

JEAN MASSIEU ACADEMY

DISCIPLINE CODE OF CONDUCT



"SIGNING, SOARING &
SUCCEEDING"

SCHOOL CULTURE

In order to evoke the highest level of personal academic and social success at Jean Massieu Academy we work to motivate, to challenge, and to inspire each individual student, to accomplish their learning goals with a discipline code for all students to foster a positive and safe learning environment. We promote and foster a non-threatening and non-violent community at JMA.

Non-Violent Community Commitment

Safety is an absolute priority at Jean Massieu Academy ("JMA"). Accordingly, by attending JMA all students agree to abide by the JMA non-violence policies, procedures, and not participate in activities or violations (as listed as I,II, III). Students instead agree to the following statement:

I agree to not use violence for any reason at JMA, while representing JMA, or with any members of the JMA community. I understand this non-violence pledge applies to all parties involved in any bullying, harassing, acting out, or any act of violence in any form. As an enrolled student at Jean Massieu Academy, I will abide by all of the following discipline procedures put into place. Students are officially under the supervision and jurisdiction of the school from the time that they arrive on the school property until they reach home in the afternoon.

*In the event of a severe discipline incident involving a **Level II or Level III act**, a disciplinary action meeting will be held to determine if I violated the district non-violence policies and procedures. The JMA administrative staff will follow "due process procedures" to address the Level II and Level III violations. Additionally, I understand the consequence that will be issued for violating the non-violence district policies at JMA as described in this discipline code of conduct.*

JMA Discipline System (all grades)

At JMA we believe that true learning comes from understanding one's responsibility to oneself and to the community. Therefore, students who violate our community's Discipline Code of Conduct will often face a restorative consequence, an opportunity to give back to the community they violate and repair relationships they have damaged. This concept of honoring the community and the relationships within our JMA community is a foundation of our Discipline Program and our Code of Conduct.

The JMA Discipline System is designed to create a safe, respectful, cooperative community. There are three types of discipline violations: **Level I Level II, Level III.**

Pre-K- 5th Grade Rewards and Consequences

The discipline system in lower elementary is structured to encourage students to make positive and appropriate choices. Each teacher has behavior expectations according to their classroom environment and will monitor discipline and incidences daily or as they occur.

Some elementary teachers use discipline charts to help students see how their daily choices are impacting themselves and their community. Other teachers use non-visual discipline techniques or cues. Any discipline strategies put into practice are meant to change behavior and encourage positive behavior. All teachers use parent contact and communication if a discipline violation escalates to a level II or III violation (see violations page).

Rewards are issued based on each individual classroom and expectations for each individual student. The rewards that are decided upon receive prior approval by JMA administrative staff.

Consequences are handled by each individual teacher until they have reached level II or III.

6-12 Grade Rewards and Consequences

The JMA Discipline System for secondary students is designed to create a safe, respectful, cooperative community. Much like the elementary the discipline is structured to encourage students to make positive appropriated choices. Each secondary teacher has set behavior expectations according to their classroom management style and they monitor discipline and problems as they arise.

Rewards are issued based on each individual grade level and expectations for each individual student. The rewards that are decided upon at the secondary level receive prior approval by JMA administrative staff.

Consequences are handled by each individual teacher, departmental team of teachers at violation level I, until they have reach violation level II or III. Once discipline has reached level II or III then a “discipline action meeting” will take place to determine the consequences. See next page for level of violation descriptions.

Level I Violations:

Level I violations are actions that negatively impact JMA's high achievement culture and community of safety, respect, and cooperation. Level I Violations include, but are not limited to:

Level I Violation	Description
Late to School or Class	Arrival after the bell rings for the start of any class or after school activity.
Violation of Uniform Policy	This includes, but is not limited to, violations of dress code, even if minor.
Obscene/Abusive/Inappropriate/Disrespectful Language	This includes spoken, written, and body language that is disrespectful, inflammatory, or offensive to generally accepted community standards including religious or ethnic epithets. Inappropriate language includes rolling eyes, sucking teeth, talking back, silently mouthing words, defiantly folding arms, pouting, avoiding eye contact, slouching in chair, etc.
Disruptive Behavior	Students are expected to follow the rules that individual teachers have established for student conduct in their classrooms. No student's behavior can be permitted to disrupt the learning of others. Violations include: <ul style="list-style-type: none"> • Disruptive behavior, including disruptive outbursts, talking while others are talking, throwing objects, and inappropriate gestures and sounds. • Sleeping in class or putting head on desk • Being unprepared, e.g. not having proper supplies & books • Leaving class without permission and a hall pass • Wearing headphones except for approved instructional purposes • Horseplay that includes but not limited to pushing, shoving, kicking, or other physical contact, knowingly taking of another's property done in a playful and/or confrontational manner
Gum & Food Contraband	Gum chewing is prohibited in the building. There is no eating and/or drinking allowed in class. Students are prohibited from carrying food or drinks from the cafeteria. For additional support, students may eat lunch in their teacher's classroom provided they have a pass from their teacher. If this pass from the teacher is abused, the Dean/Assistant Principal will revoke the privilege.
Environment	JMA is committed to maintaining a professional and healthy environment. Students are required to maintain a clean school environment by picking up after themselves at lunch, disposing of paper in hall/class, retrieving lost/unwanted personal items, and respecting all school property.
Lapse of Integrity	Attempt to deceive or mislead by verbalizing intentions that misrepresent a student's actions when questioned by school personnel.
Student Personal Electronics	Students will not be permitted to use mobile phones, in school. Once confiscated, teachers immediately give the device to the assistant principals. Confiscated items are returned at the end of the school day.. <i>JMA does not accept any responsibility for loss of student's electronic equipment due to theft or other loss. In addition, JMA will <u>not</u> be responsible for damage or loss of a nuisance device that is confiscated by staff.</i>
Consequences	May include, but are not limited to the following: <ul style="list-style-type: none"> • Re-direction by the teacher (teacher-created behavior rubric); • Referral to the Assistant Principal • Possible In school suspension • Appropriate/relevant consequences will be determined on a case-by-case basis • Sitting out of activities • Lunch detention

Level II Violations:

Level II violations involve actions that **significantly** impact JMA's high achievement culture and community of safety, respect, and cooperation. Level II Violations include, but are not limited to:

Level II Violation	Description
Physical Aggression	Physical contact (e.g. hitting) involving one or more offenders where no student is injured and the incident does not elevate to a Level III Violation (i.e. Simple Assault).
Pre-fight	Physical contact (e.g. pushing, shoving) that ends very quickly or is easily stopped by an adult or other student.
Threats, Provocation	<u>Threats</u> are words and/or actions that are intended to taunt, provoke, or do emotional harm. <u>Provocation</u> are words and/or actions intended to provoke a violent reaction, including poking, —getting in his/her face, violation of personal space, aggressive gestures, etc.
Facilitating Violence	Watching, encouraging or instigating a pre-fight/fight before school, during school or after school is prohibited. It is our belief that bystanders play a role in escalating violence; therefore anyone watching a fight has an obligation to de-escalate the situation by staying calm, remaining nonpartisan and getting help.
Major Insubordination	This includes ignoring any and all redirection, walking/running away from a staff member, and refusal to cooperate in any manner with a staff member's request - escalating to a scene which disrupts the larger community (multiple staff members may be required to address the behavior).
Insubordination	This includes failure to comply with directions of teachers and other school personnel such as leaving class without permission. This also includes refusing to turn over a demerit card when asked to do so by any adult.
Constant Disruption	Behavior that continuously interrupts the learning environment of a class – the actions have been addressed multiple times and the student has exhausted all interventions found within the Classroom Discipline Cycle.
Major Disrespect toward Staff	This includes, but is not limited to, any nonthreatening words and/or actions that are directed towards a staff member in either an overtly loud, profane, or demonstrative manner.
Plagiarism, Forgery, Cheating	Plagiarism is using, without permission, the ideas & writings of another; either word for word or in substance, and representing such as one's own. Forgery is the signing of a document in another's name. Cheating includes deceit, fraud, or deception (i.e., copying another's assignments, assisting another to cheat by lending one's own work; giving or receiving aid during a testing period).
Cutting Class	Cutting includes all scheduled activities as well as leaving the building without permission (see attendance section).
Gambling	Gambling includes betting or wagering for money, favors, or fun. <i>The severity of the disciplinary action will be based upon the circumstances of the infraction, and could include expulsion from school. Repeated or serious violations may also result in filing of criminal charges as deemed appropriate by JMA.</i>
Damaging or Stealing (Misdemeanor)	Damage to or stealing of any property of \$50.00 or less.
Consequences	May include, but not limited to the following: <ul style="list-style-type: none"> • Restorative consequence(s) • Parent/guardian meeting • In-school suspension • Out-of-School suspension • Disciplinary Hearing • Other appropriate/relevant consequence as determined by the assistant principal or principal.

