
DESCRIPTOR TERM:

District 370 Policy
File Code: 8.70

Students

Suspension

1993 5-10-93

I. PURPOSE

The Board of Trustees, Homedale School District No. 370, recognizes that a student is entitled to attend a free public school and that denial of that right even on a temporary basis requires careful attention to protect the individual rights of the students. However, the Board of Trustees is also responsible for the operation of an orderly school process and for the safety of all students and personnel of the school district. The Board of Trustees is empowered to provide for temporary suspension and for expulsion of students after a careful study of circumstances shows that such action is necessary for the protection of the rights of other students to an orderly operation of the school process or for the protection of the safety of other students. These procedures regarding suspension and expulsion are adopted as the procedures for implementation of the Board of Trustees.

II. DELEGATION OF SUSPENSION POWER

The Board of Trustees is empowered to delegate to the superintendent of the district and to the various principals throughout the district the authority to temporarily suspend students. The board does hereby delegate that power of suspension to the superintendent of the district and to the principals. No person other than the superintendent of the district, a principal of the school within the district, or the Board of Trustees may suspend any student from school.

III. GROUNDS FOR SUSPENSION

- A. A student may be suspended for disciplinary reasons, for continually refusing to obey the rules or policies of the school district or when in the judgment of the superintendent or principal, the suspension will prevent the disruption of the orderly school process within the school attended by the student.
- B. A student may be suspended when in the judgment of the superintendent or principal, the suspension is necessary to protect the rights and safety of the student or other students and personnel of the school or district.

IV. PROCEDURE FOR SUSPENSION

- A. Where the suspension is necessary for the safety of the student or other students and personnel.

1. When in the judgment of the superintendent or principal, it is necessary to suspend a student in order to protect the safety of that student or other students and personnel of the school or district, the superintendent or principal will advise the student of the proposed suspension and the reasons for it during an informal meeting held by the superintendent or the principal with the student.
2. During this informal meeting with the superintendent or principal, the student will be given the opportunity to challenge the reasons for the proposed suspension and to explain the circumstances surrounding the event.
3. If after the student is given the opportunity to challenge the reasons, the superintendent or principal determines that the proposed suspension shall be imposed, the student will be given a complete explanation as to the period of the suspension and any terms or conditions required to lift the suspension.
4. Immediately following imposition of the suspension, the parents or guardian of the student shall be notified of the action taken, the reasons for such action, and the period of suspension.
5. When the student's actions pose a threat of imminent danger to the student or to other students and personnel of the school or district, an appropriate law enforcement officer shall be notified immediately of the proposed suspension and the reasons for it.
6. If the circumstances warrant such action, the superintendent or principal shall also notify the county prosecuting attorney's office or juvenile probation office of the suspension and the reasons for it.
7. The Board of Trustees shall also be notified of the suspension, the reasons therefor, the response of the student, if any thereto, and the period of suspension.

B. Procedures as to all other grounds for suspension.

1. When the suspension is for disciplinary reasons, for continually refusing to obey the rules or policies of the school district or for the purpose of prevention of disruption of the orderly school process other than a reason which creates danger for the student or other students and personnel of the school or district, the superintendent or principal, prior to suspension, will advise the student of the proposed suspension and the reasons therefore.
2. At such informal hearing the student shall be given the opportunity to challenge the reasons for the proposed suspension and to explain the circumstances surrounding the event.

3. If after the informal hearing, the student is suspended, a complete explanation of the suspension and the reasons therefor shall be given to the student, as well as an explanation regarding any terms or conditions required to lift the suspension.
4. If it is determined that suspension is to be imposed, the principal or superintendent should make a reasonable effort to contact the student's parents or guardian by telephone to advise them of the action taken and the reasons therefor. The parents or guardian should be given the opportunity to pick the student up from the school premises. Written notice describing the reasons for the suspension, the terms of the suspension, and the terms or conditions required to lift the suspension should be given to the student to be delivered to the parents or guardian and should also be mailed to the parents or guardian. That written notice shall also advise the parents or guardian of their right to challenge the action and to request a conference with the principal or superintendent imposing the suspension and to a subsequent hearing before the Board of Trustees if, following the conference, they still feel that the student has been wrongfully suspended.
5. The Board of Trustees shall be notified of any suspension, the reasons therefor, the response of the student, if any, to the suspension, the term of the suspension and the terms or conditions required to lift the suspension.

V. PERIOD OF SUSPENSION

A suspension by the superintendent or principal shall not exceed five (5) school days, unless the superintendent or principal requests extension of the suspension from the Board of Trustees.

VI. CHALLENGE OF SUSPENSION

- A. If the parents or guardian requests a conference with the superintendent or principal regarding the suspension, an informal hearing should be scheduled within three (3) school days after receipt of the request by the superintendent or principal.
- B. The hearing with the superintendent or principal shall be informal. The superintendent or principal shall advise the parents or guardian of the reasons for the suspension, the student's response to the reasons, if any, and the reason why the suspension was imposed after the student explained the incidents.
- C. The parents or guardian shall be given the opportunity to challenge the reasons and to explain the circumstances surrounding the event. If at the conclusion of the conference, the superintendent or principal determines that the suspension shall stand, and the parents or guardian still desires to challenge the suspension, the parents or guardian must advise the superintendent or principal of his or her decision or file a notice of challenge with the clerk of the district. At that time, the superintendent or principal shall also advise the parents or guardian and the student of the procedure for expulsion.

- D. If the parents or guardian advises the superintendent or principal that he or she wishes to challenge the suspension before the Board of Trustees, the superintendent or principal shall immediately notify the board. In that event or upon the filing of a notice of challenge by the parents or guardian with the clerk of the district, the board shall schedule a hearing within a reasonable period of time, not to exceed five (5) school days, and give advance notice of the date, time and place of the hearing to the parents or guardian and the student.
- E. The hearing before the Board of Trustees shall be informal. At the hearing the superintendent or principal shall advise the board of the reasons for the suspension, and the parents or guardian and student shall be given the opportunity to challenge the reasons for the suspension and to explain the circumstances surrounding the incidents giving rise to the suspension.
- F. If at the conclusion of the informal hearing, the Board of Trustees determines that suspension is warranted, the full term of the suspension shall be carried out. If the board determines that suspension is not warranted, the student shall be unconditionally readmitted, and the information pertaining to the incident expunged from his or her permanent school record.

HOMEDALE SCHOOL DISTRICT #370

REQUEST FOR PROLONGED TEMPORARY SUSPENSION

Date: _____

Board of Trustees
Homedale School District #370
116 East Owyhee Ave.
Homedale, ID 83628

Re: _____
Student's Name

SUSPENSION. On (date) _____ the above named student was temporarily suspended for committing acts described on the attached Exhibit A.

REQUEST FOR PROLONGED SUSPENSION. The undersigned requests that the Board prolong the temporary suspension for up to another five (5) school days.

I base this request for the following reasons:

Signature

c: Student File
Parents