For information, advice, or to seek representation, call Vermont Legal Aid or visit our website:

1-800-889-2047
www.vtlawhelp.org

Tips

- You have a right to a lawyer at an expulsion hearing, find one!
- Unless the student has a disability, schools do not have to provide education during suspensions/expulsions, but always ask for homework, make-up work, and tutoring!

Students with Disabilities

- Cannot be suspended for more than 10 days in a row or in a year, unless the school:
  - Reevaluates the student
  - Conducts a hearing to figure out if the behavior is related to the disability
- School must provide adequate educational services!

Students in Transition or Experiencing Homelessness

- Schools cannot have policies that punish students because of homelessness
- Schools cannot have policies that prevent homeless students from going to school
- For help, contact Vermont Legal Aid at 1-800-889-2047

A Project of:

Vermont Legal Aid
The Vermont Poverty Law Fellowship

A GUIDE FOR VERMONT STUDENTS FACING SCHOOL DISCIPLINE
Students in Vermont Can Fight Suspension or Expulsion!

### SUSPENSION AND EXPULSION

- **Suspension:** Up to 10 days
- **Expulsion:** 11-90 days or until the end of the school year, whichever is longer
- **Mandatory 1-Year Expulsion:** Your school board may expel for up to a year if a student:
  - Brings a gun or knife to school or a school activity
  - Brings an explosive device to school or a school activity
  - Makes a bomb threat to the school or school activity

### IMMEDIATE SUSPENSION or EXPULSION

- If you are an immediate threat to yourself, others, property, or the educational environment, the school can suspend or expel without procedures
- **BUT,** you still have rights!
- For help, contact Vermont Legal Aid at **1-800-889-2047**

### Before SUSPENSION, the School Must:

- Explain the charges to the student and parent
- Explain the evidence
- Give students and parents a chance to tell their story
- Give written decision to parent

### Before EXPULSION, the School Must:

- Explain in writing:
  - Charges against student
  - Date, time, place of hearing
  - Right to have a lawyer present
  - Possible penalties involved
- Give students and parents a formal hearing with the school board to:
  - Present evidence
  - Question witnesses
- Give student and parent its decision in writing

### Student and Parent Rights

**Due Process:** Schools must follow certain procedures when they suspend or expel students, such as:
- Give information to parents
- Offer hearings before discipline
- Offer schoolwork, mental health, or substance abuse help
- Give written decisions

**Privacy:** Schools must respect students’ privacy
- In certain situations, schools can search students, bags, phones, electronics, and lockers

**If you don’t request or attend a school board exclusion hearing, you may lose your right to one!**