JMA considers repeated Level II violations to be a serious violation of its Code of Conduct and the community trust. Multiple Level II violations (3) in one school year may be a basis for an expulsion.

Level III Violations:

Level III violations involve actions that are very serious violations of JMA's Code of Conduct, and/or are criminal violations of Texas law. When a criminal violation occurs, JMA is required to report the incident to law enforcement and it can become part of the student's permanent record. Level III Violations include, but are not limited to:

Level III Violation	Description
Firearm, Weapons or Dangerous Instrument	Any person found or observed on school property or school-sponsored event in possession of a firearm, weapon or dangerous instrument (i.e. BB gun, bullet, pistol, rifle, gun, disguised gun, dagger, switchblade, knife, box cutter, paintball gun, dart gun, pepper spray or other noxious sprays, explosive or incendiary bomb or other instrument, material or device that can cause physical injury etc.) must immediately be reported to the Principal. Law enforcement officials shall be informed.
Terrorist Threats/Acts	Terrorist threats/act mean a communication/act to commit violence, terrorize, evacuate building, or otherwise cause serious public inconvenience or safety risk. Depending on the nature of the incident, law enforcement officials may be informed.
Drug, Alcohol, or Tobacco Possession, Use, or Illicit Activity	<p><u>Drug Possession:</u> Illegal/inappropriate drug-possession, use, or illicit activity (selling, storing, producing, or purchasing) on school grounds, or at school-sponsored events is absolutely prohibited. Such activities will result in an immediate suspension and Expulsion Hearing before the Board of Directors.</p> <p><u>Tobacco Policy:</u> Students may not possess or use any product containing tobacco while on school property or at a school-sponsored event. The use of tobacco is defined as the possession and/or use of cigarette, pipe, cigar, chewing tobacco, e-cigarettes, snuff or related tobacco product and paraphernalia. Students found with tobacco on their person will be suspended.</p> <p><u>Violations:</u> This violation includes drug, alcohol or tobacco possession, use, or illicit activity on school grounds or at a school-sponsored event. Illicit activity means the intent to use, sell, store, or purchase illegal substances, and paraphernalia. School administrators will report the incident to the police and provide all information concerning the matter to law enforcement authorities.</p>
Theft	Theft means withholding, taking, or removal of personal or school property (including tests) without the owner's consent. Depending on the nature of the incident, law enforcement officials may be informed.
Arson and/or Possession of Fireworks and Other Explosive Devices	Arson means the malicious burning of another's property. Students may not possess or use fireworks or the paraphernalia needed to explode them—matches, lighters—on school grounds or during school activity. Depending on the nature of the incident, law enforcement officials may be informed.
Vandalism	Vandalism includes intentional or reckless damage to, or attempt to damage, the property of another, or the causing of damage while committing an act contrary to this code or to the law. Depending on the nature of the incident, law enforcement officials may be informed.
Bullying	<p>Intentional electronic, written, verbal or physical act, or a series of acts:</p> <ol style="list-style-type: none"> (1) Directed at another student or students; (2) Which occurs in a school setting; (3) That is severe, persistent or pervasive; and (4) That has the effect of doing any of the following: <ol style="list-style-type: none"> (i.) Substantially interfering with a student's education (ii.) Creating a threatening environment; or (iii.) Substantially disrupting the orderly operation of the school; and "school setting" shall mean in the school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervise or sanctioned by the school.
Disorderly Conduct	Reckless behavior that could cause injury, including throwing objects (tables, chairs), pulling fire alarms, etc.

Threatening Staff Member	Physical, verbal, written, or electronic threat (e.g., internet) or intimidation is to unlawfully place another person in fear of bodily harm through verbal threats without displaying a weapon or subjecting the person to actual physical attack; stalking (i.e. pursuing another, spying on or watching another person, with or without the internet to harm, frighten, or coerce) should be included.
Fighting	Violence includes physical aggression between two or more students that escalates into punching, wrestling, knocking down, or damaging or destroying property. This means physical aggression typically that lasts more than a few seconds and is not easily broken up.
Assault	An unlawful physical attack by one person upon another.
Sexual Harassment	<p>JMA recognizes that harassment on the basis of sex is a violation both of Federal and State discrimination laws and that these laws apply to students and employees. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature when:</p> <ul style="list-style-type: none"> • Submission to such conduct is made a term of the students' right to learning • Such conduct interferes with an individual's academic performance or creates an intimidating, hostile, or offensive educational environment • Submission to or rejection of such conduct is used as the basis for academic decisions <p>Forms of sexual harassment include but are not limited to the following.</p> <ul style="list-style-type: none"> • Derogatory comments, jokes, or slurs; sexually-oriented sounds or remarks • Uninvited, unnecessary or offensive touching, pinching, patting, grabbing, brushing against another person's body, or impeding or blocking movement • Derogatory or offensive pictures, posters, cards, cartoons, graffiti, drawings, or gestures <p>The severity of the disciplinary action will be based upon the circumstances of the infraction, and could include expulsion from school. Repeated or serious violations may also result in filing of criminal charges as deemed appropriate by the school.</p>
Sexual Misconduct	This may include attempting or carrying out a sexual act with oneself or another person whether it is consensual or non-consensual. Depending on the nature of the incident, law enforcement officials may be informed.
Consequences	<p>If a Level III incident occurs:</p> <ul style="list-style-type: none"> • Parent/Guardian notified • Immediate removal from school during school investigation • Out-of-School Suspension (1-10 days) • Disciplinary hearing <p>Possible Outcomes of a Disciplinary Hearing:</p> <ul style="list-style-type: none"> ○ Return to Community ○ Return to Community under behavior contract ○ Disciplinary Transfer to ISS ○ Recommendation for Expulsion Hearing, all expulsions are confirmed by the SST team members and the superintendent

Substance Abuse Policy

Drug, alcohol and other substance abuse prevents students from achieving their full potential. When known about substance abuse, JMA personnel will provide appropriate referrals to parent/guardians for counseling/support services for students and their families and/or referrals to local law enforcement agencies if necessary.

Any student at JMA exhibiting impaired behavioral symptoms indicating alcohol and substance abuse will be given a drug/alcohol test with parent permission (parents/guardians will be notified whenever a test is issued). Symptoms may include intoxication, slurred speech, unsteady walk, impaired coordination, slowed reflexes, odor, physical expression, brief intense euphoria, repetitive physical mannerisms (lip chewing, constant grinding of teeth, constant scratching), violence, blank expression, sexual promiscuity, nausea and elevated heart rate.

