

Due Process, Corrective Actions and Discipline

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 shall constitute sufficient cause for discipline, suspension, or expulsion.

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

1. "Temporary Suspension" is the exclusion from school or individual classes for a specific period of up to five (5) school days. Administrators may temporarily suspend.
2. "Extended Temporary Suspension" is the exclusion from school or individual classes for an additional ten (10) school days. Only the Superintendent or the Board 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. Only the Board 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. "Expulsion" is the exclusion from school. Only the Board has the authority to expel or deny enrollment to any pupil who is an habitual truant, who is incorrigible, 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.
5. "Discipline" constitutes all other forms of corrective action or discipline, 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. The use of corporal punishment is not allowed.

Except in extreme cases, students will not be expelled unless other forms of corrective action or discipline have failed, or unless there is good reason to believe that other forms of corrective action or discipline would fail if employed. 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. If a student with a disabling condition accrues ten (10) or more days' suspension per incident, the Child Study Team who has knowledge of the student's disabling condition will determine if there is causal relationship between the disabling condition and the student's misconduct. If such a relationship exists, the student's educational placement may not be changed without parental approval or a court order, pending a due process hearing under IDEA.

Likewise, before a recommendation on the expulsion of a disabled student is submitted to the Board, the Child Study Team must meet to determine if there is a causal relationship between the disabling condition and the student's misconduct. The Board shall consult legal counsel before expelling any disabled student.

When a disabled student is acting in such a way that he or she poses a danger to himself or herself or to another student or property, or substantially disrupts his or her educational program or that of other students, an emergency suspension may take place. Emergency suspensions may not last longer than ten (10) school days. The principal shall convene the Team for reviewing the student's record before the student is readmitted to school and no later than the tenth (10th) day of suspension.

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.

No student shall be denied his/her rights without due process hearing.

Legal Reference: 20 U.S.C. 1400, et seq. Individuals with Disabilities Education Act
I.C. § 33-205 Denial of School Attendance
I.C. § 33-512 Governance of Schools

Policy History:

Adopted on: May 12, 2015

Revised on: