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3 **STUDENTS**

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5 Corrective Actions and Punishment

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7 The Board recognizes that every student is entitled to due process rights that are provided by
8 law.

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10 Suspension

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12 The procedure set forth below will be followed when a proposed punishment of a student is to
13 include denial of the right of school attendance from any single class or from a full schedule of
14 classes for at least one (1) day.

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16 Before any suspension is ordered, the Superintendent will meet with a student to explain charges
17 of misconduct, and the student will be given opportunity to respond to the charges.

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19 When a student’s presence poses a continuing danger to persons or property or poses an ongoing
20 threat of disruption to the educational process, a pre-suspension conference will not be required,
21 and the Superintendent may suspend a student immediately. In such cases, the Superintendent
22 will provide notice of and schedule a conference as soon as practicable following the suspension.

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24 The Superintendent will report any suspension immediately to a student’s parent or legal
25 guardian. The Superintendent will provide a written report of suspension that states reasons for a
26 suspension, including any school rule that was violated, and a notice to a parent or guardian of
27 the right to a review of a suspension.

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29 The Superintendent will conduct a review of any suspension on request of a parent or legal
30 guardian. A student and parent or legal guardian may meet with the Superintendent to discuss
31 suspension. After the meeting and after concluding a review, the Superintendent will take such
32 final action as appropriate.

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34 **Students who are suspended from any class or from school entirely do not have the right to**
35 **make up any work missed.**

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37 Expulsion

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39 The Board, and only the Board, may expel a student from school and may do so only after
40 following due process procedures set forth below.

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42 The Board will provide written notice to a student and parent or legal guardian of a hearing to
43 consider a recommendation for expulsion, which will be sent by registered or certified mail at
44 least five (5) school days before the date of the scheduled hearing. The notice will include time
45 and place of hearing, information describing the process to be used to conduct the hearing, and
46 notice that the Board intends to conduct the hearing in closed session unless a parent or legal

guardian waives the student's right to privacy.

Within the limitation that a hearing must be conducted during a period of student suspension, a hearing to consider expulsion may be rescheduled when a parent or legal guardian submits a request showing good cause to the Superintendent at least two (2) school days before a hearing date as originally scheduled. The Superintendent will determine if a request shows good cause to reschedule a hearing.

At hearing the student may be represented by counsel, present witnesses and other evidence, and cross-examine witnesses. The Board is not bound by formal rules of evidence in conducting the hearing.

Procedures for Suspension and Expulsion of Students With Disabilities

The District will comply with provisions of the Individuals with Disabilities Education Act (IDEA) when disciplining students. The Board will not expel any special education student when a student's particular act of gross disobedience or misconduct is a manifestation of a student's disability. The Board may expel pursuant to its expulsion procedures any special education student whose gross disobedience or misconduct is not a manifestation of a student's disability. A disabled student will continue to receive education services as provided in the IDEA during a period of expulsion.

The Superintendent may suspend a child with a disability from the child's current placement for not more than ten (10) consecutive school days for any violation of school rules, and additional removals of not more than ten (10) consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement under 34 CFR 300.519(b), whether or not a student's gross disobedience or misconduct is a manifestation of a student's disabling condition. Any special education student who has exceeded or who will exceed ten (10) days of suspension may temporarily be excluded from school by court order or by order of a hearing officer, if the District demonstrates that maintaining the student in the student's current placement is substantially likely to result in injury to the student or to others. After a child with a disability has been removed from his or her placement for more than ten (10) school days in the same school year, during any subsequent days of removal the public agency must provide services to the extent required under 34 CFR 300.121(d).

The Superintendent may remove from current placement any special education student who has carried a weapon to school or to a school function or who knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function. The District will place such student in an appropriate interim alternative educational setting for no more than forty-five (45) school days in accordance with the IDEA.

Procedure History:

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Reviewed on:

Revised on: