



## BOARD POLICY

E 5144.2

Approved: 6/22/99

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### Students

#### Suspension and Expulsion/Due Process (Students With Disabilities)

##### ADDENDUM TO SELPA NOTICE OF IEP MEETING

##### Individuals with Exceptional Needs/Expulsion Recommended

You are hereby notified that your son/daughter, \_\_\_\_\_, has been recommended for expulsion. \_\_\_\_\_ has previously been identified as a student with exceptional needs.

\_\_\_\_\_ was suspended by the principal for \_\_\_\_\_ days, until \_\_\_\_\_.

The reasons for the proposed expulsion are

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(Use attachments if needed.)

The principal considered other options as described below but has rejected those options.  
(Description of other options considered, if any, and reasons why they were rejected.)

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The principal used the following evaluations, assessments, tests and/or records in reaching his/her decision to propose expulsion:

1. \_\_\_\_\_.
2. \_\_\_\_\_.
3. \_\_\_\_\_.
4. \_\_\_\_\_.
5. \_\_\_\_\_.

Other factors relevant to the principal's recommendation are:

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Please be aware that:

1. A preexpulsion assessment of \_\_\_\_\_ will be conducted. \_\_\_\_\_ should report to \_\_\_\_\_ at \_\_\_\_\_ (time) for this assessment. You are required by law to make \_\_\_\_\_ available for this assessment. You may obtain an independent preexpulsion assessment if you disagree with the district's preexpulsion assessment.
2. An IEP meeting will be held on \_\_\_\_\_, at \_\_\_\_\_. If the time and place of the IEP meeting are not convenient, please advise immediately by calling the undersigned at \_\_\_\_\_ (phone number) within 24 hours of receiving this letter.
3. You may request that the meeting be postponed for up to three additional school days. If you make such a request, your child's suspension will be continued during the three-day postponement.
4. You may ask a representative to appear at the hearing on your behalf.
5. If you do not request a continuance immediately or appear at the IEP meeting in person or through a representative, the meeting will be held without you.
6. You have the right to participate in the IEP team meeting concerning this proposal and to appeal any IEP team decisions or recommendations with which you disagree to the State Department of Education, which will schedule a due process hearing to resolve the issues.



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### Students

#### **Suspension and Expulsion/Due Process (Students With Disabilities)**

Such an appeal must be made in writing addressed to:

Superintendent of Public Instruction  
California Department of Education  
721 Capitol Mall  
P.O. Box 944272  
Sacramento, California 94244-2720

with a copy to the local school district Superintendent and the SELPA Director of  
\_\_\_\_\_ County.

THE WRITTEN APPEAL MUST BE DELIVERED OR POSTMARKED NO LATER THAN  
15 DAYS FOLLOWING THE DATE OF THE IEP MEETING.

7. You also have the right to appeal any decision from the California Department of Education resulting from a fair hearing on the issues with which you disagree to state or federal court. If you are represented by counsel in these proceedings and prevail, you are entitled to be reimbursed for attorney's fees.

\_\_\_\_\_  
District Administrator in Charge  
of Special Education or Principal