

SUSPENSION AND EXPULSION

Definitions

~~For the purposes of this policy:~~ This policy defines the following:

- ~~School property is defined as means~~ all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by the school district, and the site of any school-sponsored event or activity.
- ~~Suspension~~ includes out-of-school exclusion from ~~school~~-classes, school property, ~~buildings, grounds,~~ and activities.
- *Dangerous weapon as defined by NDCC 62.1-01-01.*
- *Firearm as defined by NDCC 62.1-01-01.*

Suspension/Expulsion Authority

The Board hereby delegates to the Superintendent and each principal the authority to deal with disciplinary problems in ~~his/her~~ their school, including suspension and recommendation for expulsion of a student. Suspension shall not be imposed beyond the maximum duration permitted by law.

The Board designates the Superintendent to serve as the hearing officer for expulsion hearings unless not qualified to serve as defined in board regulations. In such cases, the Board shall appoint an alternative hearing officer.

The hearing officer may expel a student for conduct that violates this policy after providing notice and a hearing as set forth in board regulations. When the hearing officer is someone other than the Dickinson School Board, the student may seek a review of the hearing officer's expulsion decision by the Board based on the record of the hearing.

Expulsion shall not be imposed beyond the maximum duration permitted by law.

Conduct Subject to Suspension/Expulsion

Conduct, including but not limited to the following, exhibited while on school ~~grounds~~ property, during a school-sponsored activity, or during a school-related activity is subject to suspension or expulsion:

1. Causing or attempting to cause damage to school property or stealing or attempting to steal school property;
2. Causing or attempting to cause damage to private property or stealing or attempting to steal private property;
3. Causing or attempting to cause physical injury to another ~~person~~ individual except in self-defense;
4. Possessing or transmitting ~~on school property~~ a firearm, dangerous weapon, or any object that is used, attempted to be used, or threatened to be used to intimidate or cause bodily harm. ~~any firearms, knives, explosives, or other dangerous objects or weapons;~~

5. Possessing, using, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;
6. Disobedience or defiance of proper authority;
7. Behavior that is detrimental to the welfare, safety, or morals of other students;
8. Truancy;
9. ~~Offensive and vulgar language, whether or not it is obscene, defamatory, or inciteful to violence, where it is disruptive of the educational process;~~
10. ~~Offensive and vulgar language when it is obscene, defamatory, or inciteful to violence and disruptive of the educational process;~~
11. Threats of violence, bomb threats, or threats of injury to individuals or property;
12. ~~Any student~~ **Student** behavior that is detrimental or disruptive to the educational process, as determined by the principal.

~~Copies of these rules~~ Information regarding the conduct subject to suspension or expulsion ~~must shall~~ be posted in a prominent place in each school and ~~shall must~~ be published in student handbooks.

Suspension or Expulsion of Students with Disabilities

Suspension or expulsion of students with disabilities must comply with the provisions of the Individuals with Disabilities Education Act.

The District is not required to refer a regular education student who has been suspended **or expelled** for violation of school rules and/or district policy for special education assessment and evaluation to determine if such a student might have a disability. A suspended regular education student is not entitled to **the** reinstatement ~~to of school classroom and campus~~ privileges pending any assessment and evaluation that is to be made during the term of the student's suspension.

Complementary Documents

- FGDB, Student Handbooks
- FFK-BR1, Suspension and Expulsion Regulations
- FFK-E1, Suggested Procedure for Conducting an Expulsion Hearing
- FFK-E2, Suspension and Expulsion of Special Education Students

End of Dickinson School District #1 Policy FFK Amended: 09/08/14