

STUDENT SUSPENSION

Board Policy

The Board of Trustees of the Shelley Joint School District No. 60 grants to the Superintendent or the Principal of any school within the Shelley Joint School District the right to temporarily suspend any student for:

1. Disciplinary reasons;
2. Conduct disruptive of good order;
3. Conduct disruptive of the instructional effectiveness of the school.

The law, Idaho Code 33-205, indicates that the following which may be causes for expulsion, may also be a basis for suspension until such time that the Board of Trustees may act on the situation. A suspension may be warranted if a student is:

1. Habitually truant;
2. Incurable;
3. Continuously disruptive of school discipline;
4. Continuously disruptive of the instructional effectiveness of the school;
5. One whose presence in a public school is detrimental to the health and safety of other students;
6. One who has been expelled from another school district in Idaho, or any other state.

Suggested Implementation Guidelines

- A. Procedures leading to consideration of suspension are as follows:
1. A school representative (teacher, administrator, aide, custodian, etc.) will file an infraction slip with the building principal when a student has a disruptive, disturbing, thwarting influence on the instructional effectiveness of the class or school environment.
 2. The principal has the authority to suspend students when it is deemed appropriate based on a thorough investigation and in accordance with Discipline policy number 502.10.
 3. The principal will notify and provide an opportunity to meet with parent(s)/guardian(s) to discuss the reasons, terms, and conditions of the suspension and to allow for due process.
 4. A student suspension may contain a principal's recommendation to the Board of Trustees that the student be expelled from school.

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5. The suspension by the principal shall not exceed five (5) school days in length, and the Superintendent may extend the suspension an additional five (5) school days.
6. The Board of Trustees may extend the suspension for an additional five (5) school days, if it is determined that the suspended student's return to school would be detrimental to other students' health, welfare, or safety.
7. Any student who has been suspended may be readmitted to the school by the administrator who suspended the student upon such reasonable conditions as said administrator may prescribe.
8. The above provides the legal categories, but a student may be suspended from school for participation in any of the following prohibited conduct when it occurs:
 - a) In a school building.
 - b) On school property.
 - c) In conjunction with any school sponsored activity.
 - d) At school related activities.
 - e) In association with, or on school, or school funded transportation.
 - f) In that it threatens harm, or does harm to the school, school property, another student, any district employee or person associated with any district school or such person's property.
 - g) If it poses an immediate and direct impact on the discipline of safety of the schools, regardless of where or when the conduct occurs.
9. Such activities are, but are not limited to the following:
 - a) Frequent or flagrant willful disobedience, defiance of proper authority or disruptive behavior;
 - b) Willful destruction, injury or defacing of school property including buildings, grounds, equipment, buses, also student and district employee property.
 - c) Behavior, or threatened behavior, which poses an immediate and significant threat to the welfare, health, safety or morals of other students or school personnel or to the operation of the school, including taking part in false fire alarms or bomb scares. Without limitation, this provision is determined to specifically include sexual harassment.
 - d) The possession or control of a drug or controlled substance, an imitation controlled substance, drug paraphernalia, an alcoholic beverage, or a tobacco product.
 - e) Acting or being under the influence of a drug or controlled substance, or of an alcoholic beverage.

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- f) The sale, or distribution of any tobacco product.
 - g) Possession of a weapon (regardless of intent) whether functional or non-functional or whether designed for use. Weapon as defined in this section shall include:
 - 1. Fireworks
 - 2. Flammable materials.
 - 3. Firearms
 - 4. Knife or any other instrument which can be used to inflict or threaten serious bodily harm.
 - 5. Martial arts instrument(s), chains.
 - 6. Any destructive device, including any explosive, incendiary, poison gas (bomb, grenade, rocket having a propellant charge, missile having an explosive or incendiary charge, mine or device similar to these listed), or any combination of parts either designed or intended for use in converting any device into a destructive device.
 - 7. Any replica or facsimile of a weapon as listed within this policy.
 - h) Possession of materials that include instructions on how to produce and manufacture weapons.
 - i) Aggravated assault, arson, theft and extortion.
 - j) Commission of an act involving the use of force, or the threatened use of force which, if committed by an adult, would be a felony or class A misdemeanor. Student participation in this type of conduct shall be referred to appropriate law enforcement agency.
10. The Board of Trustees have the power and duty to prescribe rules for the disciplining of unruly or insubordinate students, with the rules to be included in a district discipline code adopted by the Board of Trustees with a summarized version to be provided in writing at the beginning of each school year to the teachers and students in the district in a manner consistent with the student's age, grade, and level of achievement. (Idaho Code 33-512[6])
11. Students with disabilities as defined by Public Law 94-142 and Section 504 of the 1973 Rehabilitation Act, shall be considered for suspension consistent with the provisions of this policy and applicable federal guidelines.

Revised: August 15, 2001