CHAPTER 5.00 – STUDENTS

EXPULSION  5.33

I. The school principal may recommend to the Superintendent the expulsion of any student who has committed a serious breach of conduct according to the Code of Student Conduct. An administrative hearing shall be held promptly, with the student and parent(s)/guardian(s) afforded full due process.

II. Any student who is being considered for dismissal shall be accorded due process of law prior to dismissal. This shall include the following:

A. Written copy of the charges against the student;

B. The offer of a hearing before the Board at which the student may call witnesses and present evidence in the student’s own behalf;

C. The right to cross-examine witnesses;

D. The right to defend the student’s actions;

E. Legal counsel at the student’s expense to assist the student in presenting a defense; and,

F. A written copy of the School Board’s findings or action.

III. The expulsion limit is a minimum mandatory one (1) full year. (See subsection IV. In reference to procedures for Students with Disabilities). After the expulsion expires, the student may apply for re-admission subject to any conditions that the Board and Superintendent may require.

IV. Provisions for the expulsion of exceptional education students shall be described and set forth in the Code of Student Conduct; however, the dismissal of an exceptional education student shall not result in a complete cessation of educational services. The system is responsible for providing the dismissed student’s education during the expulsion in accordance with a revised individual education plan (IEP).

STATUTORY AUTHORITY:  CODE OF ALABAMA
16-1-30

LAW(S) IMPLEMENTED:  CODE OF ALABAMA
16-8-8, 16-11-9, 16-12-3, 16-28A-3
CHAPTER 5.00 – STUDENTS

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

ADOPTED: Dec 16, 2008
REVISION DATE(S):
FORMERLY: NEW

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