

Corrective Actions and Punishment

It is the intent of the Board to provide each student with those due process rights that are provided by law.

Probation

Students that violate school rules may be placed on probation for a period of time. Probation can run from one (1) to six (6) weeks. If a student breaks his/her probation, as defined by the principal, he/she might face either detention or possible suspension from school.

Suspension

The Board hereby authorizes and empowers the Superintendent or the Principals of the various schools of this District, to temporarily suspend a student for a period of time not to exceed five days. By statute the Superintendent is also authorized to use a Prolonged Temporary Suspension an additional ten (10) school days. In addition, such temporary suspension may be continued for up to five (5) more school days, but only if the Board of Trustees finds that immediate return of the student to the classroom would be detrimental to other students' health, welfare and safety. Such Prolonged Temporary Suspension could also be used to extend a suspension until an expulsion hearing could be conducted. Suspension by either the Superintendent or Principal shall be in accordance with the following:

1. A student may be suspended for disciplinary reasons or for conduct disruptive to the educational process.
2. A student may be suspended only after an informal hearing conducted by the Principal. The informal hearing shall, at a minimum, consist of an oral notice of the hearing with an opportunity for the student to present his/her side of the issues; a decision by the Principal with rationale based on the facts of the incident giving rise to the hearing.
3. The Superintendent or Principal who suspended him/her by prescribing reasonable conditions for readmission may readmit a suspended student.
4. The Principal who suspends a student shall provide the Superintendent with a copy of the discipline referral notice.
5. Notification of suspension shall be mailed to the student's parent or guardian on the day of the suspension or on the day following. Such notice shall state the reason of the suspension and the conditions, if any, upon which the student may be readmitted. If there is a conference with the parent/guardian, the substance of the conference shall be documented in the student's file.

Return to School: The Principal who suspended him/her, upon such reasonable conditions as may be prescribed, may readmit to the school any student who has been suspended. Any student

returning to school after a suspension must report directly to the Principal's office. A parent or guardian should accompany the student to the Principal's office, if possible, to discuss the conditions necessary for the student to remain in school.

During the duration of the suspension from school, the student will not be allowed to enter the school without prior authorization, or to attend any school functions or activities. Work missed must be handed in upon return. Certain participatory activities cannot be made up.

In-School Suspension of Students

Application of an in-school suspension in the Shoshone Schools is intended as a means of punishment for violations of certain school rules. The primary function of this punishment is to remove the violator from contact with the rest of the student population for a period of time. In a sense, it is a temporary deprivation of the right to be included in normal student activities, including the socialization process. During the duration of the in-school suspension, the student will not be allowed to attend any school functions or activities.

Although a period of in-school suspension is not intended to be an overly harsh method of punishment, neither is it designed to be a particularly pleasant time. Prior to beginning an in-school suspension, each student will be required to visit with each teacher and obtain all assignments on which he/she is to work while serving the in-school suspension. The entire period of suspension spent by the student must be used to complete missed schoolwork.

Expulsion

A student may be expelled from school only by the Board, and only after the following due process procedures have been followed:

1. The student and parent or legal guardian shall be provided written notice of the Board hearing to consider the recommendation for expulsion, by registered or certified mail at least five (5) school days before the date scheduled for the hearing. The notice shall include the grounds for the proposed expulsion, the time and place of the hearing, information describing the process to be used to conduct the hearing, including the rights of the student to be represented by counsel, to produce witnesses and submit documentary evidence and the right to cross-examine adult witnesses who testify against the student.
2. Within the limitation that the hearing must be conducted during the period of suspension, an expulsion hearing may be rescheduled by the parent or legal guardian by submitting a request showing good cause to the Superintendent at least two (2) school days prior to the date of the hearing as originally scheduled. The Superintendent shall determine if the request shows good cause.

3. At the hearing, the student may be represented by counsel, present witnesses and other evidence, and cross-examine adult witnesses. Formal rules of evidence are not binding on the Board.

Procedures for Suspension and Expulsion of Students with Disabilities

The District shall comply with the provisions of the IDEA when disciplining students. No special education student shall be expelled if the student's particular act of gross disobedience or misconduct is a manifestation of the student's disability. Any special education student whose gross disobedience or misconduct is not a manifestation of the student's disability may be expelled pursuant to expulsion procedures, except that the disabled student shall continue to receive education services as provided in the IDEA during such period of expulsion.

A special education student may be suspended for ten (10) days of school per incident, regardless of whether the student's gross disobedience or misconduct is a manifestation of the student's disabling condition. Any special education student who has or will exceed ten (10) days of suspension may be temporarily 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 others. The student shall continue to receive educational services in accordance with the IDEA during such period of suspension.

A 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 may be removed from the student's current placement. Such a student shall be placed in an appropriate interim alternative educational setting for no more than forty-five (45) days in accordance with the IDEA.

Procedure History:

Promulgated on: June 10, 2008

Revised on: