

Expulsion of Students

No student will be expelled from school except by action of the Board. Following a proper investigation, and in accordance with the Board's districtwide disciplinary policies, the Board may expel a student if found necessary for the peace and usefulness of the school, as provided in 20-A M.R.S. §1001(9) and (9-A). Students in grade five or below cannot be expelled, except for violations of the Gun-Free Schools Act, as provided in 20-A M.R.S. §1009(9-A).

The Superintendent has the discretion under Maine law to provide an alternative to an expulsion on a case-by-case basis. Such determination will be made in writing.

The Board also has the authority to readmit an expelled student upon satisfactory evidence that the behavior which caused the student to be expelled will not likely recur.

Notice of Expulsion Hearing

Before an expulsion hearing, the Superintendent will:

1. Provide a written notice to the parents/legal guardian and the student, by certified and regular mail, that:
 - a. Informs them of the date, time and location of the hearing;
 - b. Provides a description of the incident(s) that resulted in the expulsion hearing;
 - c. Informs them of their right to review the school's records prior to the hearing;
 - d. Includes a copy of the Board's expulsion guidelines;
 - e. Informs them that the student has the right to an attorney or other representation, and the right to present and cross-examine witnesses; and
 - f. Includes a list of available free and low-cost legal services, which must be created and updated annually by the Maine Department of Education
2. Invite the parents/legal guardians and the student to a meeting prior to the expulsion hearing to discuss the hearing.

Expulsion Hearing and Reentry Guidelines

The expulsion hearing will be held in a properly called executive session and may be attended by persons designated by the Superintendent to present information in the case.

The Board has adopted guidelines that outline the hearing process and the procedure for developing and implementing a reentry plan (if applicable).

Legal Reference: 20-A M.R.S. §§1001 (8A); (9); (9-A); (9-C)
1 M.R.S. §405(6)(B)

Cross Reference: JKE-R – Expulsion Hearing and Reentry Guidelines
JIC – System-Wide Code of Conduct
JICIA – Weapons, Violence and School Safety
JICK – Bullying and Cyberbullying
JK – Student Discipline
JKD – Suspension of Students
JKF – Disciplinary Removal of Students with Disabilities

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