

# EXPULSION OF STUDENTS

Code **JKE** Issued **7/06**

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Purpose: To establish the board's vision for the expulsion of students.

A student will be expelled for any reason listed in the student code of conduct, policy JICDA or administrative rule JICDA-R, for the commission of any crime, gross immorality, gross misbehavior or the violation of any other written policies, rules or regulations established by the board or the state board of education; or when the presence of the student is deemed to be detrimental to the best interest of the center. Expulsion means the student cannot attend the center or be on center property, cannot attend any center-related events or activities on or off campus and cannot ride a school bus.

If procedures for expulsion are initiated, the parent/legal guardian of the student will be notified in writing of the time and the place of a hearing before the designated hearing officer. The hearing will take place within four calendar days, excepting Saturdays, Sundays and legal holidays, of the written notification at a time and place designated by the hearing officer, and a decision will be rendered within three calendar days, excepting Saturdays, Sundays and legal holidays, of the hearing. The student will be suspended from school and all activities during the time of the expulsion procedures.

At the hearing, the parent/legal guardian will have the right to legal counsel and to all other regular legal rights, including the right to question witnesses in a manner determined by the hearing officer. The right to appeal the decision of the hearing officer to the board is reserved to either party in accordance with the provisions of the administrative rule accompanying this policy.

Adopted 12/10/76; Revised 3/18/85, 9/14/04, 7/13/06

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Legal references:

A. United States Code:

1. 20 U.S.C. 3351 - Gun-Free Schools.

B. S. C. Code, 1976, as amended:

1. Section 59-19-90(3) - Gives district trustees authority to prescribe rules of pupil conduct, including provisions for suspension or dismissal of those failing to comply with such rules.
2. Section 59-63-210 - Grounds for suspension, expulsion or transfer
3. Section 59-63-235 - District must expel student.
4. Section 59-63-240 - Expulsion hearings - times, procedures, legal rights appeals.