

Southwest Vermont Regional Technical School District	DISCIPLINE OF STUDENTS SUSPENSION AND EXPULSION OF STUDENTS	Policy 5050C [Required]
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I. DISCIPLINE OTHER THAN SUSPENSION OR EXPULSION

It is the policy of the Southwest Vermont Regional Technical School District ~~board~~ that corrective action may be imposed on a student in response to misconduct by the student, including, but not limited to:

- < withdrawal of privileges (including participation in extra-curricular activities);
- < detention;
- < school or community service;
- < natural consequences (i.e., written apology, repairing or cleaning up damaged property, etc.)
- < mandatory participation in instruction (for example, anger management, social skills, drug or alcohol counseling).

1. Such consequences may be imposed together with or instead of suspension and/or expulsion.
2. The nature of the corrective and disciplinary action imposed by the administration and/or Regional Governing Board, shall lie within the sound discretion of the administration and/or school board, subject only to limitations imposed by law. However, where the governing school board policy requires a minimum penalty, the corrective action shall include the minimum penalty.
3. The age and maturity of the student will be considered in application of this policy.
4. The provisions of this policy shall apply to conduct while on school property and/or while attending or participating in school activities whether on or off school grounds, and/or while on school buses, and to unlawful student conduct having a direct impact on students participating in or attending school or school activities.

II. SHORT TERM SUSPENSIONS (10 OR FEWER DAYS).

1. The Superintendent and/or the Director (and their designees) may suspend pupils for 10 days or less for violation of a school board policy, a school rule, or for other misconduct of a pupil on school property, on school transportation, and/or at a school-sponsored activity.
2. Informal Hearing: The procedural safeguards provided by Vermont State Board of Education Rule 4311 shall be followed with respect to all short term suspensions. This means that, prior to

imposition of the suspension, the student and his/her parent shall be given an opportunity for an "informal hearing", including:

- The opportunity to be told the nature of the misconduct;
- An opportunity to hear an explanation of the evidence;
- An opportunity for the student to tell his/her side of the story prior to imposition of the suspension.
- A decision in writing shall be provided to the parents/guardian promptly following the suspension.

The right to an informal hearing does not include the right to be represented by counsel or the rights to confront and/or cross examine witnesses.

3. Other consequences, including but not limited to, withdrawal of privileges (including participation in extra-curricular activities), detention, school or community service, natural consequences (i.e., written apology, repairing or clearing up damaged property, etc.), mandatory participation in instruction (for example, anger management, social skills, drug or alcohol counseling), may be imposed together with or in lieu of, suspension.

4. During a period of short term suspension, a student's absence in the Register will be explained as "suspension". The student shall be responsible for arranging with each teacher a schedule for promptly making up all work missed during the period of short term suspension. The student may not enter upon school grounds or attend any school activity during any period of suspension.

5. Prior to the imposition of a short term suspension, the student's home school [if applicable] shall receive notice of the suspension, the reasons for the suspension, and the terms of the period of suspension.

III. LONG TERM SUSPENSIONS (MORE THAN 10 DAYS) AND EXPULSIONS

1. Consistent with this policy and the State Board Rules, the Director and/or Superintendent may recommend to the Regional Governing Board that a student be suspended for a definite period of more than ten days.

2. During the suspension all rights to teacher assistance and cooperation on make-up of class work, assignments, tests, etc. generally available to students with excused absences, will be available to suspended students. The student may not enter upon school grounds or attend any school function during any period of the suspension.

3. A Superintendent Director may, with the approval of the Regional Governing Board, expel a student for the remainder of the school year where the student's misconduct makes the continued presence of the student harmful to the welfare of the school.

4. Long term suspension and expulsion procedures, including written notice and an opportunity

for a formal hearing before the school board, shall be consistent with requirements of 16 V.S.A. §1162 and VDE Rule 4311, or successor provisions.

5. The student and his/her parents shall be provided an opportunity for a formal hearing before the Regional Governing Board prior to imposition of expulsion, and shall be provided with prior written notice of the following information and rights in connection with the hearing. The written notice shall be provided prior to the hearing and shall include:

- § A statement of the charges and of the evidence against the student;
- § The time, place and location of the hearing;
- § A statement that, as a result of the hearing, discipline may be imposed upon the student, up to and including long term suspension or expulsion;
- § Notice of the right for a formal hearing before the Regional Governing Board;
- § Notice of the right of the parents and student to be represented at the hearing by counsel (at student's/parents' expense);
- § Notice of the right to cross-examine witnesses and to present witnesses and other evidence at hearing.
- § The right to a decision in writing.

6. Prior to the imposition of a long term suspension or expulsion, the student's home school [if applicable] shall receive notice of the suspension, the reasons for the suspension or expulsion, and the terms of the period of suspension or expulsion.

Students with Disabilities: Students with disabilities as defined by the Individuals with Disabilities Act ("IDEA") and/or Section 504 of the Rehabilitation Act of 1973, and/or suspected of having such disabilities, shall not be suspended for more than 10 days, or expelled, except pursuant to provisions of the IDEA, and VDE Rule 4312, addressing long-term suspension and expulsion for such students.

Issuance of Procedures: Copies of VDE Rules 4311 and 4312 (or successor sections) are attached to this policy or made available upon request.

Legal References:

16 V.S.A. §§1161a; 1162
Vermont Dept. of Education Rules 4311 and 4312
20 U.S.C. §1415(k)

	Date Drafted	Date Warned	Date Adopted
Southwest Vermont Regional Technical School District	6/20/05	10/17/05	11/21/05