

CORRECTIVE ACTIONS OR PUNISHMENT

A. 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 and/or P.T.A. officers have met to define the 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 range suspensions imposed as a result of this procedure.

Exceptional Misconduct	Range of Corrective Action	Action That May Be Taken
Possessing and/or using alcohol, illegal chemical substances	Minimum	Short-term suspension, prosecution referral
	Maximum	Expulsion (90 days), prosecution referral
Threatening or verbal abuse, fighting or fighting words	Minimum	Short-term suspension
	Maximum	Long-term suspension (90 days)
Setting fire or damaging school property devises	Minimum	Short-term suspension
	Maximum	Long-term suspension (90 days)
Initiating or participating in the dissemination of inappropriate messages or images including transmitting, viewing or possessing images of a sexually explicit nature on an electronic device.	Minimum	Short-term suspension, notification to law enforcement
	Maximum	Expulsion, notification to law enforcement
Possessing and/or using weapons or explosive devices	Minimum	Expulsion for one calendar year, notification to law enforcement
	Maximum	Indefinite expulsion, notification to law enforcement
Possessing/Using Tobacco products	Minimum	Short-term suspension
	Maximum	Long-term suspension (90 days)
Disrupting the educational process	Minimum	Short-term suspension
	Maximum	Long-term suspension (90 days)
Refusing to follow reasonable directions of staff	Minimum	Short-term suspension
	Maximum	Long-term suspension (90 days)

B. In-School Suspension

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

1. 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 school principal. Unless the student is of majority age, concurrence from the parent or guardian is necessary.
2. The in-school suspension program is designed to encourage learning. Students will be expected to work on their classroom assignments at all times.
3. Any act of inappropriate conduct may result in denial of this alternative to other corrective actions.
4. 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.
5. An assignment to the in-school suspension program shall not exceed five days. As such, the appeal process for a short-term suspension shall be in effect.
6. The student shall develop a behavior contract while in the in-school suspension program. The student, his/her parent or guardian and a staff member shall sign the contract which defines the expected future behavior of the student.
7. After a student is placed back into the regular classroom(s), the principal will monitor the student's progress on a daily basis. The student will be encouraged to maintain a relationship with the school counselor as a means of dealing with any problems that arise.
8. Specific rules and building procedures shall be developed by the building principal.

C. 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:

1. 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;
2. Give written notice of the date, time, and place of the hearing to the principal, and the parent and student;
3. Answer any questions that the parent and student or counsel may have about the nature and conduct of the hearing;
4. 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.);
5. Write findings of fact and disposition of the case; and
6. 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 and 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 and student or counsel.

Upon the request of the hearing officer, the parent and student or 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 to the parent and 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:

1. A single hearing shall not likely result in confusion, and
2. No student shall have his/her interest substantially prejudiced by a group hearing.

If the hearing officer finds that during the 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.

Date: 06.10

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Wilson Creek School District 167-202