

SUSPENSION OF STUDENTS

It is the policy of the Board of Education that the superintendent or designee may suspend from school a student whose conduct disrupts the academic atmosphere of the school, endangers or threatens fellow students, teachers, or officials, or damages the property of another. Any student who violates the policies or regulations of the school may be suspended up to the remainder of the current semester and the succeeding semester or for one (1) calendar year for the possession of a gun in violation of the Gun-Free Schools Policy (see policy Gun-Free Schools).

The superintendent has developed regulations at the direction of the school board. Such regulations shall include provisions for the appeal of suspensions. Students suspended for periods greater than 10 days (long term) will be provided the right to appeal such suspension to the board of education. Students suspended for periods of 10 days or less (short term) may appeal such suspension to the superintendent as outlined in the attached regulations. The superintendent may delegate authority for suspensions of students to building principals.

SUSPENSION OF STUDENTS (REGULATION)

In accordance with the policy of the board of education, the following regulations shall govern the suspension of students from school.

The authority to suspend a student from a school in the school district is delegated to the respective building principals.

1. Any student may be suspended for:
 - Acts of immorality
 - Violations of policy or regulations
 - Possession of an intoxicating beverage, low-point beer (37 O.S. §163.2) (See policy Reporting Students Under the Influence of Possessing Low-Point Beer, Alcoholic Beverages, or Controlled Dangerous Substances)
 - Possession of a wireless telecommunication device in violation of school rules (See policy Wireless Telecommunications Devices Prohibited)
 - Possession of missing or stolen property if the property is reasonably suspected to have been taken from a student, a school employee, or the school during school activities
 - Possession of a dangerous weapon or a controlled dangerous substance (Uniform Controlled Dangerous Substances Act) (See policies Reporting Students Under the Influence of Possessing Low-Point Beer, Alcoholic Beverages, or Controlled Dangerous Substances and Gun-Free Schools)
 - Possession of a firearm shall result in out-of-school

suspension of not less than one year (See policy Gun-Free Schools)

Any act which disrupts the academic atmosphere of the school, endangers or threatens fellow students, teachers, or officials, or damages property

Adjudication as a delinquent for a violent or non-violent offense

2. A full suspension shall not extend beyond the present semester and the succeeding semester except for violations of the Gun-Free Schools Act which provides suspensions for up to one calendar year or longer. (See policy Gun-Free Schools)

3. Except under circumstances which require the immediate removal of a student or students, the parent(s) or legal guardian(s) shall be informed before a student is released from school.

4. Any student who has been adjudicated as a delinquent for a violent offense or non-violent offense and has been removed from a public or private school in this state or any other state for such act, will not be enrolled in the district until such a time as that student no longer poses a threat to self, other students, or faculty.

5. Students suspended out-of-school who are on an individualized education plan pursuant to IDEA, P.L. No. 101-476, shall be provided the education and related services in accordance with the student's IEP.

6. A student who was suspended for a violent offense which is directed towards a classroom teacher shall not be allowed to return to that teacher's classroom without the approval of that teacher.

Procedural steps to suspension

Before a student is suspended from school, the principal of that school shall consider and apply if appropriate, alternative in-school placement options that are not to be considered suspensions. Such placements can include an alternative school setting, reassignment to another classroom, or in-school detention. If such alternate placement is rejected, written justification must be placed in the student's permanent record.

1. Probation. A student may be placed on probation with or without additional disciplinary action. If probation is elected by the principal as a suitable alternative to suspension, both the student and the parent(s) shall be notified of the probation and the reasons therefor.

2. In-school placement is an alternative to out-of-school

suspension. In-school placement will be imposed by the student's principal and the student will be placed in a supervised, structured environment. This placement will not be considered suspension and may include an alternative school setting, reassignment to another class room, or In-school detention. Both the student and the parent(s) shall be notified of the placement, the reasons therefor, and the right to appeal the placement to the suspension committee.

3. Out-of-school suspension. A student may be suspended from school for the remainder of the current semester and the entirety of the succeeding semester. If out-of-school suspension is prescribed, the building principal must justify in writing why in-school placement was not appropriate. Both the student and the parent(s) shall be notified of the suspension, the grounds therefor, and the right to appeal the suspension. A student suspended out-of-school will be placed in a supervised, structured environment in either a home-based school work assignment setting or another appropriate setting. If a student is suspended out-of-school for five (5) days or less the district may provide an education plan. If a student is suspended for more than five (5) days and is found guilty of acts as described above, the school administration shall provide the student with an education plan designed for the eventual reintegration of the student into school which provides for the core units in which the student is enrolled. The minimum core units shall consist of English, mathematics, science, social studies, and art. The plan shall set out the procedure for education and shall address academic credit for work satisfactorily completed. A copy of the plan shall be provided to the student's parents or guardian, and the parents or guardian shall be responsible for the provision of a supervised, structured environment in which the parent or guardian shall place the student and bear responsibility for monitoring the student's educational progress until the student is readmitted to school. The student shall be ineligible to participate in extracurricular activities while suspended from school.

Appellate Procedures

Any student who has been suspended under the steps listed above, or the student's parent(s) may appeal the suspension to the suspension committee if the period of suspension is ten days or less, or to the board of education if the suspension is for more than ten days. The following procedures shall govern the appellate process:

1. The student, or the student's parent(s) shall notify the superintendent as soon as possible following the suspension or the notice of the intent to suspend of their intent to appeal the

suspension.

