



Prepare | Explore | Empower

Suspension & Expulsion Policy

Suspension & Expulsion

If the Principal or his/her designee determines that suspension is warranted, they may suspend the student for a period not to exceed five (5) days for Class Two, or Three offenses inclusive, or for a period not to exceed ten (10) school days for Class One offenses. The duration of the suspension shall, subject to The Academy Board Policies and regulations, be within the discretion of the Principal or their designee. The suspension may be for punitive purposes and/or for the purpose of further investigation or consideration. The first day of suspension time shall be the first school day following the conference.

If it is determined that a suspension is warranted, reasonable efforts shall be made immediately to notify a parent/guardian of the student involved of the circumstances surrounding the suspension. The parent, guardian, or legal custodian and the school shall confer as to the best way to transfer custody of the student to the parent/guardian. Once such determination has been made and the Principal/designee can accomplish such transfer, the suspended student shall be required to leave the school building and the school grounds immediately. The pupil shall not be readmitted to school until a meeting between the parent, guardian, or legal custodian and the Principal/designee has taken place. The Principal/designee shall make every reasonable effort to meet as indicated but, if the parent/guardian cannot be contacted, or the parent, /guardian repeatedly fails to appear for scheduled meetings, the Principal/designee may readmit the pupil.

The student shall have an opportunity to make up schoolwork during the period of suspension. The integrity of a test or other assessment shall not be jeopardized. In assisting students with make-up work, every effort will be made to provide a student, who seeks out the opportunity from the teacher(s), with school work equivalent to that missed with regard to instructional goals and objectives, and anticipated time on task, but with due regard to minimizing the burden on the teacher. For a suspension in a school year, for any violation of school policy, procedures, rules or regulations, a student may have the opportunity to receive full credit for work made up, if the school work is the equivalent of that missed, and is accomplished within

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the time provided. Reductions from credit given may be based on the quality of the work submitted and any delay beyond the acceptable time period.

Discipline Appeal Process

Disciplinary decisions made by an administrator that do not result in a suspension are final.

Right to Appeal Suspension

Suspensions shall be served as assigned by an administrator. An appeal by a parent for the purpose of clearing a student's disciplinary record may be made in writing to the level principal within ten (10) business days after the assignment of the suspension. The appeal for a review of a suspension by a student/parent will review whether:

- The student committed the alleged infraction; and
- Did The Academy staff follow applicable procedures?

In the event the response of the principal is not satisfactory to the student/parent, the parent may appeal in writing to the Executive Director within ten (10) business days after receiving the response from the school level principal. The Executive Director shall respond to the parent within ten (10) business days. In the event the response of the Executive Director is not satisfactory to the student/parent, the parent may appeal in writing to the Board of Directors within ten (10) business days after receiving the response of the Executive Director. The Board of Directors shall respond to the Parent in a timely fashion. The decision of The Academy Board shall be final.

Right to Appeal Expulsion

An appeal may be taken from the decision of the Executive Director to The Academy Board. Such appeal may be taken by filing a notice of appeal with The Academy Board within ten (10) business days of the date of the notice of recommendation for expulsion or date of expulsion hearing, whichever is later. The Academy Board may deny the request for appeal or grant the appeal request and review the matter for clear error or abuse of discretion. An appeal may be taken from the decision of The Academy Board to the State Board of Education.

Extensions of Suspension

Delegation of Authority - The Academy Board delegates to the Principal or designee the authority to suspend a student for additional periods of time, consistent with law and due process, as set forth below. The Principal or designee may extend the suspension imposed by the Principal designee up to ten (10) additional school days on grounds specified in this procedure, or others which may be provided by law. Pursuant to the procedural requirements set forth below, or the designee may extend the suspension so that such combined periods of suspension by the Principal/designee do not exceed twenty-five (25) days. If it is determined

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that an extension of suspension is warranted, the student's parent/guardian shall be notified of the circumstances surrounding the extended suspension.

Initial Extension of Suspension

The Principal or designee may extend the suspension imposed by the Principal designee up to ten (10) additional school days on grounds specified in this procedure, or others which may be provided by law. Pursuant to the procedural requirements set forth below, or the designee may extend the suspension so that such combined periods of suspension by the Principal/designee do not exceed twenty-five (25) days. If it is determined that an extension of suspension is warranted, the student's parent/guardian shall be notified of the circumstances surrounding the extended suspension.

Supplemental Extension for Students with Disabilities

When the subject of a disciplinary action is a student with disabilities as referenced in federal law, and a suspension in excess of ten (10) consecutive days is contemplated, or would be a suspension in a series of suspensions, that, together, equal more than ten (10) days, the school shall institute the following procedures:

