



**Student Hearing and Placement Department
(SHPD-F005)**

Expulsion Request Procedures

Note: Please use white paper for all Expulsion paperwork. These are for Board Presentation, so all forms must be both typed and signed.

I. Notification of Pre-Expulsion Hearing

The principal or his/her designee must contact the SHPD Directors directly to schedule an appointment on the first day of suspension. Pre-Expulsion Hearings must be scheduled with SHPD within five (5) days of the student's removal from instruction by suspension. SHPD will notify parent/guardian regarding date, time, and location of meeting.

Note: Please keep documentation of all contacts made.

II. Request for Expulsion - (SHPD-F006)

The school site Administrator identifies:

- a) Education Code Violation initiating this Expulsion request
- b) Special Education Program, if applicable
- c) Student demographic information is current
- d) Completion of factual findings

III. Critical Incident Memorandum – (SHPD-F007)

Note: **Principal** must sign and date document before submitting to SHPD. This form is a detailed account of the incident you are requesting expulsion for. It contains sections A. through F. The requesting school must complete each section.

Heading contains the following; Date of the Memo, To, From, Prepared by, RE and student's name.

SECTIONS require the following information:

A. Incident

1. Details of the event; specify time, date, place location. Cite specific individuals responding to the incident and results of administrative investigation.
2. Cite specific individual responsible for behavior(s). This includes suspect students, witnesses to the events, staff, students and others.
3. Cite technical support evidence i.e. "a police report taken...the item was confiscated...etc."
4. **Careful** detail of student's parent-guardian **due process procedures** (from the principals' initial suspension/disciplinary action).

B. Specific charge(s):

1. Refer to Suspension Form and list specific Education Code subsections violated.
2. Cite specific violation(s) of Education Code 48915 (refer to Parent Rights handbook)

- C. **Formal Suspension Conference:**
 - 1. State information regarding suspension conference held with student and parent, and how school informed the parent that a Pre-Expulsion Hearing was being requested; include statements (i.e. “Student had the opportunity to tell his version of the incident”).
- D. **Extension of Suspension:**
 - 1. Request a date with SHPD to discuss extension of suspension. (Pre-Expulsion Hearing, Education Code 48911(g))
- E. **Action Taken:**
 - 1. Steps taken by the administration as a result of the violation(s) of Education Code(s).
- F. **Recommendation:**
 - 1. State incident and that the responsible party is considered a threat to the instructional process and that the school is requesting his/her removal.

IV. Confidential Witness Statements - (SHPD-F008)

All conference statements whether handwritten or typed are **required** to be on the Confidential Statement form. **TYPE** the handwritten statement onto the “Confidential Statement” form, **VERBATIM.**

Note: Attach original handwritten statements directly after the typed transcription.
Do not staple.

A student witness may select #3 on the “Confidential Statement” form for personal safety concerns. If a student does not fill out #3, he/she may be required to provide direct testimony at the expulsion hearing. A staff witness may be required to give direct testimony.

“The presence of witnesses to provide direct testimony during the Hearing has been requested as critical for the Board of Education in consideration of approval of all panel recommendations”.

V. Summary of Corrective Efforts by the School – (SHPD-F009)

Summarize, chronologically all matters of corrective action or other means used by the schools to change/negate student misconduct (You may summarize or use chronology of events). List suspensions, referrals, previous Behavior Review, parent conferences, site/agency referrals, etc. If the student is new, refer to CUM file as available.

VI. Closing Summary – (SHPD-F010)

Use supporting facts to substantiate and describe either or both of the following:

- 1. Due to the serious nature of the act explain how the student’s continuing presence would pose a danger to himself, others, and the instructional program.
- 2. Describe how the school has exhausted all other means of corrective effort as either unfeasible or having been repeatedly failed to bring about proper conduct.

VII. Technical Evidence (MUST BE TYPED)

Attach the following items: (Do not staple)

- A. **Notice of Suspension**
In the suspension facts, state that the principal is requesting an Extension of Suspension/ Pre-Expulsion Hearing. Completed and sign by the administrator.
- B. **IEP (Individualized Education Program)**
Include a copy of the student's current IEP. Also include the SE-29, Manifestation Determination form, which must be completed and signed by the IEP Team for any student being requested for a Pre-Expulsion Review that is currently placed active in Special Education. If referral is recommended per Special Education IEP, form SE-9 should be completed to determine alternative placement for student.
- C. **Behavior Intervention Checklist – (SHPD-F002)**
Document interventions that have been put in place for the student and family.
- D. **Photographs**
Include all photocopies of any hard evidence gathered. These also should be attached to the suspensions when sent to parents; including, citations, pictures of weapons, with ruler next to photo (i.e. knife), etc.

VIII. Teacher's Progress Report – (SHPD-F004)

Each Progress Report must be completely filled out and signed by all teachers for each period of class.

IX. Current Grade Report

Enclose the most recent student transcript if high school; Cumulative Guidance Report (CGR) if middle school, and/or progress report if elementary or other school program.

X. Current Attendance Report

Provide copy of most recent report from the time when student entered school to date of incident suspension.

XI. Discipline Report

Copy of most recent report from student's last incident to first.

XII. School Rules

Attach the page in the published school rules that identify the violation as an expellable offense.

XIII. Copy of Police Report (if applicable)

- **Be sure to proofread for spelling and grammatical errors**
- **Number each page in the lower right hand corner**
- **Make four (4) copies**