

**DATE:**

August 24, 2023

**AGENDA ITEM (ACTION ITEM):**

Receive the New Board Procedure 09.435 AP.24 – Administrative Hearing Form.

**APPLICABLE BOARD POLICY:**

09.435 - Expulsion

**HISTORY/BACKGROUND:**

KRS 158.150 provides school district superintendents/designees the authority to place a student in alternative placement in lieu of expulsion, or upon the expiration of a student's expulsion, if it is determined that placement of the student in his or her regular setting is likely to substantially disrupt the education process or constitutes a threat to the safety of other students or school staff. The implementation of this procedure will guide the Administrative Hearing Officer in the determination of placement for students who have been determined to be in violation of a Level 4 Code of Conduct behavior violation.

**FISCAL/BUDGETARY IMPACT:**

NA

**RECOMMENDATION:**

Receive the New Board Procedure 09.435 AP.24 – Administrative Hearing Form.

**CONTACT PERSON:**

Todd Dupin, Director of Pupil Personnel

  
Principal/Administrator

  
District Administrator

  
Superintendent

Use this form to submit your request to the Superintendent for items to be added to the Board Meeting Agenda.

Principal –complete, print, sign and send to your Director. Director –if approved, sign and put in the Superintendent's mailbox.

STUDENTS

09.435 AP.24

**Administrative Hearing Form**  
**SUPERINTENDENT/DESIGNEE FOR RECOMMENDED EXPULSION**

Student Name \_\_\_\_\_ Grade \_\_\_\_\_

Referring School \_\_\_\_\_ Dates of Suspension \_\_\_\_\_

Hearing Date \_\_\_\_\_ Code Violation \_\_\_\_\_

Brief Description of Events \_\_\_\_\_

*KRS 158.150 "In lieu of expelling a student, or upon the expiration of a student's expulsion, a superintendent may place a student into an alternative program or setting if the superintendent determines placement of the student in his or her regular school setting is likely to substantially disrupt the education process or constitutes a threat to the safety of other students or school staff."*

**Superintendent/Designee**

- Receives and reviews all required information from the local school regarding a Level 4 infraction to determine if an Administrative Hearing is warranted. YES \_\_\_\_\_ No \_\_\_\_\_
- If YES, communicates with parent/guardian via verbal or written communication, to schedule a Due Process Hearing for the Level 4 infraction that resulted in a recommendation for expulsion.

**Individuals Present at Hearing** \_\_\_\_\_**Hearing Determination**

The student is likely to substantially disrupt the educational process. \_\_\_\_\_

The student constitutes a threat to the safety of other students or staff. \_\_\_\_\_

**Placement Decision**

Student placement is: \_\_\_\_\_ Expulsion Hearing \_\_\_\_\_ Alternative Placement \_\_\_\_\_ Other \_\_\_\_\_

Notes \_\_\_\_\_

**Additional Considerations for Alternate Placement**

- Individual Education Plan services provided. YES \_\_\_\_\_ No \_\_\_\_\_
- Other placement recommendations to include but not limited to:
  - \_\_\_\_\_ Maintain regular attendance at the VLP or through engagement during Performance-based Instruction
  - \_\_\_\_\_ Demonstrate academic effort while at the VLP or Performance-based Instruction
  - \_\_\_\_\_ Abide by the Kenton County School District Code of Conduct and Expected Behavior
  - \_\_\_\_\_ Not permitted to attend or participate in any school or district activities during the time of the contract
  - \_\_\_\_\_ Provide a Consent to Share Form / Release of Information for any outside agencies or providers.
  - \_\_\_\_\_ Participate in counseling sessions with the school counselor
  - \_\_\_\_\_ Mental Health Assessment—Completion Date: \_\_\_\_\_
  - \_\_\_\_\_ Substance Use Screener/Possible Assessment—Completion Date: \_\_\_\_\_
  - \_\_\_\_\_ Safety Assessment—Completion Date: \_\_\_\_\_

**Communication to Parent/Guardian:**

The decision of the Administrative Hearing Officer/Superintendent Designee is final. The parent(s)/guardian(s) of the student have the right to appeal the decision to the Board of Education by requesting an Expulsion Hearing within 10 days of being notified of this decision. This request must be made in writing to the Superintendent/Hearing Officer.

\_\_\_\_\_  
Superintendent/Designee Date