

STUDENT CONDUCT AND DISCIPLINE

The Building Administrator (or his/her designee) shall be responsible for the administration of discipline procedures. Suspension or expulsion of students shall follow due process requirements.

Internal Detention: The Building Administrator or designee may assign a student to an in-school detention. In-school detention is defined as removal from the regular education classroom setting for part or all of the school day. The educational program of a student assigned to in-school detention shall be continued to an extent determined to be feasible and appropriate by the Principal. Students assigned to in-school detention should be provided with a reasonable opportunity to complete academic assignments and to benefit from counseling or related activities designed to bring about an improvement in their behavior. In-school detention is not considered a suspension.

Removal of Disruptive Students: A student who poses a continuing danger to persons or property, or an ongoing threat of disrupting the academic process of the school shall be immediately removed from the school or to a place within the school determined by the Building Administrator to be sufficiently secure to permit the academic process of the school to continue. The Building Administrator will notify the parent or guardian of a student who is to be removed from school.

If the parent or guardian cannot be located, the student will be detained at school for the remainder of the school day. If the continued presence of the student in the school poses an imminent physical threat or danger to himself/herself or others, the Building Administrator may request social services or the police to assume custody of the student.

No student will be removed from school for more than the remainder of the school day unless the student and his/her parents are given an opportunity for an informal hearing as outlined in the suspension section below. When immediate removal of a student is necessary prior to a hearing, the hearing shall be held as soon as possible following the removal.

Suspension: The Building administrator may suspend a student from school for a period of ten days or less for violations of school rules or policies. Prior to such a suspension, the student and his/her guardian shall be given an opportunity for an informal hearing with the Building Administrator. The student and his/her parent or guardian must be given notice of the charges, an explanation of the evidence against the student, an opportunity to tell his/her side of the story, and a decision in writing to the parent or guardian. In unusual circumstances where the Building Administrator deems that the safety and welfare of the school is affected, the informal hearing may be delayed twenty-four hours. In this event, a post-suspension hearing will be held as soon as possible.

Long Term Suspension: The School Board may suspend a student for more than ten days but for a fixed period of time when conduct makes the continued presence of the student harmful to the welfare of the school.

Due Process Hearing: Long-term suspension must be preceded by notice and formal due process procedure, including the opportunity for a hearing before the Board. The student and his/her parents must be notified in writing of the date, time, and place of the hearing. They will be given an opportunity to present evidence, to cross-examine witnesses, to be represented by counsel, and to receive a written decision. The notice shall also include a statement of the rule infraction(s) alleged, the potential consequences of the hearing, and a summary of the evidence to be introduced at the hearing.

Unbiased Decision-Maker: In a proceeding seeking a long-term suspension of a student, the decision-maker shall be the Building Administrator. In the event the Building Administrator cannot serve as an unbiased decision-maker, the Superintendent or the Board will assume this role. A majority vote of the Board present and hearing the matter constitutes as a decision of the Board. The Building Administrator or Superintendent is presumed to be an unbiased decision-maker unless he/she has actively investigated or assisted in the investigation, or is a witness to, the violation that constitutes the basis of the proposed suspension.

Expulsion: The Superintendent or Building administrator may recommend for the expulsion any student whose conduct makes the continued presence of the student harmful to the welfare of the school. A student may be expelled only after a majority vote of the Board supporting the recommendation of the Superintendent or Building Administrator, preceded by notice and a due process hearing conforming to the requirements set forth above.

Discipline Policy for Students with Disabilities: A student who has a disability or is suspected of having a disability, and is eligible or may be eligible for special education services or eligible for protection under Section 504, may be suspended and/or expelled for more than 10 consecutive days, or for more than 10 cumulative days in a school year only after compliance with the procedures outlined in the Individuals with Disabilities Education Act ("IDEA") and its implementing regulations and applicable Rules of the Vermont State Board of Education.

The Superintendent and/or his/her designee shall develop, implement and update as necessary, procedures to implement this policy.

Student information is confidential unless otherwise permitted by this policy or FERPA.

Date Warned:

Date Adopted by CES School Board: 8-22-01

Date Reviewed: