

504.01E2 Letter to Parents Recommending Expulsion

Friday, August 11, 2023

LETTER TO PARENTS RECOMMENDING STUDENT EXPULSION

(DATE)

(Name of Parents)

(Name of Student)

(Address) Dear Mr. and Mrs. (Name) and (Student's Name):

I am writing to inform you that it has been recommended that (Student's Name) be expelled for (One Semester, Two Semesters, A Calendar Year). The recommendation is based on (Student's Name) violation of (state the policies, rules, regulations, classroom rule and/or other standards which the student violated). The explanation of the misbehavior should be as detailed as possible.

Pursuant to Nebraska statutes, (Student's Name) has been suspended from school until the date that the expulsion takes effect, or if you request a hearing, the date that the hearing examiner makes the report of his or her finding and recommends the action to be taken by the superintendent of schools.

If you wish, you are entitled to a hearing on the proposed expulsion. In order to stay the imposition of the expulsion, you must request the hearing within five (5) school days of your receipt of this notice. A request form has been enclosed for your convenience. You may also waive the opportunity for a hearing. If you request a hearing after five (5) days but within thirty (30) days of receipt of this notice, you will receive a hearing, but the expulsion will take effect and remain in effect pending the outcome of the hearing.

If you request a hearing, a hearing examiner will be appointed and a hearing will be scheduled to be held within five (5) school days of the receipt of your request. The hearing examiner will recommend the disciplinary action, if any, that should be taken. The superintendent of school will review the hearing examiner's recommendation and will decide on the appropriate disciplinary action. The superintendent's decision may be different from the hearing examiner's recommendation; however, the final disciplinary action may not be more severe than that recommended by the hearing examiner. If you have requested a hearing within (5) school days of receiving this notice, the final disciplinary action will not begin until it is communicated to you.

Before any hearing, all academic and disciplinary records will be available for your examination along with any written statement to be used at the hearing, Upon request, you will be told the names of the witnesses which the school district will present and the substance of their testimony. If you need assistance in interpreting any academic or disciplinary records or in developing any information from the school district's records, a school official will be made available to help you.

At the hearing, a representative of the school will present the case supporting the proposed expulsion. You may bring a representative, including an attorney, to the hearing where you may question the school's witnesses and present witnesses, documents and evidence of your own. You will be given an opportunity to question any witnesses who are called on behalf of the administration. Likewise, the school's representative will have an opportunity to question anyone whom you call as a witness.

If you are dissatisfied with the superintendent of school's decision, you may appeal it to the board of education by filing a written appeal with the superintendent of schools or the secretary of the board of education within seven (7) days of receiving the decision. The disciplinary action will remain in effect during the appeal unless the board of education decides otherwise. The appeal shall be made solely on the record of the hearing except that the board of education may hear new evidence to avoid a substantial threat of unfairness.

If you are dissatisfied with the board of education's decision, you may appeal the decision to the district court within thirty (30) days after receiving notice of the board's determination.

I have enclosed a copy of our school district's Student Suspension, Expulsion, and Grievance Procedure Policy (and Firearms and Destructive Devices Policy) which sets out the hearing and appeal procedures.

If you have any questions, please contact me.

Respectfully,

(Superintendent's Name)

Superintendent of Schools

Enclosure