

Expulsion/Exclusion Policy

The following behaviors may result in a student being expelled for a period of time as allowed by North Carolina law:

- Causing serious injury to another person
- Habitual misbehavior that causes a major disruption to the educational environment including but not limited to profanity
- Possession, use of, sale of, or furnishing any firearm, knife, explosive or other dangerous object
- Unlawful possession, use or sale of any controlled substance
- Causing, attempting to cause, or threatening to cause physical harm to another
- Causing or attempting to cause damage to school property or private property
- Possessing or using tobacco, alcohol, or a controlled substance
- Robbery or extortion
- Offering, furnishing, or sale of any drug paraphernalia
- Criminal behavior
- Threats of a terrorist nature, hate violence, or hate crimes
- Sexual assault
- Battery

Forms and processes for appealing Expulsion/Exclusion are available in the school office, and are outlined in North Carolina Code.

BA-CFA expects all students to conduct themselves in a civil and socially responsible manner. Disciplinary measures, carried out in accordance with state law, are used to maintain a safe and stable school environment.

Notification of an Expulsion/Exclusion hearing before the administration will be sent in accordance with North Carolina State Law. Formal findings from such a hearing will be explained in writing to the parents and the school director or his/her designee of BA-CFA with stipulations outlining the length of the Expulsion/Exclusion.

Any student who has been expelled pursuant to these provisions shall have the right to appeal to the Board of Trustees as specified in North Carolina State Law. When a student is expelled under the provisions of this section and applies for admission to another school for acceptance, the Head of School of BA-CFA shall notify the head of the receiving school of the reasons for the pupil's Expulsion/Exclusion.

Procedural Due Process for Expulsion/Exclusion

Procedural Due Process is afforded to all students subject to discipline and includes the

following:

1. Opportunity to respond to charges in front of a qualified teacher or administrator of the school
2. Opportunity to present witnesses
3. Notification of all evidence
4. Notification of formal outcome within a certain number of days of hearing
5. Right to appeal

Procedures for all Expulsion and/or Exclusion Hearings

1. A presentation of the evidence against the student is stated by the Hearing Officer (Head of School or Administrative designee) at the school.
2. A presentation by the student and parent or parent's designee (individual) of any defense or mitigating circumstances.
3. Submission of written statements from any person in defense of the student accepted by the Hearing Officer. The student may present witnesses and evidence in rebuttal of the school's allegation to the Hearing Officer.
4. The Hearing Officer records a summary of the facts and disputed evidence.
5. Failure of the pupil and/or parent to appear at the hearing without good cause constitutes a waiver of the hearing and the case is reviewed by the Hearing Officer (Head of School or designee). A decision is rendered on the evidence available.
6. On the day of the hearing, a presentation detailing the reasons for the decision is given to the student and parent or guardian. Formal findings from the hearing officer will be mailed within 10 days of the hearing. The decision may authorize return to school at an earlier date, and may include an alternative educational plan or an evaluation request under Chapter 766.