

POLICY

EAST WINDSOR BOARD OF EDUCATION

PUPILS

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EXPULSION

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The Board of Education recognizes that expulsion from this district is the most severe sanction that can be imposed upon a pupil. No pupil will be expelled from this district before other reasonable and appropriate means of discipline have been exhausted.

For the purposes of this policy, "expulsion" means the permanent exclusion of a pupil from the regular education program of this district. A pupil may be expelled from this district only on formal action of the Board duly taken.

Pupils with disabilities may only be expelled in accordance with the provisions of the Individual with Disabilities Act (IDEA), N.J.S.A. 18A:37-1 et seq., and N.J.A.C. 6A:14 et seq.

The Board shall not act to expel any pupil, previously determined to be disabled or who has exhibited behavior that may be considered to be classifiable, before the report of the Child Study Team has been issued and reviewed by the Board and Superintendent.

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/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.

A pupil that has been appropriately expelled from the district's regular education program must be afforded by the Board an alternative education program until the pupil graduates from high school or reaches their twentieth birthday, whichever comes first.

The pupil shall be informed of the right to appeal the Board's decision to the Commissioner of Education.

N.J.S.A. 18A:37-2

N.J.A.C. 6A:14 et seq.; 6A:16-7.4; 6A:16-7.5



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Adopted: 22 November 2004

