

## SUSPENSION AND EXPULSION

### Definitions

For the purposes of this policy:

- *School property* is defined as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by the District, and the site of any school-sponsored activity.
- *Suspension* includes in-school suspension from classes as well as out-of-school exclusion from school classes, buildings, grounds, and activities.

### Suspension/Expulsion Authority

The Midway School Board (Board) hereby delegates to the Superintendent and each Principal the authority to deal with disciplinary problems in his/her school, including suspension and recommendation for expulsion of a student. Suspension shall not be imposed beyond the maximum duration permitted by law.

The Board designates itself to serve as the hearing officer for expulsion hearings unless not qualified to serve as defined in board regulations. In such cases, the Board shall appoint an alternative hearing officer. The hearing officer may expel a student for conduct that violates this policy after providing notice and a hearing as set forth in board regulations. When the hearing officer is someone other than the Midway School Board, the student may seek a review of the hearing officer's expulsion decision by the Board based on the record of the hearing.

Expulsion shall not be imposed beyond the maximum duration permitted by law.

### Conduct Subject to Suspension/Expulsion

Conduct, including but not limited to the following, exhibited while on school grounds, during a school-sponsored activity, or during a school-related activity is subject to suspension or expulsion:

1. Causing or attempting to cause damage to school property or stealing or attempting to steal school property of value;
2. Causing or attempting to cause damage to private property or stealing or attempting to steal private property;
3. Causing or attempting to cause physical injury to another person except in self-defense;
4. Possessing or transmitting any firearms, knives, explosives, or other dangerous objects or weapons;

5. Possessing, using, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;
6. Disobedience or defiance of proper authority;
7. Behavior that is detrimental to the welfare, safety, or morals of other students;
8. Truancy;
9. Offensive and vulgar language, whether or not it is obscene, defamatory, or inciteful to violence, where it is disruptive of the educational process;
10. Threats of violence, bomb threats, or threats of injury to individuals or property;
11. Any student behavior that is detrimental or disruptive to the educational process, as determined by the principal.

Copies of these rules shall be posted in a prominent place in each school and shall be published in student handbooks.

### **Suspension or Expulsion of Students with Disabilities**

Suspension or expulsion of students with disabilities must comply with the provisions of the Individuals with Disabilities Education Act. Because the District does not provide services to regular education students who are suspended, it shall not provide services to special education students who are suspended ten school days or less during the school year. Special education students who are suspended for additional periods up to ten consecutive school days for separate acts of misconduct shall be provided services in accordance with law as determined by the Superintendent in consultation with the student's special education teacher.

The Midway School District is not required to refer a regular education student who has been suspended for violation of school rules and/or district policy for special education assessment and evaluation to determine if such a student might have a disability. A suspended regular education student is not entitled to reinstatement to classroom and campus privileges pending any assessment and evaluation that is to be made during the term of the student's suspension.