

Corrective Actions and Punishment

All students shall submit to the reasonable rules of the District. Refusal to comply with written rules and regulations established for the governing of the school and any other conduct disruptive of good order or the instructional effectiveness of the school shall constitute sufficient cause for discipline, suspension, or expulsion.

For the purposes of the District's policies relating to corrective action or punishment:

1. "Temporary Suspension" is the exclusion from school or individual classes for a specific period of up to five (5) school days. The Superintendent, principal, or designee may temporarily suspend.

The Superintendent or the Principal of any school may temporarily suspend any pupil for disciplinary reasons, including student harassment, intimidation or bullying, or for other conduct disruptive of good order or of the instructional effectiveness of the school. Prior to suspending any student, the Superintendent or Principal shall grant an informal hearing on the reasons for the suspension and the opportunity to challenge those reasons. Any pupil who has been suspended may be readmitted to the school by the Superintendent or Principal who suspended him or her on reasonable conditions prescribed by the Superintendent or Principal. The Board of Trustees shall be notified of any temporary suspensions, the reasons for them, and the response to them.

2. "Extended Temporary Suspension" is the exclusion from school or individual classes for an additional ten (10) school days. The Superintendent can extend an initial temporary suspension.
3. "Prolonged Temporary Suspension" is the exclusion from school or individual classes for an additional five (5) school days. The Board of Trustees can extend a temporary suspension for an additional five (5) days and only upon a finding that immediate return to school attendance by the temporarily suspended student would be detrimental to other pupils' health, welfare, or safety.
4. District Discipline Review Committee (DDRC) is a committee composed of school and District personnel established for the purpose of conducting due process hearings of student misconduct cases referred by the school principal or designee and make referrals to the administrative staff. A DDRC will be organized by the superintendent or designee who will serve as chair/facilitator. The DDRC is available if and when the building administrator determines it is an essential step prior to expulsion. (See DDRC Procedures 3340P.)

5. “Expulsion” is the exclusion from school. Only the Board of Trustees has the authority to expel or deny enrollment to any pupil who is an habitual truant, whose conduct is such as to be continuously disruptive of school discipline or of the instructional effectiveness of the school, or whose presence is detrimental to the health and safety of other pupils, or who has been expelled from another school district in the State of Idaho or any other state. The District will provide written notice of any student who is expelled or denied enrollment to the prosecuting attorney within five (5) days of the Board’s actions. No pupil shall be expelled nor denied enrollment without the Board of Trustees having first given written notice to the parent or guardian of the pupil stating the grounds for the proposed expulsion or denial of enrollment and the time and place where such parent or guardian may appear to contest the action of the Board. The notice shall also state the rights of the pupil to be represented by counsel, to produce witnesses and submit evidence on his own behalf, and to cross-examine any adult witnesses who may appear against him. Within a reasonable period of time following such notification, the Board of Trustees shall grant the pupil and his or her parents or guardian a full and fair hearing on the proposed expulsion or denial of enrollment. However, the Board of Trustees shall allow a reasonable period of time between notification and the hearing to allow the pupil and his or her parents or guardian to prepare their response to the charge.

6. “Discipline” constitutes all other forms of corrective action or punishment, including brief exclusions from a class for not more than the remainder of the class period and exclusion from any other type of activity conducted by or for the District. Discipline shall not adversely affect specific academic grade, subject, or graduation requirements, as long as all required work is performed.

Suspensions or expulsions shall be used only for instances of serious student misconduct.

Students with disabilities may also be suspended under these same rules if the suspension will not constitute a change in placement. Refer to Policy 3360 Discipline of Students with Disabilities.

Once a student is expelled in compliance with District policy, the expulsion shall be brought to the attention of appropriate local or state authorities, in order that such authorities may address the student’s needs.

No student shall be expelled, suspended, or disciplined in any manner for any act not related to the orderly operation of the school or school-sponsored activities or any other aspect of the educational process.

Cross Reference:	3360	Discipline of Students with Disabilities
Legal Reference:	20 U.S.C. 1400, et seq.	Individuals with Disabilities Education Act
	I.C. § 20-527	School Trustees to Report Truants
	I.C. § 33-205	Denial of School Attendance
	I.C. § 33-512	Governance of Schools
	I.C. § 33-1630	Requirements for Harassment, Intimidation, and Bullying Information and Professional Development

Goss v. Lopez, 419 U.S. 565 (1975)
Honig v. Doe, 108 S. Ct. 592 (1988)

Policy History:

Adopted on: 10/6/14

Revised on: 3/7/16, 4/4/16, 9/10/18

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.

Suspension

In the event the proposed punishment of a student is to include denial of the right of school attendance from any single class or full schedule of classes for at least one (1) day, the following procedure shall be used:

1. Before suspension, the student shall be provided a conference during which the charges will be explained and the student will be given the opportunity to respond to the charges.
2. A pre-suspension conference is not required and the student can be immediately suspended when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such cases, the notice and conference shall follow as soon as practicable.
3. Any suspension shall be reported immediately to the student's parent or legal guardian. A written notice of suspension shall state the reasons for the suspension, including any school rule which was violated, and a notice to the parent or guardian of the right to a review of the suspension. A copy of the notice shall be sent to the Superintendent.
4. Upon request of the parent or legal guardian, a review of the suspension shall be conducted by the Superintendent. At the review, the student and parent or legal guardian may appear and discuss the suspension with the Superintendent. After the meeting, the Superintendent shall take such action as appropriate. That action is final
5. A suspended student will be allowed to make up all work missed for full credit in a timeline to be determined by the teacher and suspending administrator.
6. The suspension of a student may be extended by the Superintendent or the Board in accordance with State law. Written notice of the extension of a suspended student will be provided to the student's parent/legal guardian.

Any student who has been suspended may be readmitted to the school by the Superintendent or the principal who suspended him or her upon such reasonable conditions as the Superintendent or principal may prescribe. The Superintendent or designee will be notified of any temporary suspensions, the reasons therefore, and the response, if any, thereto.

The Superintendent will provide the Board with an annual suspension report.

District Discipline Review Committee (DDRC)

1. The purpose of the DDRC:

The DDRC is a Level III discipline intervention that is convened after an individual school has exhausted all building level remedies. Students may be referred to the DDRC because of the severity of an offense or series of offenses. The DDRC conducts hearings of student misconduct referred by the school principal and makes “next step(s)” recommendation(s).

2. Decision to request DDRC:

The Director of Secondary Education or designee must confer with the principal regarding what happens and post actions.

3. The Rights of the Student and his/her parents in a DDRC Hearing:

Board Policy 3340 defines the student’s right to Due Process.

At the DDRC meeting, the student has a right to have present his/her parents and/or other such advocate as he/she chooses. These rights should be given to the student in writing at the same time he or she is notified of the DDRC meeting (see #4). A copy of the Due Process rights statement is attached. Similarly, students on an Individual Education Plan (IEP) or a 504 Plan should also be given a copy of their rights – Procedural Safeguards Notice and 504 Parent/Student Rights Statement, respectively. Copies of these statements are attached.

4. Student and Parent Notification of a DDRC Hearing:

The administrator requesting the DDRC is responsible for notifying the student and his/her parents both by telephone and by letter. This including providing them a copy of their rights to Due Process. Parents of students on an IEP should also be given a copy of the Procedural Safeguards Notice. Parents of students on a 504 Plan should also be given a copy of the 504 Parent/Student Rights Statement.

5. Membership of the DDRC:

The DDRC is a district committee that is composed of the following members:

- Director of Secondary Education or designee who acts as chair
- Principal or designee of the school requesting the DDRC action who assembles the committee
- One administrator from another building of the same level
- Director of Special Education or designee (if applicable)
- School Resource Officer or Probation Officer (if applicable)
- Alternative High School principal

6. School Level Responsibilities Prior to Requesting DDRC Intervention:

The school must exhaust all school level remedies. School level remedies may include but are not limited to:

- Behavior intervention team plan
- A specific behavior contract

- 504 Plan
- Collaboration with service providers
- Release of information
- Change of classroom assignment
- Child Assistance Team
- Referral to support agencies
- Counseling for student and parents
- Parent attends school with student
- Suspension (in-school) or (out-of-school)

7. DDRC Hearings for Repeat Offenders:

As a general rule, students should not be referred to the DDRC more than once. The initial DDRC's recommendations will include sequential consequences, up to and including a recommendation to the Board of Trustees for their action. The exception to this rule is, if extended time has passed since the initial DDRC.