With parent permission, if a student tests positive on a drug screen or alcohol screening, the parent/guardian will be notified immediately and steps will be taken to assist parents in obtaining a referral to the appropriate counseling and supportive services. However, it is solely the parent/guardian's responsibility to seek outside substance abuse treatment for their child.

On campus substance abuse is a Violation III (----), which will result in a disciplinary hearing and suspension with possible expulsion. The school will continue to exhibit due diligence to educate and provide all JMA students and parents with information regarding the harmful effects of substance and alcohol abuse.

Search Policy

JMA holds the right to search any and all bags, and clothing if there is a "reasonable cause or suspicion" or report of suspicious items or illegal items. Students are given the option to present while a bag search is conducted. When school authorities have a "reasonable suspicion" that the, bag or student contains/possesses materials that pose a threat to the health, welfare or safety of students in the school, bags and students may be searched without prior warning or their presence.

Parents/Guardians and students should be aware that:

- The school assumes no responsibility for loss of student's personal property.
- Random "bag sweeps" and bag searches are conducted periodically throughout the year, without notice but without bias or prejudice with reasonable cause
- When school authorities have a reasonable suspicion that a bag or student contains or is holding materials that pose a threat to the health, welfare or safety of students in the school, student bags may be searched without prior warning. Illegal or prohibited materials seized during a student search maybe used as evidence against the student in a school disciplinary proceeding. At least two staff members will be present when searching a student's bag
- Person searches will be limited to shoes, outer wear, pockets and pat-downs will be performed by an assigned & trained SRO or other contracted law enforcement personnel if "reasonable cause" is determined

Bullying & Harassment Policy

Jean Massieu Academy believes that all students learn best in an environment free from harassment and that their welfare is best served when they can work free from discrimination. Students are expected to

treat other students and campus employees with courtesy and respect; to avoid behaviors known to be offensive or disruptive and, to stop those behaviors when asked or told to stop. (see violation III). The JMF Board of Directors has established policies and procedures to prohibit and promptly respond to inappropriate and offensive behaviors that are based on a person's race, religion, color, national origin, gender, sex, or disability. Prohibited harassment, in general terms, is conduct so severe, persistent, or pervasive that it affects the student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; or substantially interferes with the student's academic performance (violation III)

Examples of prohibited discrimination may include, but are not limited to, offensive or derogatory language directed at a person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening or intimidating conduct; offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property. Please refer to descriptions in violation III.

Examples of prohibited sexual harassment may include touching private body parts or coercing physical contact that is sexual in nature; sexual advances; jokes or conversations of a sexual nature; and other sexually motivated conduct, communications, or contact. Sexual harassment of a student by an employee or volunteer does not include necessary or permissible physical contact not reasonably construed as sexual in nature. However, romantic and other inappropriate social relationships, as well as all sexual relationships, between students and campus employees are prohibited, even if consensual. All the above mentioned acts are level III violations and will be disciplined as such.

Reporting Procedures

Any student who believes that he or she has experienced prohibited bullying or harassment should immediately report the problem to a teacher, administrator, principal, or other campus employee. The report may be made by the student's parent as well.

Cyberbullying and Harassment (David's Law), expansion on law TEC § 37.0832 to define bullying as a "single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical contact that satisfies the applicability requirements provided by subsection (a-1).

Jean Massieu Academy has adopted a **bullying report process as follows:**

- (1) Reports by parents, students or others can be submitted to teachers, or JMA administration anonymously or not anonymously by:
 - (a) submitting the report of the incident or act in writing or
 - (b) submitting a bullying report online at www.jeanmassieu.com
- (2) A student wellness and a safety/security committee is established at JMA to assist in prevention and mediation of bullying, which includes:
 - (a) parents / guardians of current students
 - (c) Contracted counselor
 - (d) school parent liaison
 - (e) school administration
 - (f) teachers
- (3) School administration will notify parents or guardians of the alleged victims on or before the 3rd business day after the date an incident is reported and found out by administration.

