

ARTICLE IV. STUDENTS

Section 9. Considerations Prior to Imposition of Discipline.

In accordance with state law, and except as specifically provided in this policy, before a student may be suspended, expelled or permanently expelled, the District administrators making the disciplinary decision shall consider each of the following factors:

1. the student's age;
2. the student's disciplinary history;
3. whether the student is a student with a disability;
4. the seriousness of the violation or behavior committed by the student;
5. whether the violation or behavior committed by the student threatened the safety of any student or staff member;
6. whether restorative practices will be used to address the violation or behavior committed by the student; and
7. whether a lesser intervention would properly address the violation or behavior committed by the student.

The fact that consideration of these factors has occurred shall be documented in the record of the disciplinary decision. The Superintendent shall develop an appropriate checklist to be used to document consideration of these factors.

Whether student misconduct shall result in discipline, and the level of discipline to be imposed, shall be within the discretion of the Superintendent and designees, including administration of the respective school buildings. In the exercise of this discretion, there is a rebuttable presumption that a suspension, expulsion or permanent expulsion is not justified unless administration can demonstrate that it considered each of the factors listed above. The obligation to consider these factors shall not apply to a student being permanently expelled under state law for possessing a firearm in a weapon-free school zone.

The District shall consider using restorative practices as an alternative or in addition to suspension or expulsion of a student. The obligation to consider restorative practices shall not apply to a mandatory permanent expulsion for possession of a firearm in a weapon-free school zone. "Restorative practices" means practices that emphasize repairing the harm to the victim and the school community caused by a student's misconduct. The Superintendent shall establish procedures for the use of restorative practices within the District.