

# Kimberly School District

## STUDENTS 3300

### Corrective Actions and Punishment

All students shall submit to the reasonable rules of the District. Refusal to comply with written rules and regulations established for the governing of the school shall constitute sufficient cause for discipline, suspension, or expulsion.

#### **For the purposes of the District's policies relating to corrective action or punishment:**

- "Temporary Suspension" is the exclusion from school or individual classes for a specific period of up to five (5) school days at one time. Administrators may temporarily suspend.
- "Extended Temporary Suspension" is the exclusion from school or individual classes for an additional ten (10) school days. Only the Superintendent (or the Board) can extend an initial temporary suspension.
- "Prolonged Temporary Suspension" is the exclusion from school or individual classes for an additional five (5) school days. Only the Board can extend a temporary suspension for an additional five (5) days and only upon a finding that immediate return to school attendance by the temporarily suspended student would be detrimental to other pupils' health, welfare or safety.
- "Expulsion" is the exclusion from school. Only the Board has the authority to expel or deny enrollment to any pupil who is a habitual truant, who is incorrigible, whose conduct is such as to be continuously disruptive of school discipline or of the instructional effectiveness of the school, or whose presence is detrimental to the health and safety of other pupils or who has been expelled from another school district in the State of Idaho or any other state.
- "Discipline" constitutes all other forms of corrective action or punishment, including brief exclusions from a class for not more than the remainder of the class period and exclusion from any other type of activity conducted by or for the District. Discipline may not adversely affect specific academic grade, subject, or graduation requirements, as long as all required work is performed. Except in extreme cases, students will not be expelled unless other forms of corrective action or punishment have failed, or unless there is good reason to believe that other forms of corrective action or punishment would fail if employed. Suspensions or expulsions shall be used only for instances of serious student misconduct.

~~Students with disabilities may also be suspended under these same rules if the suspension will not constitute a change in placement. If a student with a disabling condition accrues ten (10) single days per year or more than 3 consecutive day's suspension per incident, the Child Study Team who has knowledge of the student's disabling condition will determine if there is causal relationship between the disabling condition and the student's misconduct. If such a relationship exists, the student's educational placement may not be changed without parental approval or a court order, pending a due process hearing under Individuals with Disabilities Education Act (IDEA).~~

~~Likewise, before a recommendation on the expulsion of a disabled student is submitted to the Board, the Individual Education Plan Team must meet to determine if there is a causal relationship between the disabling condition and the student's misconduct. The Board shall consult legal counsel before expelling any disabled student. When a disabled student is acting in such a way that he/she poses a danger to himself/herself or to another student or property, or substantially disrupts his/her educational program or that of other students, an emergency suspension may take place. Emergency suspensions may not last longer than ten (10) school days. The principal shall convene the IEP Team for reviewing the student's record before the student is readmitted to school and no later than the tenth (10<sup>th</sup>) day of suspension.~~

When disciplining students with disabilities, Kimberly School District #414 should follow the guidelines developed by the Idaho Department of Education in its Idaho Special Education Manual. As of the development of this amended policy, the most recent version of this manual is 2018, but subsequent revisions of the manual may also be followed. The manual can be found on the internet by going to the Special Education section of the Idaho State Department of Education website, or you can contact the Kimberly School District Office for information about how to attain a copy of the Special Education manual.

Once a student is expelled in compliance with District policy, the expulsion shall be brought to the attention of appropriate local or state authorities, in order that such authorities may address the student's needs. No student shall be expelled, suspended, or disciplined in any manner for any act not related to the orderly operation of the school or school-sponsored activities or any other aspect of the educational process.

**Legal Reference:**

20 U.S.C. 1400, et seq. Individuals with Disabilities Education Act

I.C. § 33-205 Denial of school attendance

I.C. § 33-512 Governance of schools

**Policy History:**

Adopted on: April 8, 2003

Revised on: May 21, 2009