Investigation of Reported Harassment & Bullying

To the extent possible, JMA will respect the privacy of the student; however, limited disclosures may be necessary to conduct a thorough investigation and to comply with harassment laws. Allegations will be promptly investigated and reported to parents. The campus will notify the parents of any student alleged to have experienced prohibited harassment by another student or adult associated with the campus. In the event alleged harassment involves another student, the campus will notify the parents of the student alleged to have experienced the prohibited harassment when the allegations would constitute "sexual harassment", cyber bullying or any "other prohibited harassment" as defined by policy which includes any type of bullying or threats. If the campus's investigation indicates that prohibited harassment occurred, appropriate disciplinary or corrective action will be taken to address the harassment. The campus may take disciplinary action even if the conduct that is the subject of the complaint did not rise to the level of harassment prohibited by law or policy.

Retaliation against a person who makes a good faith report of prohibited harassment is prohibited. A person who makes a false claim or offers false statements or refuses to cooperate with a campus investigation, however, may be subject to appropriate discipline.

Disciplinary Action Meetings and Due Process

Disciplinary Action Meeting

Disciplinary action meetings are designed to bring forth all relevant information regarding the students' disciplinary plan usually as a result of a discipline violation. These meetings will include students (when necessary), their parents/guardians and school officials to discuss the discipline violation involving the student and determine strategies to assist the student in correcting or changing their behavior so that future discipline violations might be avoided.

The outcomes of such a meeting may include:

- Invitation to rejoin the community without any disciplinary intervention
- Invitation to rejoin the community with mandatory or voluntary disciplinary and/or academic intervention
- In school suspension assignment
- Out of school suspension to return on a specific date
- Recommendation for an expulsion which would result in the student and parent/guardian being required to attend a formal expulsion hearing. (See—Expulsion below)

In-School Suspensions (ISS)

Students may be assigned in-school suspension as a result of disciplinary action

- Student will be informed of the reasons for the in-school suspension and be given an opportunity to respond before the in-school suspension becomes effective
- Parents/guardian will be informed of the in-school suspension
- When the in-school suspension exceeds 10 consecutive school days, a disciplinary hearing with the Assistant Principal and/or Superintendent/Principal shall be offered to the student and the student's parent or guardian prior to the 11th school day.

Out of School Suspensions

Students may be assigned out of school suspension as a result of disciplinary action

An Out of School Suspension is exclusion from school for a period from 1 to not more than 10 consecutive school days. Out of school suspensions may be assigned by the Assistant Principal, Principal and/or Superintendent/Principal. Students have the opportunity and responsibility to make up exams and work missed while suspended and shall be permitted to complete assignments within determined guidelines.

- A student may not be suspended until the student has been informed of the reasons for the out of school suspension and given an opportunity to respond
- Prior notice of the intended out of school suspension need not be given when it is clear that the health, safety or welfare of the school community is threatened
- The parent/guardian shall be notified immediately in writing when the student is suspended
- When the suspension exceeds three (3) school days, the student and parent/guardian shall be given the opportunity for an informal “disciplinary hearing” consistent with Texas Law. The school shall offer to hold the informal hearing within the first 5 days of the suspension, and notice of the hearing will be given to the parent/guardian
 - Disciplinary hearings enable the student to explain the circumstances surrounding the event for which the student is being suspended or to show why s/he should not be suspended. All relevant information regarding the event for which the student was suspended will be presented and the school and the parent will discuss ways by which future offenses might be avoided. At the hearing, the student has the right to question any witnesses present and to speak and produce witnesses on his own behalf if age appropriate.

