

4.10 – EXPULSION

The Board of Education may expel a student for a period longer than ten (10) school days for violation of the District's written discipline policies. The Superintendent may make a recommendation of expulsion to the Board of Education for student conduct deemed to be of such gravity that suspension would be inappropriate, or where the student's continued attendance at school would disrupt the orderly learning environment or would pose an unreasonable danger to the welfare of other students or staff.

Expulsion shall not be used to discipline a student in kindergarten through fifth (5th) grade unless the student's behavior:

- a) Poses a physical risk to himself or herself or to others;
- b) Causes a serious disruption that cannot be addressed through other means; or
- c) Is the act of bringing a firearm on school campus

The Superintendent or his/her designee shall give written notice to the parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis (mailed to the address reflected on the District's records) that he/she will recommend to the Board of Education that the student be expelled for the specified length of time and state the reasons for the recommendation to expel. The notice shall give the date, hour, and place where the Board of Education will consider and dispose of the recommendation.

The hearing shall be conducted not later than ten (10) school days following the date of the notice, except that representatives of the Board and student may agree in writing to a date not conforming to this limitation.

The President of the Board, Hearing Officer, or other designated Board member shall preside at the hearing. The student may choose to be represented by legal counsel. The hearing shall be conducted in open session of the Board unless the parent, legal guardians, persons having lawful control of the student, persons standing in loco parentis, or student if age 18 or older, requests that the hearing be conducted in executive session. Any action taken by the Board shall be in open session.

During the hearing, the Superintendent or his/her designee, or representative will present evidence including witnesses that gave rise to the recommendation of expulsion. The student or his/her representative may then present evidence including statements from persons with personal knowledge of the events or circumstances relevant to the charges against the student. Formal cross-examination will not be permitted; however, any member of the Board may question anyone making a statement. The student may be questioned. The presiding officer shall decide questions concerning the appropriateness or relevance of any questions asked during the hearing.

The Superintendent shall recommend the expulsion of any student for a period of not less than one (1) year for possession of any firearm or other weapon prohibited on school campus by law. The Superintendent shall, however, have the discretion to modify the expulsion recommendation for such student on a case-by-case basis. Parents, legal guardian, persons having lawful control of a student, or persons standing in loco parentis of a student enrolling from another school after the expiration of an expulsion period for a weapons policy violation shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a weapon on school property. The parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

The District shall establish programs, measures, or alternative means and methods to continue student engagement and access to education during a student's period of expulsion.

Legal References:

A.C.A. § 6-18-502

A.C.A. § 6-18-507

Approved by Board of Education 04/14/09

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Amended by Board of Education 07/22/19

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