EXPULSION OF STUDENTS

No student shall be expelled from school except by action of the Director.

Following a proper investigation of a student's behavior and in accordance with the EUT's districtwide disciplinary policies, the Director shall expel the student, if found necessary for the peace and usefulness of the school, as provided in 20-A MRSA § 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 MRSA 20-A MRSA § 1001(9-A).

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

The Director also has the authority to readmit an expelled student on satisfactory evidence that the behavior which was the cause of the student being expelled will not likely recur.

NOTICE OF EXPULSION HEARING

Before any expulsion meeting, the Director shall:

A. Provide written notice, by regular and certified mail, to the parents/guardians and the student that:

1. Informs them of the date, time and location of the meeting;

2. Provides a description of the incident(s) that resulted in the expulsion meeting;

3. Informs them of their right to review the school's records prior to the meeting;

4. Includes a copy of the EUT's expulsion guidelines

5. Informs them of the student's right to an attorney or other representation, and the right to be present and cross-examine witnesses; and

6. Includes a list of available free and low-cost legal services, which must be created and updated annually by the Maine Department of Education.

B. Invite the parents/guardians and the student to a meeting prior to the expulsion hearing to discuss the procedures of the meeting.

EXPULSION HEARING AND REENTRY

The meeting shall be in executive session and may also be attended by persons designated by the Director to present information in the case.

Upon making a decision to expel a student, the Director may:

A. Expel the student for a specific period of time not to exceed the total number of instructional days approved by the Director for the current year; or

B Expel the student for an unspecified period of time and authorize the Principal to provide the expelled student with a reentry plan specifying the conditions that must be met in order for the student to be readmitted to school after the expulsion.

After the expulsion meeting, the Director shall provide written notice of its decision to the parents/guardians and the student by certified mail.