### STUDENT SUSPENSIONS - PROCEDURAL RULES AND REGULATIONS

The principal shall have authority to suspend any pupil who is guilty of any of the following acts while in attendance at such school or in transit by school transportation or under school supervision to or from school or any school function authorized by the school district or when present on any facility under the control of the school district. The principal shall conduct an informational conference by telephone or in person with the student and/or parent/legal guardian for any suspension of three school days or less.

1. Immorality or profanity

2. Truancy

3. Violation of written school rules, regulations, or policies

4. Assault upon another student or person

5. Possession, threat, or use of a dangerous weapon as defined by the State Statute

6. Possession, distribution, or under the influence of any narcotic drug, stimulant, barbiturate, or alcohol

7. Conduct disruptive to the operation of school

8. Conduct which jeopardized the safety of others

9. Willful disobedience of the request of any school official in the performance of such school official's duties.

The constitutional rights of individuals assure the protection of due process of law: therefore, any student suspension involving four or more school days is entitled to this system of constitutionality and legally sound procedures.

**The administration of discipline in the school district:**

1. The hallmark of the exercise of disciplinary authority shall be fairness. Every effort shall be made by

administrators and faculty members to resolve problems through effective utilization of school district

resources in cooperation with the student and his/her parent or guardian.

2. A teacher has the authority to remove a student from class temporarily. If possible, the teacher shall

accompany the student to the office of the principal and shall file with a principal a written statement of

reasons for the student's removal from class. The principal shall determine whether to reinstate the student in

class, reassign him/her, or take other disciplinary action.

3. Guidelines for due process procedure in student suspension from school:

Step 1 - Evidentiary Hearing: Prior to any suspension, a student shall be given an oral or written notice of the

charges against him/her. The student shall have an opportunity to present his/her version of the incident or

circumstances involved in the accusation.

Step 2 - Following the evidentiary hearing with the student, an informal conference with the parent, student,

and principal or his/her designee shall be scheduled in an effort to resolve the matter. The parents shall be

notified by certified mail concerning the conference (Appendix 1). The principal shall make and retain a

record of the conference. If the matter is resolved without suspension, then no further action is necessary at this

time.

Step 3 - If the matter is not resolved during the information conference, and the principal decides upon the

suspension, then the parent shall be notified of the action by certified mail by the principal (Appendix 2). The

letter shall set forth the right to appeal to the board of education, that the student has a right to a closed

hearing, the right to an attorney, and a clear concise statement of the evidence to be presented to the board.

Step 4 - Should a parent desire to appeal the action to the board of education, and notify the clerk of the board

of that wish, the clerk shall schedule a hearing before the board of education and shall notify the student and

his/her parents or guardian as to the time, place, purpose of the hearing, and that on request, a closed hearing

will be held. The following guidelines shall be used in the hearing procedure:

1. The charges against the student shall be stated in clear and concise terms and must be in writing.
2. A parent or legal guardian of the student shall be present at the hearing, and legal counsel may be present

and represent the student if desired.

c. The student shall be allowed to observe all evidence offered against him/her and cross examine.

d. The student shall be given an opportunity to present his/her case in the fullest manner.

e. The board of education shall state at the end of the hearing after closed deliberation, its findings as

1. whether the student is guilty or innocent. ( 25 O.S.A. 307 )

**General Considerations**

1. If the student is over 18 years of age, said student shall be accountable and not his/her parents.

(70 O.S.A. 307)

b. Any student with IEP shall begin the procedure with a placement committee meeting. (70 O.S.A. 24-101)

c. No suspension shall be for more than through the last day of the next succeeding semester.

1. (70 O.S.A. 24-102)

d. Any hearing with the board must be held within ten days, unless the student requests an extension.

**Emergency Suspension:** The principal, or his/her assistant in charge, is authorized to involve an emergency suspension when the presence of the student at school is disruptive or threatening. In cases of emergency suspension, the parents should be contacted immediately by telephone, if possible, followed by written notification by certified mail (Appendix 3). Regular due process procedure should follow this action, except that the student is not permitted to return to class during the hearing procedure.