

EXPULSION

The Board of Education recognizes that expulsion from this district is the most severe sanction that can be imposed upon a pupil. No pupil shall be expelled from this district before other reasonable and appropriate means of discipline have been exhausted. No pupil below the age of sixteen years shall be expelled from school without provision for an alternate educational program.

For the purposes of this policy, "expulsion" means the permanent exclusion of a student from the schools of this district.

Pupils with educational disabilities are subject to the same discipline policies and procedures as non disabled pupils, unless the pupil's individualized educational program includes exemptions to those policies or procedures. The discipline of an educationally disabled pupil must consider his/her educational disability and educational needs. When expulsion is recommended for a pupil previously determined to be educationally disabled, the Child Study Team shall conduct a reevaluation to determine whether the pupil's behavior is primarily caused by his or her disability condition and whether the pupil's program meets his or her educational needs.

If upon completion of the reevaluation, the child study team determines the pupil's behavior was primarily caused by his/her educational disability, the district may not expel the pupil. However, the child study team may propose a change in the pupil's placement.

If upon completion of the reevaluation, the child study team determines the pupil's behavior was not primarily caused by his/her educational disability, the district may expel the pupil. However, at no time shall the Board cease educational services to that pupil.

A pupil may be expelled from this district only on formal action of the Board duly taken. A pupil for whom expulsion is recommended shall be referred to the child study team for a determination of his or eligibility for special education services; the Board shall not act to expel before the report of the child study team has been issued to the Board.

A pupil for whom expulsion is recommended shall be offered the opportunity for a formal hearing before the Board, which shall include written notice of the date, place, and time of the hearing and of the specific charges against the pupil; an opportunity for the pupil to be heard in his or her own behalf and to cross-examine adverse witnesses; representation by the pupil's counsel; and a written record of the hearing and a copy of the transcript of the proceedings. Hearings will be held in private, except that a pupil may request and the Board may, in its discretion, grant a public hearing. The pupil shall be informed of the right to appeal the decision of the board to the Commissioner of Education.

EXPULSION (Continued)

N.J.S.A. 18A:37-1 et seq.
N.J.A.C. 6:28-2.8(f)

Date: Adopted: 11/28/89

Date: Revised: 11/25/97

Return to Section Index

Return to Main Index