

MORGAN HILL UNIFIED SCHOOL DISTRICT

School: _____

Expulsion Due-Process Checklist

Pupil's Name: _____ Grade: _____ Birthdate _____

Parent/Guardian's Name: _____

Street Address: _____ City: _____ Zip Code: _____

Date of Incident _____ Location Incident Occurred: _____

Grounds for expulsion: List all Educational Code 48900 violations

Due Process Actions Taken:

Pre-Suspension Steps		
Step	Date	Initials
Informal pupil conference held prior to suspension (EC 48900).		
Told pupil how incident violated Board Policy/Education Code.		
Questioned witnesses and notes taken for future reference.		
Produced or explained the evidence against the pupil.		
Gave pupil an opportunity to present his/her version and evidence in his/her defense.		
Determined that other means of correction will fail to bring about proper conduct. (EC 48900.5, if applicable)		
Determined that the act is related to school activity or school attendance		
Notified appropriate law enforcement authorities within 24 hours of any acts of the pupil which might have been in violation of Section 245 of the Penal Code (violations of 48900 (c) or (d) (EC 48902).		
Formally informed the pupil that he/she is suspended.		
Set dates of suspension, five days maximum (EC 48911).		

Formal Notice of Suspension Given (EC 48911)		
Step	Date	Initials
Made reasonable efforts to contact parent in person or by telephone at the time of suspension (dates and times noted).		
Within 24 hours, mailed parent written Notice of Suspension.		
Establish a date and time with parent for a conference regarding the behavior of the pupil.		
Forward a copy of the suspension notice to the superintendent of the district.		
Forward a copy of the suspension notice to the superintendent of the district.		
Forward recommendation to expel/not expel to the superintendent of the district (required for acts 48900 a-e; causing serious physical injury, possession of any firearm, knife, explosive or other dangerous object, unlawful sale of any controlled substance or robbery or extortion).		

Pre-Expulsion Steps when Expulsion is Recommended		
Step	Date	Initials
Determine that other means of correction are not feasible or have repeatedly failed to bring about proper conduct.		
Determine that due to the nature of the violation, the presence of the pupil presents a continuing danger to the physical safety of the pupil or others.		
Schedule a pre-expulsion meeting with the pupil, parents, and witnesses prior to the expiration of the pupil's suspension from school.		
If the student is in Special Education		
Schedule an Individual Education Plan meeting for pupil if currently enrolled in a special education program to determine. (Manifestation Determination)		
That the misconduct was not caused by the pupil's identified handicap.		
That the pupil had been appropriately placed at the time of the misconduct.		
Notify parent in writing of the date and time of IEP meeting (Manifestation Determination), at least 48 hours in advance (EC 48915.5).		

Description of Incident (description given in the SIS).

School Personnel Witnessing Incident

(Cite names of school personnel who witnessed the above incident, if any. Attach their statements.)

1. _____
2. _____
3. _____
4. _____

Other Witnesses

(Indicate the names of other witnesses to the incident. Attach their statements.)

1. _____
2. _____
3. _____
4. _____
5. _____

Referral to Other Agencies

(Indicate whether any law enforcement agency or other public agency was involved in this incident and the actions taken by them. Follow up with these agencies to determine the disposition of the pupil, indicate that disposition.)

Was an agency contacted? _____ Which Agency: _____

Physical Evidence

(Include with this report any physical evidence such as weapons, narcotics, etc., relative to this case. Attach photos, copies, videos, etc.)

Attached items:

- | | |
|----------|----------|
| 1. _____ | 3. _____ |
| 2. _____ | 4. _____ |

I.School History of Pupil (Attendance, Grades, and Discipline)

(Include pertinent information concerning pupil adjustment to school such as grades, attendance patterns, office referrals, counseling services given to the pupil, etc. Also include in this section the remedial measure(s) attempted by the school and any standardized test results.)

Attendance Information Attached: _____

Academic Information:

Current Grade Report attached: _____

Transcripts attached: _____

Discipline History Attached: _____

Intervention History Attached: _____

Form Prepared by: _____ Signature: _____