

STUDENTS

3340P

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.

Expulsion

When a building administrator 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

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