

STUDENT DUE PROCESS RIGHTS AND STUDENT SUSPENSION/ EXPULSION

Serious breaches of the expected standards of student behavior may result in suspensions or expulsions from school. Refer to the Student Council Policy, and to the Dangerous Weapons at School Policy as both address prohibited student conduct and which could result in a suspension or expulsion. Principals are authorized to suspend pupils up to and including 10 school days, and the superintendent may suspend a student for up to 90 school days (SDCL 13-32-4.2). No pupil may be suspended unless:

1. The pupil is given oral or written notice of the charges.
2. The pupil is given an oral or written explanation of the facts that form the basis of the proposed suspension and
3. The pupil is given an opportunity to present their version of the incident.

Any suspension by a principal shall be immediately reported to the superintendent who may revoke the suspension at any time. In the event the superintendent suspends a student for longer than 10 days, the student shall be entitled to a hearing before the Board. Hearing procedures as established by state administrative rules will be followed for all students subject to suspensions or expulsion. The Board hearing shall be held as soon as reasonably possible, unless waived by the parents or guardians (or the student, if age 18 years old or older). No suspension longer than 10 days shall be implemented until the Board hearing, unless the hearing has been waived, or unless the judgment of the superintendent that the pupil's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, in which case the student shall be immediately removed from school. No student will be removed from school without notification to the parent or guardian. Nothing above, however, shall limit the authority of the principal or superintendent to suspend the student for up to 10 days without a board hearing being required.

Discipline of students who are on an Individualized Education Program (IEP) shall be done in a manner consistent with the laws and regulations related to special education.

Adopted: December 11, 1995

Reviewed _____

Amended: 2007, 2014