

ASPEN ACADEMY

Adopted:

Revised: December 17, 2013

506 STUDENT DISCIPLINE

I. PURPOSE

The purpose of this policy is to ensure that staff, students, and parents are aware of and comply with the school's expectations for student conduct. Such compliance will enhance the school's ability to maintain order and ensure that there is no interference with the educational process. The school will take appropriate disciplinary action when students fail to adhere to the Code of Student Conduct established by this policy.

II. GENERAL STATEMENT OF POLICY

The school board recognizes that individual responsibility and mutual respect are essential components of the educational process. All students are entitled to learn and develop in a setting which promotes respect of self, others, and property, and stresses student self-direction, decision-making, and responsibility.

Students must conduct themselves in an appropriate manner that maintains a climate in which learning can take place. Proper student conduct is necessary to facilitate the education process and to create an atmosphere conducive to high student achievement.

Although this policy emphasizes the development of self-discipline, it is recognized that there are instances when it will be necessary to administer disciplinary measures. It is the position of the school that a fair and equitable school-wide student discipline policy will contribute to the quality of the student's educational experience. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

III. AREAS OF RESPONSIBILITY

- A. The School Board. The school board holds all school personnel responsible for the maintenance of order within the school and supports all personnel acting within the framework of this discipline policy.
- B. Director. The Director shall establish guidelines and directives to carry out this policy, hold all school personnel, students and parents responsible for conforming to this policy, and support all school personnel performing their duties within the

framework of this policy. The Director shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents.

- C. Administrative Staff. The administrative staff is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy. The administrative staff shall give direction and support to all school personnel performing their duties within the framework of this policy. The administrative staff shall discuss with parents of students conducting themselves in a manner contrary to the policy. The administrative staff shall also involve other professional employees in the disposition of behavior referrals and shall make use of agencies appropriate for assisting students and parents, as appropriate. Administrative staff, in exercising their lawful authority, may use reasonable force.
- D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force.
- E. Other School Personnel. All school personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the Director. A school employee, school bus driver, or other agent of a school, in exercising his or her lawful authority, may use reasonable force.
- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities regarding the behavior of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community, while at school, are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

IV. STUDENT RIGHTS

All students have the right to an education and the right to learn.

V. STUDENT RESPONSIBILITIES

All students have the responsibility to:

- A. Follow all handbook and behavior guidelines.

- B. Behave in a manner that allows teachers to teach and students to learn.
- C. Know and follow all school rules, policies, procedures, and guidelines;
- D. Be on time and present for class and school and to follow all state and local truancy laws;
- E. Actively participate in classes required by the school or state.
- F. Make up missing assignments after absences;
- G. Follow all rules;
- H. Communicate with school staff about unsafe or behavior matters;
- I. Respect and maintain the school's property and the property of others;
- J. Follow the student dress code daily;
- K. Refrain from indecent or obscene language;
- L. Conduct themselves in an appropriate physical or verbal manner; and
- M. Recognize and respect the rights of others.

VI. CODE OF STUDENT CONDUCT

- A. The following are examples of unacceptable behavior subject to disciplinary action by the school. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school purposes; the area of entrance or departure from school premises or events; and all school-related functions. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school or the safety or welfare of the student, other students, employees, or volunteers.
 - 1. Personal actions:
 - a. Verbal or written communication that disrupts teaching, learning, or other school activities;
 - b. Student attire, accessories, outerwear or personal grooming which creates a danger to health or safety or creates a disruption to the educational process,

including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;

- c. The use of profanity or obscene language, or the possession of obscene materials;
- d. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
- e. Gambling, including, but not limited to, playing a game of chance for stakes;
- f. Violation of school bus or transportation rules or the school bus safety policies;
- g. Violation of school rules, regulations, policies, or procedures;
- h. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
- i. Bullying, cyber-bullying, or any other form of bullying as identified in Aspen Policy 514.
- j. Creation, possession or distribution of threatening, slanderous, libelous or pornographic materials;
- k. Falsification of any records, documents, notes or signatures;
- l. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of electronic devices or other technology to accomplish this end;
- m. Possession of a device which causes a nuisance or objects which cause distractions, harassment, or may facilitate cheating including, but not limited to, pagers, radios, and cell phones, including electronic devices;
- n. Using, possessing, or distributing tobacco, tobacco paraphernalia, or look-alike substances;
- o. Using, possessing, distributing, or being under the influence of alcohol or other intoxicating substances or look-alike substances;
- p. Using, possessing, distributing, or being under the influence of narcotics, drugs, or other controlled substances, or look-alike substances, except as prescribed by a physician, including one student sharing prescription medication with another student;
- q. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, illegal drugs, drug paraphernalia;

- r. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
 - s. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
 - t. Using an ignition or flammable device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
 - u. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
 - v. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
 - w. Violation of the school Weapons Policy;
2. Actions to others:
- a. Impertinent or disrespectful language toward teachers, other school personnel or students;
 - b. Opposition to authority using verbal or physical force or violence;
 - c. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school personnel, or other persons;
 - d. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
 - e. Hazing; secret societies, or threatening group activities;
 - f. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;
 - g. Sexual and/or racial abuse and/or harassment, indecent exposure, illegal or inappropriate sexual conduct, or sexual assault;
 - h. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon,
 - i. Verbal assaults, or verbally abusive behavior, including, but not limited to, use of language that is discriminatory, abusive, obscene, threatening, intimidating or that degrades other people;
 - j. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;

- k. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
- 3. Actions to property:
 - a. Tampering with, changing, or altering records or documents of the school by any method including, but not limited to, computer access or other electronic means;
 - b. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
 - c. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker, storage or another person's personal property;
- 4. Other actions:
 - a. Criminal Activity;
 - b. Other acts, as determined by the school, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or violates the school's internet use policy, or which otherwise interferes with or obstruct the mission or operations of the school or the safety or welfare of students or employees.
 - c. Violation of any local, state or federal law as appropriate;

VII. DISCIPLINARY ACTION OPTIONS

It is the general policy of the school to encourage acceptable behavior through positive reinforcement of self-responsibility, and to utilize discipline to the extent reasonable and appropriate based upon the circumstances of student misconduct and the student's age. The specific form of discipline chosen in a particular case is solely within the discretion of the school. At a minimum, violation of school rules, regulations, policies or procedures will result in discussion of the violation and a verbal warning. The school may, however, impose more severe disciplinary sanctions, including exclusion, suspension, or expulsion, for any violation, if warranted by the student's misconduct, as determined by the school. Disciplinary action may include, but is not limited to, one or more of the following:

- A. Verbal warning;
- B. Loss of school privileges (e.g. recess);
- C. Student conference with teacher, director, counselor or other school personnel;

- D. Parent contact;
- E. Parent conference;
- F. Removal from class;
- G. In-school suspension;
- H. Suspension from extracurricular activities;
- I. Detention, loss of privileges, or restorative measures;
- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;
- O. A request for a petition to be filed in court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Exclusion under the Pupil Fair Dismissal Act;
- S. Expulsion under the Pupil Fair Dismissal Act; and/or
- T. Other disciplinary action as deemed appropriate by the school.

VIII. REMOVAL OF STUDENTS FROM CLASS

A. Reasonable Force

It is the policy of Aspen Academy that the school maintains a safe learning environment while treating all students with dignity and respect. All students in the district will remain free from the unreasonable use of force. "Reasonable force" is intended to address students enrolled in the district and not intended to prevent or limit the use of reasonable force or restraint as necessary with other adults or youth from outside the school as allowed by law.

District staff may use reasonable force, isolation or restraint to maintain order or to prevent a student from harming him/herself, other students or school staff. Physical force is reasonable when needed to prevent or minimize imminent bodily injury or substantial or great bodily harm to self or others. If de-escalation interventions have failed or are inappropriate, reasonable physical force may be used. Physical force or restraint devices will not be used as a form of discipline or punishment.

Use of restraint is reasonable only when part of a student safety plan and under the following conditions and only when used by authorized and trained district staff after de-escalation interventions have failed or are inappropriate:

1. If the student's behavior poses a threat of imminent bodily injury or substantial or great harm to self or others.
- B. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean disciplinary actions taken by a teacher, director, or other administrator to prohibit a student from attending a class or activity period for a period of time not to exceed one class period.

Grounds for removal from class shall include any of the following:

1. Willful conduct that significantly disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn;
2. Willful conduct that endangers surrounding persons, including school employees, the student or other students, or the property of the school;
3. Willful violation of any school rules, regulations, policies or procedures, including the Code of Student Conduct in this policy; or
4. Other violations of the Code of Student Conduct, which in the discretion of the teacher or administration, requires removal of the student from class.

Such removal shall be for the least amount of time possible and shall not exceed one (1) class period of instruction for a given course of study.

C. If a student is removed from class more than three (3) times in a school year, the school shall attempt to notify the parent or guardian and/or make reasonable attempts to convene a meeting with the student's parent or guardian to discuss the problem that is causing the student to be removed from class.

D. Procedures for Removal of a Student from a Class.

Any student removed from a class must have appropriate paperwork in the form of a hallway pass or a referral form. Whenever possible, paperwork should be filled out and sent with the student to the removal destination. Any repeated removal of the same student from the same class or subject must be brought to the attention of the appropriate administrator.

E. Responsibility for and Custody of a Student Removed From Class.

Any student removed from a class must be under the supervision of a school staff member. It is the responsibility of the staff member removing the student to ensure that appropriate supervision of the student is arranged for and carried out.

F. Procedures for Return of a Student to a Class from Which the Student Was Removed.

A plan, either verbal or written, shall be agreed upon before returning to this/her class or subject.

G. Disabled Students; Special Provisions.

See Section XIII.

IX. DISMISSAL

A. "Dismissal" means the denial of the current educational program to any student, including exclusion, expulsion and suspension. Dismissal does not include removal from class.

The school shall not deny due process or equal protection of the law to any student involved in a dismissal proceeding which may result in suspension, exclusion or expulsion.

The school shall not dismiss any student without attempting to provide alternative educational services before dismissal proceedings, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

B. Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:

1. Willful violation of any reasonable school board regulation, including those found in this policy;
2. Willful conduct that significantly disrupts the rights of others to an education, or the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or
3. Willful conduct that endangers the student or other students, or surrounding persons, including school employees, or property of the school.

C. Suspension Procedures

1. “Suspension” means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the Director with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less, except as may be provided in federal law for a student with a disability.
2. If a student’s total days of suspension from school exceed ten (10) cumulative days in a school year, the school shall make reasonable attempts to convene a meeting with the student and the student’s parent or guardian prior to subsequently suspending the student from school. The purpose of this meeting is to attempt to determine the pupil’s need for assessment or other services.
3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission and may not be used to extend the current suspension. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.
4. In the case of a student with a disability, see Section XIII.

5. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the pupil to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.
6. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.
7. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference.
8. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
9. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
10. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) days.

D. Expulsion and Exclusion Procedures

1. “Expulsion” means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. “Exclusion” means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
5. The student and parent or guardian shall be provided written notice of the school’s intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56; describe alternative educational services accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student’s own choosing, including legal counsel at the hearing; (2) examine the student’s records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school shall advise the student’s parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE).
6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school, student, parent or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent or guardian and shall be closed, unless the student, parent or guardian requests an open hearing.
8. The school shall record the hearing proceedings at expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student’s own choosing, including legal counsel, at the student’s sole expense. The school

shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school in any proceeding.

10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.
13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school.
14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) school days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) school days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation provided that neither party presents any evidence not admitted at the hearing. The decision by the school board must be based on the record, must be in writing, and must state the controlling

facts on which the decision is made in sufficient detail to apprise the parties and the Commissioner of Education (Commissioner) of the basis and reason for the decision.

18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minn. Stat. § 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.
19. The school shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
20. The school shall report each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report shall include a statement of alternative educational services given the student and the reason for, the effective date, and the duration of the exclusion or expulsion. The dismissal report must include state student identification numbers of affected students.
21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school, as per the school's Attendance Policy.

X. ADMISSION OR READMISSION PLAN

A school administrator shall prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan may include measures to improve the student's behavior and require parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

XI. NOTIFICATION OF POLICY VIOLATIONS

Notification of any violation of this policy and resulting disciplinary action shall be as provided herein, or as otherwise provided by the Pupil Fair Dismissal Act or other applicable law. The teacher, director or other school official may provide additional notification as deemed appropriate.

XII. STUDENT DISCIPLINE RECORDS

It is the policy of the school that complete and accurate student discipline records be maintained. The collection, dissemination, and maintenance of student discipline records

shall be consistent with applicable school policies and federal and state law, including the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13.

XIII. DISABLED STUDENTS

Students who are currently identified as disabled under IDEA or Section 504 will be subject to the provisions of this policy, unless the student's IEP or 504 plan specifies a necessary modification. If the student's educational program is appropriate and the behavior is not a manifestation of the student's disability, the school will proceed with discipline – up to and including expulsion – as if the student did not have a disability, unless the student's educational program provides otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team will confer on the appropriate discipline (excluding exclusion or expulsion) and take steps to alter the student's educational program, as necessary. Regardless of whether the behavior is a manifestation of the student's disability, if the team determines that the student's educational program is either not appropriate or not being properly implemented, the team will take steps to alter the program and will take any program alterations into account in determining appropriate discipline.

Where a student is dismissed for five (5) or more consecutive days, or has accumulated more than ten (10) days of dismissal over the course of the school year, the school will convene a meeting to determine whether the student's educational program is appropriate and whether the behavior subject to discipline is a manifestation of the student's disability. Such a meeting must be held within ten (10) days of the school's decision to remove the student from his or her current educational placement and must be held before commencing an expulsion or exclusion of the student.

When a student who has an IEP is excluded or suspended for misbehavior that is not a manifestation of the student's disability, and that dismissal is for one school day or less, the student does not receive regular or special education services during that dismissal period. The school shall continue to provide special education and related services after any period of suspension is over. If the suspension exceeds five consecutive days, the student shall receive alternative educational services.

The requirements of the individual education plan team meeting apply when: (1) the parent requests a meeting; (2) the student is removed from the student's current placement for five (5) or more consecutive days; or (3) the student's total days of removal from the student's placement during the school year exceed ten (10) cumulative days in a school year. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. A separate administrative conference shall be conducted for each period of suspension.

XIV. DISTRIBUTION OF POLICY

The school will notify students and parents of the existence and contents of this policy in such manner as it deems appropriate. Copies of this discipline policy shall be made available to all students and parents.

XV. REVIEW OF POLICY

The director and representatives of parents, students and staff in each school building shall confer at least bi-annually to review this discipline policy, determine if the policy is working as intended, and to assess whether the discipline policy has been enforced. Any recommended changes shall be submitted to the Director for consideration by the school board.