

**R 11-14-9 Superintendent's Authority in Conducting the Hearing**

- ❖ The Superintendent may apply to the circuit judge or magistrate for authority to subpoena witnesses and documents.
- ❖ The Superintendent may lessen the 12 consecutive month mandatory expulsion if the circumstances of the student's case warrant the reduction. The Superintendent must define the special circumstances and present them in writing to the board, the principal, the faculty senate, and the LSIC for the school from which the student was expelled. The Superintendent may use these guidelines to reach a decision:
  - The extent of the student's malicious intent;
  - The outcome of the student's misconduct;
  - The student's past behavior history; and
  - The likelihood of the student's repeated misconduct.  
**(WVC 18A-5-1 and 18A-5-1a)**