

## **AR 5144.1 Suspension and Expulsion**

### **KPBSD Policy Manual**

AR 5144.1

#### **Students**

#### **SUSPENSION AND EXPULSION**

##### **Notice of Regulations**

At the beginning of each school year, the Principal of each school shall notify students and parents/guardians in writing of all school rules related to discipline, suspension and expulsion. Staff, students, and parents/guardians shall be notified about District policies and regulations. Transfer students and their parents/guardians shall be notified at the time of enrollment.

##### **Grounds for Suspension and Expulsion**

A student may be suspended or expelled for the following causes:

1. Continued willful disobedience or open and persistent defiance of reasonable school authority;
2. Behavior which is in some way harmful to the welfare, safety or morals of other students;
3. Conviction of a felony which the Board determines will cause the attendance of the student to be in some way harmful to the welfare or education of other students.
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(cf. [5112.2 - Exclusions from Attendance](#))

A student may be suspended or expelled for behavior occurring at any time, including but not limited to the following circumstances:

1. While on school grounds, whether or not school is in session;
2. While at school-sponsored activities on or off-campus;
3. While going to or coming from school or a school-sponsored activity; and
4. During the lunch period, whether on or off the school campus.

##### **Authority to Suspend**

A Superintendent or Principal may suspend a student from school for any of the acts listed under "Grounds for Suspension and Expulsion" for not more than forty-five (45) consecutive days.

Suspension may be imposed upon a first offense if the Principal determines the student's behavior warrants suspension.

If the expulsion of a suspended student is being considered by the Board, the Superintendent may, in writing, extend the suspension until such time as the Board has made a decision.

(cf. [5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs](#))

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#### Suspension

Suspension is defined as the temporary prohibition of a student from physically attending school activities on the school grounds or from participation in school-related or supervised activities on or off the school grounds. The principal may allow limited access to District services on school grounds during the suspension.

Suspensions shall not exceed three (3) days for first offenses or ten (10) days for second offenses except in instances where a violation of drug or alcohol policy and regulation has occurred, or in the event of chronic truancy, violent behavior, weapons, or actions posing a threat to person, property, or the academic program. The District may conduct require a behavior threat assessment at any point in the investigatory process or prior to return from a suspension if the Principal or Superintendent determines the student may cause a threat to the health, safety, or welfare of students and/or staff. Subject to applicable appeal rights, a student may be denied entry until a threat assessment is completed if it is determined that the student poses a threat to the health, safety, or welfare of students and/or staff.

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(cf. [AR 5144 Discipline](#))

Action imposing suspensions of ten (10) days or less or eleven (11) to forty-five (45) days shall follow hearing procedures defined in [E 5144.1\(a\) Long-Term Suspension/Expulsion Process](#) and [E 5144.1\(b\) Order of Hearings](#).

#### Notice to Parents

At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever the student is suspended, the parent/guardian shall be notified in writing of the suspension.

This notice shall state the reasons for suspension and the date and time when the student may return to school, the appeal process, if any, and may request that the parent/guardian confer with school authorities regarding matters pertinent to the suspension.

#### Record Keeping

The District shall keep a dated record of student behavior. The record shall specify the behavior, courses of action taken to remediate the behavior, student and parent contacts made, other facts pertinent to the incident and the punishment imposed. Any report of formal or informal hearings shall be included in the record.

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(cf. [5125 Student Records](#))

The Superintendent shall be informed of all relevant information and actions.

#### **Denial of Admission**

A student of school age may be denied admission to District schools upon recommendation from administration and approval by the Board when such action complies with law.

#### **Expulsion**

Expulsion is defined as the removal for more than forty-five (45) days from any and all District schools of a student whose behavior is found to constitute a serious, continuing threat to the welfare of him/herself, others, property, or the academic program. Students recommended to the Board for expulsion shall have displayed a pattern of repeated disruptive behavior or have committed an individual act of significant misconduct that warrants expulsion as the most appropriate action.

A student may be expelled from the District schools following a contested student hearing and approval by the Board in a written decision after affording the student, parent, and legal counsel the right to be heard. If uncontested, the Board conducts an expulsion review. The expulsion hearing/review is a confidential proceeding; however, a vote to expel a student may be announced at a regular or special board meeting without identifying the student who is the subject of the expulsion vote.

(cf. [E 5144.1\(c\) Expulsion Recommendation Process](#))

Terms of expulsion may be for a specified period in excess of forty-five (45) days, or may be permanent. The Board may place conditions on the expulsion which include, but are not limited to, limited access to school district services which will not present a threat to the academic environment or health, safety or welfare of the KPBSD students and employees. The Board shall set forth any required conditions for readmission. Readmission to school shall be considered under the procedures set forth below when there is cause to believe that the behavior leading to the expulsion shall not be repeated.

(cf. [6164.3 Student Mental Health – Medication and Services](#))

Expulsions of identified special education students must be made in accordance with law.

(cf. [5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs](#))

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#### Readmission

An expulsion order shall remain in effect until the Superintendent authorizes the readmission of the student. Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent.
2. The Superintendent will hold a conference with the parent/guardian and the student.
  - o At the conference, the conditions for readmission will be reviewed. The Superintendent shall verify that the conditions have been met. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
3. The Superintendent will notify the student or parent/guardian, by ~~registered~~ electronic mail, of the decision regarding readmission.

Legal Reference:

ALASKA STATUTES

*AS 14.30.45 Grounds for suspension or denial of admission*

**KENAI PENINSULA BOROUGH SCHOOL DISTRICT**

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