

EXPULSION

Expulsion Process Information

— SUSPENDED & RECOMMENDED FOR EXPULSION

When a student is suspended and the principal or designee makes the initial determination to recommend expulsion, they may also request an extension of suspension. If granted, the student will remain on suspension (off campus) throughout the expulsion process.

+ EXPULSION RECOMMENDATION

Within thirty (30) school days of the principal's or designee's determination to recommend expulsion, the student is entitled to a hearing. The student receives written notice of an expulsion hearing at least ten days prior to the hearing. This notice includes:

- Date and place of the hearing.
- The specific facts and charges upon which the proposed expulsion is based.
- Explanation of the right for the student or student's parent or guardian to appear in person, or to obtain and be represented by an attorney.
- Explanation of the right to inspect and obtain copies of all documents to be used at the hearing.
- Explanation of the right to confront and question all witnesses who testify at the hearing, and to question all other evidence presented.
- Explanation of the right to present evidence on the student's behalf, including witnesses.

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A student is entitled to one postponement of an expulsion hearing. Once the hearing has started, it must be conducted without any unnecessary delay. A parent or guardian may also choose to waive their rights and agree to a stipulated decision.



+ THE EXPULSION HEARING PROCESS

An Administrative Hearing Panel conducts the hearing to consider the recommendation to expel a student. The panel is made up of at least three district certificated staff members, such as counselors, teachers, vice principals or principal, who are not employed at the student's school. The meeting is closed to the public unless the student or student's parent or guardian submits a written request that the hearing be conducted in public. Hearings are recorded in digital format (confidential) and students have access to written materials presented to the panel. At the end of the hearing, several different actions may take place:

- **If the Administrative Hearing Panel decides not to recommend expulsion**, the proceedings are terminated and the student is immediately reinstated. Student Services will inform the parent or guardian of the panel's decision. The parent or guardian must then contact the school and arrange a meeting with the principal or principal's designee regarding subsequent placement for the student. This may include a return to the classroom instructional program, any other instructional program, a **rehabilitation program**, or a combination of these programs. A decision not to recommend expulsion is final.
- **If the Administrative Hearing Panel decides to recommend expulsion**, it must also recommend a **rehabilitation plan** for the student. The rehabilitation plan may include a review and assessment at the time of the application for re-admission to school. **The plan may also include recommendations for counseling or other intervention support.** The evidence supporting the decision to recommend expulsion, along with the proposed rehabilitation plan, is submitted to the Board of Education.
- Upon reviewing the recommendations, the Board of Education will either support the recommendation and order the expulsion or reject the recommendation and suspend the expulsion order. The Board may also choose to suspend the expulsion order, but still assign the student to a school, class or alternative educational program considered appropriate for the rehabilitation plan.

+ THE STIPULATION PROCESS (WAIVER OF EXPULSION HEARING)

A stipulated agreement is made when a student's parent or guardian agrees that the student did commit an expellable offense and is being recommended for expulsion.

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As part of reaching a stipulated agreement, the student and a parent or guardian will meet with the school principal. They will review the evidence gathered in the investigation of the incident leading to the expulsion recommendation. At that time, if they agree to a stipulated decision, the student, parent or guardian and the principal must all agree upon the following:

1. They have been informed of and understand the right to due process with regard to the expulsion recommendation.
2. They have had the opportunity to review the reasons for the recommendation for expulsion and to discuss them with district personnel.

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3. They agree to the facts as stated in the expulsion recommendation.

The student, parent or guardian and the principal must all sign the Request for Waiver of Administrative Hearing Form.

As part of a stipulated agreement, the student's parent or guardian waives a number of rights.

1. The right to an expulsion hearing.
2. All notices and timelines required by policy or law.
3. The right to be represented by an attorney at the expulsion hearing.
4. The right to inspect and have copies of the documents which would have been used at the hearing.
5. The right to confront and question all witnesses who would have testified at the hearing.
6. The right to question all written evidence presented.
7. The right to present witnesses and evidence on the student's behalf.
8. The right to appeal to the county Board of Education if the stipulated expulsion is approved by the Board of Education as agreed upon.

A student's parent or guardian may consult with an attorney about the stipulated expulsion process. The Board of Education must still vote to approve a stipulated expulsion agreement.

+ THE REINSTATEMENT PROCESS

Before the end of the last semester of an expulsion, the student will be contacted by Student Services, which will determine if the student has completed their **rehabilitation plan** and should be readmitted. This decision will take into consideration the nature of the offense leading to the expulsion, and the health, safety and welfare of all district staff and students.

An expulsion order remains in effect until the Board of Education orders the readmission of the student. Depending on the nature of the offense, an expulsion order cannot last longer than one year from the date of expulsion. This is not necessarily the date of the offense, which may be much earlier.

- Upon completion of the readmission process, the Board of Education will readmit the student, unless it determines that the student has not met the conditions of the **rehabilitation plan**, or continues to pose a danger to others. The student and the student's parent or guardian receive a description of the readmission process at the time the student is ordered expelled.

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- If the Board of Education **denies the readmission** of an expelled student, the board must decide whether to continue the placement of the student in an alternative educational program. The Board must provide written notice to the expelled student and the student's parent or guardian describing the reasons for denying the student readmission into the regular school district program.

+ QUESTIONS?

For more information, contact Sal Cavazos at scavazos@psusd.us (<mailto:scavazos@psusd.us>)

+ APPEAL OF AN EXPULSION

Parents may appeal a local board's decision to expel to the Riverside County Board of Education (RCBE) within 30 days of the board date.

APPEAL INFORMATION

(https://www.rcoe.us/programs/student-support-services/student-services-collaborative/#Expulsion_Appeals)

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Resources

DOWNLOAD COUNSELING & COMMUNITY SERVICE RESOURCES (/FS/RESOURCE-MANAGER/VIEW/86650BD1-F706-4880-9980-FDDCA0489C17)

COUNSELING **COMMUNITY SERVICE**

Counseling

You may contact our PSUSD Mental Health Department to complete your counseling:

PSUSD MENTAL HEALTH DEPARTMENT (/FS/PAGES/8525)

760-416-1360

Location 1: 333 S Farrell Dr, Palm Springs, CA 92264

Location 2: 11625 West Dr, Desert Hot Springs, CA 92240

Other Counseling Resources

PALM SPRINGS COMMUNITY SCHOOL [ENROLLMENT REQUIRED]

760-863-3085

1800 E Vista Chino, Palm Springs, CA 92262

DOWNLOAD COUNSELING & COMMUNITY SERVICE RESOURCES (/FS/RESOURCE-MANAGER/VIEW/86650BD1-F706-4880-9980-FDDCA0489C17)

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DUE PROCESS FORMS

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Contact Us

Phone

760-883-2703 ext 4805102

Email

[Student_Services@psusd.us \(mailto:Student_Services@psusd.us\)](mailto:Student_Services@psusd.us)

Hours

Monday - Friday
7:30am - 4:30pm

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Address

150 District Center Dr, Palm Springs, CA 92264

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