaching the truth and supports the reasons offered for possible expulsion. Hearing Panel members may seek additional information from the School's representative(s).
4. **Allow Student's Witnesses to Present Information:** The student and/or his or her representative will be given an opportunity to present witnesses and evidence to disprove the reasons offered by the school's witnesses. Hearing Panel members may seek additional information from the student and / or his or her representative(s).
5. **Allow Closing Summaries:** At the conclusion of the presentation of witnesses by the school and the student, each side should be allowed the opportunity to make concluding remarks and arguments regarding the evidence that has been presented and the reasons for the expulsion.
6. **Making the Decision:** The decision whether to expel may be made at the hearing or after additional time to review the evidence. If the decision is delayed, the Superintendent or Assistant Superintendent should announce a time at which the decision will be made and notify the student and the student's parent or representative of the decision at that time.