

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

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ALABAMA ADMINISTRATIVE PROCEDURE ACT: _____

HISTORY:

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