Expulsions

Expulsion is exclusion from school for a period exceeding 10 school days and may be permanent expulsion from the school. Education is a statutory right, and students shall be afforded due process if they are to be excluded from school. A Board decision is required to expel a student. To ensure a fair Board hearing, JMA's Board of Trustees will designate a Board Hearing Examiner who will represent the Board in discipline matters. The Hearing Examiner will make recommendations to the Board. The Board ultimately decides whether a student will be expelled.

- Expulsions require a prior formal hearing (see below).
- Students shall be suspended from school prior to the hearing and decision of the Board for a period of up to 10 days. The student shall be placed in his normal class after the 10 days except if it is determined after an informal hearing that a student's presence in his normal class would constitute a threat to the health, safety or welfare of others and it is not possible to hold a formal hearing within the period of a suspension. A student may not be excluded from school for longer than 15 school days without a formal hearing unless mutually agreed upon by both parties. Any student so excluded shall be provided with alternative education, which may include home study.

Expulsion Hearing Requirements:

A formal hearing is required in all expulsion actions. The hearing is conducted by a Hearing Examiner that is secured by the Board. The Hearing Examiner solicits evidence from the school and from the student and parent, and determines the facts surrounding each incident. Based on these facts, the Hearing Examiner writes a Report. The report states whether the student has violated JMA's Code of Conduct, and recommends a disciplinary outcome for the student, ranging from a dismissal of the case to a permanent expulsion.

The Report is presented to the Board of Trustees at its next meeting. The Board has the power to adopt, modify, or reject the Report made by the Hearing Examiner. A majority vote of the entire Board is required to expel a student if that is the recommendation of the Hearing Examiner.

Parents and Guardians will receive a copy of the Hearing Examiner's Report for their student. Parents and guardians will also be notified once the Board has made its decision, and will be informed of any legal right to appeal that they may have.

The following Due Process requirements shall be observed:

- Notification of the charges shall be sent to the student's parents or guardians by certified mail
- At least 3 days' notice of the time and place of the hearing shall be given. A copy of the expulsion policy including hearing procedures and notice that legal counsel may represent the student shall be included with the notice. A student may request there scheduling of the hearing when the student demonstrates good cause for an extension.
- The hearing shall be held in private unless the student or parent/guardian requests a public hearing.
- The student may be represented by counsel, at the expense of the parents or guardians, and may have a parent or guardian attend the hearing.
- The student has the right to be presented with the names of witnesses against the student, and copies of the statements and affidavits of those witnesses. The student has the right to request that the witnesses appear in person and answer questions or be cross-examined. The student has the right to testify and present witnesses on his own behalf.
- A written or audio record shall be kept of the hearing. The student is entitled, at the student's expense, to a copy. A copy shall be provided at no cost to a student who is indigent. The proceeding shall be held within 15 school days of the notification of charges, unless mutually agreed to by both parties. A hearing may be delayed for any of the following reasons, in which case the hearing shall be held as soon as reasonably possible:
 - Laboratory reports are needed from law enforcement agencies
 - Evaluations or other court or administrative proceedings are pending due to a student invoking his rights under the Individuals With Disabilities Education Act (20U.S.C.A. §§1400—1482)
 - In cases in juvenile or criminal court involving sexual assault or serious bodily injury, delay is necessary due to the condition or best interests of the victim

Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.

If Expelled:

Students who are under 17 years of age are still subject to the compulsory school attendance law even though expelled and shall be provided an education. The initial responsibility for providing the required education rests with the student's parents or guardian, through placement in another school, tutorial or correspondence study, or another educational program. Within 30 days of action by the governing board, the parents or guardians shall submit to the school district written evidence that the required education is being provided as described above or that they are unable to do so. If the parents or guardians are unable to provide the required education, the school entity shall, within 10 days of receipt of the notification, make provision for the student's education. A student with a disability shall be provided educational services as required by the Individuals With Disabilities Education Act (20U.S.C.A. §§1400—1482). If the approved educational program is not complied with, the school may take action in accordance with applicable law to ensure that the child will receive a proper education.