**NOTICE OF APPEAL OF EXPULSION AND REQUEST FOR HEARING**

Must file within 30 calendar days of the district governing board’s decision to expel

DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

TO: San Diego County Board of Education

Attn: Tracy Schmidt

6401 Linda Vista Road

San Diego, CA 92111

Pursuant to Education Code section 48919 et seq., and San Diego County Board of Education Board Policy No. 5144, a pupil or his or her parent or guardian has the right to file an appeal to the county board within 30 days of being expelled from school. This document shall act as notice of such expulsion appeal and a request for a hearing of said appeal.

Name of expelled pupil: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of birth: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Current grade: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of person filing the appeal (if not the expelled pupil): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Relationship of person filing the appeal to expelled pupil: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of school district from which the pupil was expelled: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Violation(s) cited as cause for expulsion: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of local school board’s action to expel: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Review by the County Board of Education of the decision of the governing board shall be limited to the following (Cal. Educ. Code § 48922):

1. Whether the governing board acted without or in excess of its jurisdiction
2. Whether there was a fair hearing before the governing board
3. Whether there was a prejudicial abuse of discretion in the hearing
4. Whether there is relevant evidence that, in the exercise of reasonable diligence, could not have been produced or that was improperly excluded at the hearing before the governing board

Please provide detailed information (using specific examples) below explaining why you are appealing the expelling district board’s decision, and list the applicable condition(s) above that was/were violated:

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*According to Education Code section 48920, an appeal of an expulsion order shall be heard in closed session, unless the pupil or his/her parent or guardian requests otherwise five days prior to the hearing.*

**Please check the box to the right if you are requesting an open, public session.**

I hereby certify that I will request, as soon as possible after filing this form, that the district provide a certified and complete copy of the transcript of the expulsion hearing and supporting documents.

I further certify that this information is true and correct to the best of my knowledge.

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Printed Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_