

BOARD POLICY

1. The superintendent and the principal of a school have the power to suspend a student for good cause, including misconduct in the school or on school property (~~as defined in Section 37-11-29~~), on the road to and from school, or at any school-related activity or event, or for conduct occurring on property other than school property or other than at a school-related activity or event when such conduct by a student, in the determination of the superintendent or principal, renders that student's presence in the classroom a disruption to the educational environment of the school or a detriment to the best interest and welfare of the students and teacher of such class as a whole, or for any reason for which such student might be suspended, dismissed or expelled by the ~~school~~ Board under state or federal law or any rule, regulation or policy of the ~~school~~ Board.

2. a. The superintendent, principal or designee may immediately suspend a student for misconduct for no longer than ten (10) consecutive school days, subject to an informal hearing.

b. The superintendent, principal or designee may recommend suspensions for eleven days or more for more serious disciplinary offenses. In such cases, the superintendent, principal or designee may immediately suspend the student for no longer than ten (10) consecutive school days and recommend a long-term suspension, subject to an informal hearing and pending the conclusion of a due process hearing.

~~3. As an alternative to suspension, a student may remain in school by having the parent or guardian, with the consent of the student's teacher or teachers, attend class with the student for a period of time specifically agreed upon by the reporting teacher or principal. If the parent or guardian does not agree to attend class with the student or fails to attend class with the student, the student shall be suspended in accordance with the District policies.~~

DEFINITIONS

Parent: As used in this policy, the term "parent" shall include a natural or adopted parent, a legal guardian or other person having custody of a compulsory-school-age student.

ADMINISTRATIVE PROCEDURE

1. Where the principal did not witness the misconduct or other violations, an investigation shall be ~~made~~ initiated to gather facts, and a written record made of the investigation. ~~making written notes where practicable.~~ Upon completion of the an investigation, or in the discretion of the principal if a suspension is warranted pending completion of the investigation, the principal shall ~~take follow~~ the

following steps with the student:

a. Advise the student of the conduct with which he/she is charged **and** of the specific **District policy(ies)** ~~school regulation or regulation(s)~~ which this conduct violates; **(NOTE: The policy(ies) may be supplemented if the investigation produces information relative to additional policy(ies) / regulation(s) that the student has violated.)**

b. **Allow** the student ~~may then~~ **to** give his/her version of the events; ~~which occurred to refute the allegations of misconduct if possible;~~

c. If at this point the principal is convinced a suspension is necessary, advise the **student** ~~pupil~~ that he/she is suspended for a specific period of time, not to exceed ten (10) days excluding the day the action is taken. ~~The student will be presented with a copy of suspension procedures.~~

d. Advise the student that **his/her** parents will be notified and that the student and his parents are invited to **an informal hearing** ~~confer~~ with the principal at the earliest possible time for the purpose of discussing the suspension and any additional action **that** ~~which~~ is likely to occur.

2. The principal or designee shall then attempt to telephone or personally contact the parent(s) as soon as possible, to notify **him/her**/them of the same information given to the student **(paragraph 1)**.

3. The principal shall ~~then~~ prepare a written **Notice of Suspension**, addressed to the parent(s), restating the ~~same~~ information mentioned in **paragraph 1** above and, if needed, arranging **an informal hearing** ~~conference~~ to discuss events surrounding the suspension with the parent(s).

a. The time, place, and date of the **informal hearing** ~~conference~~ will be stated in the **Notice**, even if the **Notice** will necessarily be received after the **informal hearing** ~~conference~~ has occurred.

b. The original **Notice** shall be mailed to the parents with a copy to the superintendent.

c. Information from the **Notice** shall be input to the student database.

4. **a. The** ~~Also the~~ principal shall advise the parent(s) that if, for any reason, the scheduled **informal hearing** ~~conference~~ does not occur; the parent(s) may contact the principal ~~so as to~~ arrange a new **informal hearing** ~~conference~~.

b. In accordance with law, any parent who refuses or willfully fails to attend the informal discipline conference may be summoned by proper notification by the superintendent or the school attendance officer and be required to attend such discipline conference. Any parent who fails to attend a discipline conference to which he/she has been summoned shall be guilty of a misdemeanor and subject to a Two Hundred Fifty Dollars (\$ 250.00) fine.

5. **The hearing will be conducted in a fair and informal manner.** ~~If a conference occurs, the student and his parent should confer privately with the principal, and the conference should be conducted in a fair and informal manner.~~ **The principal will determine** ~~A determination may be made as to whether alleged wrongful~~

conduct actually occurred, whether there are mitigating or extenuating circumstances and whether or not the conduct violated the stated regulations District policy(ies) and/or regulation(s). Based on these determinations, the informal hearing conference may result in a decision by the principal as to whether that the best interests of the student and the school are served by continuation of the suspension, termination of suspension, excusing or not excusing the resulting absences, or other disciplinary or remedial action. The principal must be guided by the necessity to achieve the best interests of the student and the school and to promote the educational process.

6. Upon the termination of the period of suspension, the principal shall prepare a brief report supplementing the original Notice of Suspension, describing the course of events, the substance of any conferences and the concluding decision of the principal. A copy of this report shall be filed in the principal's office and a copy forwarded to the superintendent.

7. a. If the superintendent or designee principal deems the offense of such gravity as to require suspension for a period of more than ten days (placement at the Alternative School or expulsion), the student or parent(s) may request a due process hearing in accordance with District policy. ~~a district hearing may be requested by the student or his parents. A written notice of the charges will be prepared and sent to the parents advising of the hearing time and place.~~

b. If the student offense involves threat of harm to self or others or threat of destruction of property, an outside evaluation by a licensed psychologist or psychiatrist will be required before such hearing will take place. The evaluation must include a statement of whether the student, in the opinion of the examiner, is a threat to self, to others or to property.

8. A principal may suspend a student without affording him the notice and hearing provided above where the student is obviously intoxicated, under the influence of drugs, mentally deranged, or where his presence otherwise poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process. In such cases, however, the hearing referenced above shall be provided as soon as practicable, preferably not later than the next school day.

9. A suspended student shall not trespass upon any school campus or enter into any other school building except for a pre-arranged conference with a principal.