Office of Superintendent of Schools
Board Meeting of May 18, 2005

May 4, 2005

Sonia E. Díaz, Ed.D., Deputy Superintendent
Curriculum and Instruction

**SUBJECT:** **EXPULSION OF STUDENT** **GRADE:** **09**
**CASE NO:** **SM-161 (2004-2005)** **DOB:** **01-30-90**

**COMMITTEE: INSTRUCTIONAL EXCELLENCE & COMMUNITY ENGAGEMENT**

The Superintendent of Schools has recommended that this student be expelled from the regular and adult programs of Miami-Dade County Public Schools (M-DCPS) for the maximum time permitted under law, which is the 2004-2005 school year, 2005 summer session, and the 2005-2006 school year.

The parents were duly notified of the recommendation for expulsion and were given an opportunity for a conference with staff and were advised of their right to a hearing before an impartial hearing examiner. The parents chose not to request a hearing.

The basis for the recommendation is:

The student's battery on a staff member.

This act constitutes a Group VI violation of the Code of Student Conduct.

The student has been assigned to Miami Douglas MacArthur Senior High School-North and will be provided educational services during the term of the expulsion period.

Since the student was not 16 years old at the time of the incident, the student will remain in an opportunity school or alternative program until the term of the expulsion has expired and will then be returned to a regular school program in M-DCPS, if approved by the Office of Exceptional Student Education and Student/Career Services.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida:

1. expel the student specified in the supplemental material SM-161 (2004-2005), furnished under separate cover to Board members, from the regular and adult programs of Miami-Dade County Public Schools for the maximum time permitted under law, which is the 2004-2005 school year, 2005 summer session, and the 2005-2006 school year;

2. provide educational services in an opportunity school or alternative program during the term of the expulsion; and

3. following the term of the expulsion, permit the student to be returned to a regular school program in Miami-Dade County Public Schools, if approved by the Office of Exceptional Student Education and Student/Career Services.

RKF/BB/MIR:mc