1. As soon as a suspension in excess of ten (10) days is contemplated, the Principal or designee will notify the student's parents of the issue and of all applicable procedural rights.
2. A staffing committee, the composition of which must include, but is not limited to, the minimum committee members required by federal statute or regulation or state board regulation, shall meet to determine if the behavior for which disciplinary action is contemplated is related to the student's disability(ies). The review shall be conducted and resolved in accordance with 34 C.F.R. 300.523 (Individuals With Disabilities Education Act of 1997 Regulations).
3. If the staffing committee determines that the behavior for which disciplinary action is contemplated is related to the student's disability(ies), the student shall be removed from the classroom and placed in an appropriate alternative setting for a period that, together with the initial suspension, does not exceed ten (10) school days.
 - a. In appropriate circumstances, as determined in accordance with the Individuals with Disabilities Education Act of 1997, the placement in an appropriate alternative setting may be extended to forty-five (45) days.
 - b. During such period, a fully composed staffing committee shall meet to review/check the student's Individualized Education Program (IEP) to determine what modifications, if any, should be made in response to the student's behavior. Such staffing shall be preceded as necessary by additional evaluations of the student.
4. If the staffing committee determines that the behavior for which disciplinary action is contemplated is not related to the student's disability(ies), the Principal or designee

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may proceed as indicated pursuant Expulsion and Supplemental Extension of Suspension. If the staffing committee determines that the behavior is so related, the Principal or designee shall be consulted as to necessary procedures. However, any additional periods of exclusion from school that may be imposed, shall not include complete denial of services or deprivation of a Free Appropriate Public Education (FAPE) for a student with disabilities staffed into special education pursuant to the Individuals with Disabilities Education Act of 1997.

Expulsion & Supplemental Extension of Suspension; Denial of Admission

Delegation of Authority - The Charter School Institute's Board of Education delegates to The Academy Board or its designee the authority, in accordance with C.R.S. 22-33-105, to extend suspensions, to expel for any period not extending beyond one year, and to deny admission to any child who is not qualified for admission or continued attendance at the public schools of the District, in accordance with the limitations imposed by state law. The designee shall report to The Academy Board on such actions as required by law.

Procedure for Expulsion or Supplemental Extension of Suspension

Prior to any contemplated expulsion or supplemental extension of suspension of any student, the following procedure, as well as those procedures set forth in relevant policies cited at the conclusion of this policy, shall be followed.

General Notice

The Principal or their designee shall cause written notice of such proposed action to be delivered to the student and their parent/guardian a reasonable time prior to the date of contemplated action. Such delivery may be in person or by registered U.S. mail and shall be deemed to be completed when handed to the addressee or the notice is deposited in the U.S. mail addressed to the last known address of the student or their parent or guardian.

Contents of Notice

The notice shall contain the following basic information:

- A statement of the allegations leading to the contemplated denial of admission or expulsions;
- A statement of the nature of the evidence supporting the charges;
- A statement offering the parent, guardian or legal custodian a hearing on the question of expulsion or supplemental extension of suspension;
- A statement that the student may be present at the hearing during the presentation of all information, shall have an opportunity to present relevant information, and may be accompanied and represented by the parent, guardian, legal custodian and/or an attorney; and,

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- A statement that failure to participate in such hearing constitutes waiver of further rights in the matter.

Hearing

The hearing shall be conducted by The Academy's Executive Director. The hearing shall be closed except to participants and witnesses unless the student and parents request an open hearing. Testimony and information shall be presented; however, technical rules of evidence shall not be applicable, and the Executive Director may consider and give appropriate weight to such information or evidence as it deems appropriate. The student or their representative may question individuals presenting information. A sufficient record of the proceedings shall be kept so as to enable a transcript to be prepared in the event either party so requests. Preparation of the transcript shall be at the expense of the party requesting the same. The Executive Director may retire to closed session to review and consider the evidence. The Executive Director shall render a written opinion within five (5) days after the hearing. If the Executive Director is unable to reach a decision, then the decision that is subject to appeal will be affirmed. All decisions rendered must be submitted in writing to the appropriate personnel, student and parent or guardian. The Executive Director shall advise The Academy Board of the circumstances, the action taken, and the reasons for the action taken, with respect to each hearing.

Waiver of Conditions

By mutual agreement between the Executive Director and the student or his/her representative, time limits and other conditions of this procedure may be waived.

Right to Appeal

An appeal may be taken from the decision of the Executive Director to The Academy Board. Such appeal may be taken by filing a notice of appeal with The Academy Board within ten (10) business days of the date of the notice of recommendation for expulsion or date of expulsion hearing, whichever is later. The Academy Board may deny the request for appeal or grant the appeal request and review the matter for clear error or abuse of discretion. An appeal may be taken from the decision of The Academy Board to the State Board of Education.

Miscellaneous

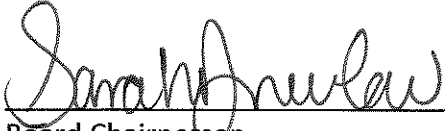
Students who are suspended or expelled are prohibited from attending any school activity, as well as from being on the school campus or property, without the express approval of school administration. Failure to abide by this restriction shall be considered defiance of authority and may also result in a referral to law enforcement.

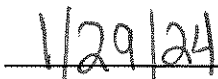
When a pupil is expelled by a school/district for the remainder of the year, the parent/guardian is responsible for seeing that the compulsory school attendance statute is complied with during

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the period of expulsion from The Academy. A student or the student's parent/guardian may request that The Academy provide educational services to the student who has been expelled. Appropriate educational services may be determined by The Academy.

The Board of Directors at The Academy approved the Suspension and Expulsion Policy on Monday, December 11, 2023.


Board Chairperson


Date

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