

# HB23-1291: Expulsion Hearing Practices and Prodedures

Representative Gonzales-Gutierrez, Representative Joseph, Senator Winter, Senator Fields

## KEEP STUDENTS IN SCHOOL & OUT OF DELINQUENCY & CRIMINAL SYSTEMS

HB23-1291 is a legislative proposal to promotes safer communities by:

- keeping students engaged with their education
- promoting best practices for expulsion hearings and providing training for hearing officers

### CURRENT

- No burden of proof in law about what school districts must show.

- No requirements on when a school must share records they intend to use against the student at an expulsion hearing except any time before a hearing, including minutes before.

Before expulsion, school districts **ENCOURAGED** to consider the students'

- age
- disciplinary history
- presence of a disability
- if violation threatened the safety of students/staff
- if a lesser intervention is more appropriate

- Anyone can be an expulsion hearing officer without required training.

### CHANGES

- Clarifies current practices by requiring a preponderance of the evidence in an expulsion hearing.

- Requires the school district to provide the family with all evidence at least 2 business days before the hearing.

**REQUIRES** school districts to consider the students'

- age
- disciplinary history
- presence of a disability
- if violation threatened the safety of students/staff
- if a lesser intervention is more appropriate

- Prohibits conflicts of interest, such as a school representative investigating the student
- Requires annual training on Colorado School Discipline law, special education law, etc.

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