2. Upon receiving notice of a student's or parent(s)' intent to appeal, the superintendent shall advise the suspension committee (short term) or the president of the board of education (long term). The appeal shall be heard within ten days from the date the notice of intent is filed with the superintendent. The superintendent., at his/her discretion, may permit the suspended student to attend classes pending the outcome of the appeal.

3. During the hearing of the appeal, the student may be represented by legal counsel or other adult representative; may examine witnesses on his/her own behalf, cross examine opposing witnesses, and offer other evidence in the student's behalf including his/her own testimony.

4. The suspension committee (short term) or the board of education (long term) shall uphold the suspension, modify the terms of the suspension, or overrule the suspension. The student and the student's parent(s) shall be notified within five school days of a decision.

5. Decisions of the suspension committee may not be appealed to the Board of Education.

Appeal for Reinstatement

Students who have been suspended for the remainder of a semester, or more, may petition the superintendent for reinstatement. The superintendent may, in his/her discretion, schedule an informal hearing with the concerned principal. At the hearing, the student may present evidence of attitude or behavior modification which would support reinstatement. The superintendent and the principal may recommend the reinstatement of the student or denial of reinstatement and submit a written report of the informal hearing to the board of education. The board shall take whatever action it deems appropriate.

Suspension Appeals Committee

A suspension appeals committee is hereby established which would consist of administrators or teachers or a combination of administrators and teachers. The members of the committee will be appointed by the superintendent and may include the superintendent.

NOTE:

70 O.S. §24-102 states that a student who has been suspended from a public or private school in the state of Oklahoma or another state for a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or

other students shall not be entitled to enroll in a public school of this state, and no public school shall be required to enroll such student, until the terms of the suspension have been ~~me~~SUSPENSION OF DISABLED STUDENTS expired.

1. Short-Term Suspensions

The school district may suspend a disabled student for a period of ten consecutive school days or less for any conduct that would warrant suspension for a non-disabled student.

2. Long-Term Suspensions

Before implementing the suspension of a disabled student for more than ten consecutive school days, the school district will notify the student's parent or guardian in writing of the proposed suspension and convene a meeting of the student's Individual Education Plan team. The I.E.P. team will determine whether additional evaluation of the student is necessary and whether the misbehavior for which suspension is proposed is caused by the student's disability.

3. Emergency Suspensions

If the student poses an immediate threat to his or her own safety or to the safety of others, the school district may immediately suspend the student for up to ten school days. During the suspension period, the student's I.E.P. team will meet to determine whether the misbehavior is caused by the student's disability and whether further evaluation is necessary.

4. Relationship Between Misbehavior and Disability

A. Misbehavior Caused by Disability

If the I.E.P. team determines that the student's misbehavior is caused by his or her disability, the team will consider whether the student's current educational placement is appropriate and what, if any, modifications to the I.E.P. should be made. These modifications may include a more restrictive placement. If the I.E.P. team determines that the student's placement should be modified, the school district will give the student's parent or guardian written notice of the proposed modification and allow at least ten calendar days for response. The school district will also advise the parent that the student is entitled to all due process procedures available under the Individuals with Disabilities Education Act ("IDEA") and applicable state policies and procedures. The school district will maintain the student's current placement during the ten-day period, unless the student's parent or guardian agrees to the modification before the period expires or an emergency

suspension is necessary under section 3 or 5 of this policy. If the I.E.P. team determines that the student's disability caused his or her misbehavior, the school district will not suspend the student as discipline for the misbehavior.

B. Misbehavior Not caused by Disability

If the I.E.P. team determines that the misbehavior is not caused by the student's disability, the child may be suspended from school as discipline for the misbehavior. If the school district proposes a suspension that will cause the student's days suspended to total more than ten during the current school year, the school district will give the student's parent or guardian written notice of the proposed suspension and allow at least ten calendar days for response before implementing the suspension. The school district will also advise the student's parent or guardian that the student is entitled to all due process procedures available under IDEA and applicable state policies and procedures as well as the due process rights available to a disabled student for whom suspension has been recommended. The school district will not implement the suspension during the ten-day period, unless the student's parent or guardian agrees to the suspension before the period expires or an emergency suspension is necessary under Section 3 or 5 of this policy.

5. Stay Put

If either the student or the school district initiates due process proceedings under the IDEA, the student will remain in his or her current educational placement until those proceedings have been completed, unless the school district and the parent or guardian agree otherwise. However, if the student poses an immediate threat to his or her own safety or the safety of others, the school district may bring civil action to enjoin the student from attending school for the duration of the due process proceedings or to seek other appropriate relief.

6. Continuing Educational Services

The school district will not provide educational and/or related services to disabled students during short-term suspensions. The school district will provide appropriate educational and/or related services during long term suspensions to any student who is categorized as disabled under the IDEA, whether or not the student's misbehavior is caused by his or her disability. The student's I.E.P. team will determine an appropriate educational program for the student during the term of the suspension.

7. Multiple Suspensions

The school district may suspend a disabled student for multiple periods of ten consecutive school days or less. when the student has been suspended for a total of 11 days during the current school year, the school district will implement the procedures described in Section 3 and 4 of this policy for any subsequent suspension.

8. Suspension from Transportation

The school district may suspend a disabled student from transportation as a disciplinary measure.

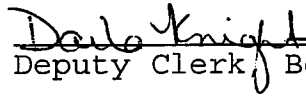
Adopted: August 3, 1998



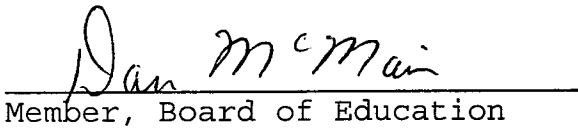
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