

CORRECTIVE ACTIONS OR PUNISHMENT

1. Exceptional Misconduct

The following guidelines are in effect for students to establish a range of corrective actions, which may be imposed as a consequence of exceptional misconduct. An ad hoc committee has met to define areas of misconduct and the range of action to be taken. The appeal process for short- and long-term suspensions shall remain in effect for short- and long-term suspensions imposed as a result of this procedure. (*) indicates cumulative grades 9-12.

Criminal acts as defined by law; including but not limited to arson, assault, extortion, forced and/or unlawful entry, theft, vandalism*	Minimum	Short-term suspension, notification of law enforcement
	Maximum	Expulsion, notification to law enforcement
Disrupting the educational process*	Minimum	Short-term suspension, possible notification to law enforcement
	Maximum	Expulsion, possible notification to law enforcement
Firearms – use and/or possession of*	Minimum	Expulsion for one calendar year, notification to law enforcement
	Maximum	Indefinite expulsion, notification to law enforcement
Harassment, intimidation, threats, verbal abuse, fighting and/or fighting words*	Minimum	Short-term suspension, possible notification to law enforcement
	Maximum	Long-term suspension (90 days), notification to law enforcement
Possessing and/or using alcohol, illegal chemical substances*	Minimum	Short-term suspension, notification to law enforcement
	Maximum	Expulsion (90 days), notification to law enforcement
Possessing or using explosive devices*	Minimum	Expulsion for one calendar year, notification to law enforcement
	Maximum	Indefinite expulsion, notification to law enforcement
Prevention of school personnel to perform their duties*	Minimum	Short-term suspension, possible notification to law enforcement
	Maximum	Expulsion, notification to law enforcement
Tobacco use/possession*	Minimum	In-school supervision (1 day), notification to law enforcement
	Maximum	Long-term suspension, notification to law enforcement
Weapons – possessing and/or using (other than firearms)*	Minimum	Short-term suspension, notification to law enforcement
	Maximum	Indefinite expulsion, notification to law enforcement

2. In-School Supervision

Guidelines for the in-school suspension program are as follows:

- A. A student who is afforded the opportunity to be assigned to the in-school suspension program as an option to suspension shall agree to the conditions specified by the principal.
- B. The in-school suspension program is designed to encourage learning. Students will be expected to work on their classroom assignments at all times.
- C. Any act of inappropriate conduct may result in denial of this alternative to other corrective actions.
- D. A student shall remain isolated from other students throughout the school day and will be denied the opportunity of participating in any school activities while in the in-school suspension program.
- E. Specific rules and building procedures shall be developed by the building principal.

3. Long-Term Suspension or Expulsion

In the event a hearing is requested, the superintendent shall appoint the hearing officer, who may be any certificated staff member who is not involved in the incident giving rise to the hearing. The hearing officer shall:

- A. Schedule the hearing for a specified date, time, and place, and may postpone the date and time and change the place for good cause or upon the mutual agreement of the parties.
- B. Give written notice of the date, time, and place of the hearing to the principal, parent, and student.
- C. Answer any questions that the parent, student, or counsel may have about the nature and conduct of the hearing.
- D. Conduct the hearing with full authority to control the conduct of all persons present, subject to the general directions of this procedural code, and to limit questioning that is unproductive or irrelevant. (The hearing officer may not provide testimony.)
- E. Write findings of fact and disposition of the case.
- F. Transmit the written findings and disposition to the superintendent, the principal, and the parent and student within 5 school days after the hearing.

The parent and student may request an open or closed hearing. A closed hearing may be attended only by the hearing officer, principal, student, parent, and counsel. Witnesses should be present only when they are giving information. At times when the student's psychological or emotional problems are being discussed, he/she may be excluded at the discretion of the hearing officer with the concurrence of the parent and/or counsel. In an open hearing, only those persons designated as witnesses shall have the right to speak.

At least 2 days before the hearing, the principal shall make available in his/her office any exhibits, affidavits, or the signed statements which are the basis for the alleged misconduct and the penalty suggested by the principal. These may be examined and copied by the parent, student, or counsel. If the principal later receives any further information that shall be employed at the hearing, he/she shall notify the parties involved and make copies available before the hearing. The principal may request a similar opportunity to review exhibits or statements to be used by the parent, student, or counsel.

Upon the request of the hearing officer, the parent, student, and counsel, the principal shall submit to the hearing officer the student's cumulative record folder. If the principal or the hearing officer deems it necessary, the information contained in such records shall be explained and interpreted to the officer by a person trained in their use and interpretation. When the hearing officer determines that the alleged act of misconduct has been committed, the hearing officer shall reach a disposition of the case. The disposition need not be the action recommended by the principal, but shall not exceed the penalty he/she recommends. The disposition should explain the reason for the particular decision. The decision shall be provided the parent, student, or counsel.

If the student is under an emergency expulsion, the hearing officer shall render his/her decision within 1 school business day of the conclusion of the hearing.

When students are charged with violating the same rule and have acted in concert and the facts are essentially the same for all students, a single hearing may be conducted for them if the hearing officer believes that the following conditions exist:

- A. A single hearing shall not likely result in confusion, or
- B. No student shall have his/her interest substantially prejudiced by a group hearing.

If the hearing officer finds that during a hearing a student's interests shall be substantially prejudiced by the group hearing, he/she may order a separate hearing for that student. The parent and student have the right to petition for an individual hearing.