

Vallivue School District 139

The Board of Trustees recognizes that students are entitled to attend a free public school and that even temporary denial of that right may occur only after careful attention designed to protect the individual rights of the students. However, the Board of Trustees is also responsible for providing for and overseeing an orderly school process which provides protection of the safety of all students and personnel.

The Idaho legislature has empowered the Board of Trustees and its administration with the authority to provide for temporary suspension of individual students when circumstances demonstrate that such action is necessary for the protection of the rights or other students, necessary for orderly operation of the school process, and/or necessary for the protection of the safety of other students.

This policy, along with administrative procedures and an established student-hearing manual that outlines the suspension/expulsion process, will govern both suspensions for the Vallivue School District pursuant to such legislative mandate.

Suspension

1. **Delegation of Suspension Power.** The Idaho legislature has provided the authority to temporarily suspend students to the various principals throughout the district, to the superintendent of the district, and to the Board of Trustees. No person other than a principal of a school within the district, the superintendent of the district, or the Board of Trustees may suspend any student from school.
2. **Grounds for Suspension.** A student may be suspended for disciplinary reasons, including student harassment, intimidation, or bullying, or for any other conduct disruptive of good order or of the instructional effectiveness of the school. A student may also be suspended for the failure of the parent/guardian to furnish, or to request of a previous administration, out-of-state records for a student transferring into this district. The parent/guardian of a student transferring from out-of-state to a school in this district is required, if requested, to furnish the district accurate copies of the student's school records, including records containing information concerning violent or disruptive behavior, student harassment, intimidation, or bullying, or disciplinary action involving the student. A student may also be suspended when, in the judgment of the superintendent or principal, the suspension is necessary to protect the health, welfare or safety of the student or other students of the school or district.
3. **Period of Suspension.** The temporary suspension by the principal shall not exceed five (5) school days in length. The school superintendent may extend the temporary suspension an additional ten (10) school days. Provided, that on a finding by the Board of Trustees that immediate return to school attendance by the temporarily suspended student would be

detrimental to other pupil's health, welfare, or safety, the board may extend the temporary suspension for an additional five (5) school days.

4. **Procedure for Suspension.** The Board of Trustees of each school district shall establish the procedure to be followed by the superintendent and principals under its jurisdiction for the purpose of affecting a temporary suspension, which procedure must conform to the minimal requirements of due process. (See Administrative Procedure for Suspension and Expulsion.)

Prior to suspending any student, the superintendent or principal will grant an informal hearing on the reasons for the suspension and the opportunity to challenge those reasons. Any student who has been suspended may be readmitted to the school by the superintendent or the principal who suspended him or her upon such reasonable conditions as the superintendent or principal may prescribe. The board will be notified of any temporary suspensions, the reasons therefor, and the response, if any, thereto.

Suspension of students with disabilities as defined by Public Law 94-142, and subsequent amendments, and Section 504 of the 1973 Rehabilitation Act, will follow federal guidelines and the provisions of this policy.



LEGAL REFERENCE:

Idaho Code Sections

18-917A

33-205

33-209

33-512(6)

Goss v. Lopez, 419 U.S. 565 (1975)

Honig v. Doe, 108 S. Ct. 592 (1988)

ADOPTED: 5/10/76 (replaces existing policy #502.2)

AMENDED: 10/8/84, 10/11/94, 11/8/94, 9/12/95, 2/13/96, 2/9/99, 2/12/02, 4/13/04, 10/12/04, 11/12/04, 6/12/07, 01/14/14, 01/13/15, 01/10/17