

	<b>ABERDEEN SCHOOL DISTRICT</b>	<b>NEPN Code: JGD</b>
	<b>POLICIES AND REGULATIONS</b>	

## **STUDENT SUSPENSION OR EXPULSION**

Serious breaches of standards of behavior may result in suspensions or expulsions from school. By law, the Board has the authority to suspend or expel beyond ten days students for violation of school rules or policies, or for insubordination or misconduct. The principals are authorized to suspend pupils for not more than ten school days and by the Superintendent of schools for not more than 90 days. The period of expulsion may extend beyond the semester in which the violation, insubordination, or misconduct occurred. Any expulsion for consumption or possession of beer or alcoholic beverages may not extend beyond ninety school days.

Any student bringing a firearm to school, except as authorized by law, shall be expelled for not less than twelve months and will be referred to law enforcement authorities. The Superintendent shall have the authority to recommend to the school board that this expulsion requirement be modified on a case-by-case basis. This policy shall be implemented in a manner consistent with IDEA and Section 504. For the purpose of this portion of this policy, the term "firearm" includes any weapon which is designed to expel a projectile by action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for a weapon, or any explosive, including any poison gas.

Generally, a suspension may be imposed when a student's behavior creates a threat to his own or other's safety or imposes a threat to property or premises or creates a serious disruption of the school environment. Behavior such as fighting or committing an assault on another; stealing; vandalism; possessing weapons, explosives or other prohibited materials; making a false alarm or terroristic threat; lewd or threatening behavior or language; possession of drugs; or possession of beer or alcoholic beverages on the school premises or at school activities may result in suspensions.

Students who are guilty of continued serious misconduct which results in repeated suspension and who therefore interfere with the opportunity of other students to carry on their learning activities may be recommended to the Board for expulsion from school.

Hearing procedures as established by state regulations will be followed for all students who receive long-term suspensions or expulsion.

- \* In case of a suspension by the Superintendent for more than ten school days, the pupil or his parents or others having his/her custodial care may appeal the decision of the Superintendent to the board of education.
- \*\* Additional procedures mandated by state and federal law apply to special education students attending schools under the terms of an I.E.P. (Individual Educational Program).

### **LEGAL REFERENCES: ARSD 24:05:26 (Suspension)**

- ARSD 24:07 (Student due process)
- SDCL 13-32-4 (School board to assist in discipline)
- SDCL 13-32-4.2 (Procedure for suspension)
- SDCL 13-32-5 (Injury to school property as grounds)
- SDCL 13-32-7 (Possession of firearms on premises)
- SDCL 22-11-9.2 (Falsely reporting a threat)
- SDCL 22-14A-24 (Use of substance or device to communicate felonious threat)
- SDCL 22-14A-25 (Use of hoax substance or device to cause fear)

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SDCL 22-42-19 (Drug free zones created)

**CROSS REFERENCES:** JFA: Student Due Process Rights

ADOPTED: October 22, 2012

REVISED: August 11, 2014