8. Location and Time of DDRC Hearing:

DDRC's must be held within the statutory time limit for suspensions (5 school days) imposed by the building administration, plus up to 10 days imposed by the Superintendent or designee. DDRC's will be held at the District Office at a time convenient to parents.

9. DDRC Recommendations:

The list of actions which may be taken at any level of discipline is intended to be suggestive and not conclusive nor sequential since all disciplinary action or combination of actions should fit the needs and circumstances of the individual student. The following list is provided in the context:

- Referred back to current school with specific recommendations.
- Transfer to another school or alternative program as may be available with a specific plan.
- Recommendation to Board of Trustees for expulsion.

10. Authority of Individual DDRC Members:

Decisions will be made by consensus. When consensus is not achieved, an appeal may be made to the Superintendent. An appeal must include both majority and minority reports. The Superintendent's decision may be appealed to the Board of Trustees who have final authority.

Expulsion

When a building administrator or DDRC judges that a student should be expelled, he or she shall prepare a rewritten request for expulsion outlining the reason for the expulsion hearing, the name of student, the age and grade of student, the name of student's parent/guardian, home address, and telephone number. The written request must also indicate whether the student has an active Individualized Education Plan and the need for a manifest determination prior to a hearing. The

building administrator shall send the request to the Superintendent and Clerk of the Board. The Clerk shall confirm the Request for Expulsion and set the date of the expulsion hearing if not waived by the parent/guardian.

The Clerk of the Board shall promptly assign the case an expulsion number, schedule the hearing date and time, and prepare a letter of notice for the students' parents.

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

1. On behalf of the Board, the Superintendent shall provide the student and parent/ legal guardian with 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, the right to cross-examine adult witnesses who testify against the student, and instructions regarding confirmation of attendance by parent/guardian.
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. Prior to the hearing date, the building administrator or designee shall provide student profile documentation to the parent/guardian including, but not limited to, copies of the following:
 - A. Name, age, grade, parent name, complete address, and phone number;
 - B. Letter requesting expulsion;
 - C. Report card, grades to date, and current test scores;
 - D. Attendance record;
 - E. Discipline record including steps toward remediation;
 - F. Memorandums from teachers, counselors, and administrators regarding specific behaviors, classroom performance, and discipline measures;
 - G. Other pertinent data from the student's file such as previous school's records, assessments, and any psychological testing data;
 - H. Police report, if applicable; and
 - I. Photocopy of the weapon, the actual weapon (if accessible), or a description of the weapon, if applicable.
4. The Board Chair or his or her designee shall act as hearing officer. 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.

5. During the open session of the Board meeting, action shall be taken by motion regarding the expulsion, non-expulsion, or other recommendation of the administration, with the student identified as "Student A", "Student B", etc.
6. Notice of the Board's action shall be mailed to the parent/guardian following the hearing, noting any special terms or conditions of the action taken by the Board. If the student falls under the compulsory attendance law of the State of Idaho and is expelled, this shall be stated. This notice shall include Finding of Fact, Conclusions, and Order of Expulsion Copy of Parental Notice of Expulsion to be sent to school building administrator.
7. Any student who was within the age of compulsory attendance at the time of violation(s), who is expelled or denied enrollment as herein provided, will come under the purview of the Juvenile Corrections Act. An authorized representative of the Board will file a petition with the magistrate division of the district court of the county of the student's residence in such form as the court may require under the provisions of the Juvenile Corrections Act.

An expulsion file shall be kept with the records of the Clerk of the Board. All files shall be kept in sequential order and include the following:

1. Request for Expulsion;
2. Parental Notice of Hearing and acknowledgement;
3. Student Profile provided by Building Administrator; and
4. Parental Notice of Board Action.

Students wishing to enroll in the Coeur d'Alene School District who have been previously expelled from another school district must provide a written request for enrollment. A Board hearing will be scheduled to consider the request.

Any student having been expelled may be readmitted to school by the Board upon such reasonable conditions as may be prescribed by the Board; but such readmission will not prevent the Board from subsequently expelling such student for cause.

Procedure History:

Promulgated on: 10/6/14

Revised on: 4/4/16