

## **Section 5 – Student Policies**

### **5.26 – Suspension / Expulsion and/or Termination of Services**

#### **I. GENERAL**

**Our Savior Christian Academy works to maintain a safe and God-fearing campus. In the unfortunate event that sin has prevailed, the following guidelines may be utilized.**

#### **II. DEFINITIONS**

1. Days. A "day" means a calendar day unless otherwise stated. A "school day" means a day upon which the schools of the District are in session (including during summer school) or weekdays during the summer recess.
2. District. "District" means Our Savior Christian Academy and all campuses that exist.
3. Expulsion. "Expulsion" means removal of a student from the immediate supervision and control, or the general supervision, of school personnel, as those terms are used in computing average daily attendance.
4. Governing Board. "Governing Board" means the Governing Board (also known as the Academy Board) of the District. "Governing Board" and "Board" are synonymous throughout.
5. Parent. "Parent" means a student's parent or legal guardian.
6. Principal's Designee. A "principal's designee" is any one or more administrators at the school site specifically designated by the principal, in writing, to assist with disciplinary procedures. If there is not an administrator in addition to the principal at the school site, a certificated person at the school site may be specifically designated by the principal, in writing, as a "principal's designee" to assist with disciplinary procedures. An additional certificated person meeting the requirements of this subdivision may be designated by the principal, in writing, to act for the purposes of this article when both the principal and the principal's primary designee are absent from the school site. The name of the person and the names of any person or persons designated, as "principal designee" shall be on file in the principal's office.
7. Student. "Student" may include a student's parent, guardian or legal counsel or, for a disabled student, a surrogate parent if one has been appointed for purposes of individualized education plan (IEP) meetings.
8. Superintendent. "Superintendent" means the Principal or the Called Worker in charge of all campus sites.

9. School Property. "School property", all physical property including electronic files.
10. Suspension. "Suspension" means removal of a student from ongoing instruction for adjustment purposes. However, "suspension" does not mean:
  - a) Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level.
  - b) Referral to a certified employee designated by the principal to advise students.
  - c) Removal from a class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or the principal's designee.
  - d) Behavior management techniques called for in a disabled student's IEP.
  - e) Reassignment within the requirements of a disabled student's IEP.

### **III. SUSPENSION / EXPULSION AND TERMINATION OF SERVICES**

- I. Grounds for Suspension / Expulsion. A student may be suspended or expelled from school when he or she:
  - a) Caused, attempted to cause, or threatened to cause physical injury to another person. Willfully used force or violence upon the person of another, except in self-defense.
  - b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object. "Firearm" means any device designed to be used as a weapon from which is expelled through a barrel a projectile by the force of any explosion or other form of combustion. Examples of "dangerous object" include, but are not limited to: B.B. and pellet guns, air rifles, pepper spray, razors, brass knuckles, fist packs, nunchaku, and any object likely to cause injury to person or property that has no reasonable use at school.
  - c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance, an alcoholic beverage, or an intoxicant of any kind.
  - d) Unlawfully offered, arranged, or negotiated to sell any controlled alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
  - e) Committed or attempted to commit robbery or extortion.
  - f) Caused or attempted to cause damage to school property or private property.

- g) Stolen or attempted to steal school property or private property.
- h) Possessed or used tobacco, or any products containing tobacco or nicotine products, including but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Had unlawful possession of, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property.
- m) Possessed an imitation firearm. As used in this subsection, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Committed or attempted to commit a sexual assault.
- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that student from being a witness and/or retaliating against that student for being a witness, or both.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold prescription drugs.
- q) Engaged in, or attempted to engage in, hazing.
- r) Engaged in an act of bullying, including, but not limited to, bullying by means of an electronic act, directed toward a student or school personnel.
- s) Made a terroristic threat against school officials or school property, or both.
- t) Committed sexual harassment. The sexual harassment must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment.
- u) Caused, attempted to cause, threatened to cause, or participated in an act of hate violence.
- v) Intentionally engaged in harassment, threats, or intimidation, directed against a student or group of students, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of that student or group of

students by creating an intimidating or hostile educational environment.

2. Disruptive Acts. The following are examples of misconduct, which is deemed to constitute a violation. (This list is not considered all-inclusive, however.)
  - a) Verbal abuse and/or defiance of a supervisor, teacher, administrator or other District employee engaged in the performance of his or her duties.
  - b) Intentionally falsifying or misrepresenting material information provided to a District employee or on District records, or altering, defacing, or destroying District records without proper authorization.
  - c) Gambling.
  - d) Hazing.
  - e) Immoral behavior, possession/possession-for-sale of pornographic materials.
  - f) Leaving school without permission of school authority or being in a restricted area.
  - g) Violation of a governmental statute, ordinance or regulation.
  - h) Violation of the Dress Code, Closed Campus, Computer Use Contract, or any other District Governing Board Policy and/or school regulation.
  - i) An act of hate-motivated behavior.
  - j) Engaging in any form of communication that is obscene, libelous, or slanderous.
  - k) Challenging, provoking, or engaging in unlawful fighting.
3. Termination of Services
  - a) Failure to comply with financial obligations and/or adjustments.
  - b) Parent/Caregiver shows little or no follow through with administrator/teacher directives.
  - c) The parent/caregiver shows little or no regard to policies, procedures, or services of OSCA.
4. Notice to Parents.
  - a) At the time of suspension, a school employee shall make a reasonable effort to contact the student's parent in person or by telephone.
  - b) The notice shall include the following:
    - i. A statement of the facts leading to the decision to suspend.
    - ii. The date and time when the pupil will be allowed to return to school.
    - iii. A request that the parent/guardian attend the informal conference with school officials regarding the pupil's behavior.

4. Reinstatement.

a) Reinstatement After Successful Probation Period.

Upon satisfactory completion of the rehabilitation assignment, the Governing Board shall reinstate the student in a school of the District and may also order that any or all records of the expulsion proceedings be expunged.

5. Maintenance of Records.

The Governing Board shall maintain a record of each expulsion including the cause therefore. Records of expulsions shall be a non-privileged, disclosable public record. The expulsion order and the cause(s) therefore shall be recorded in the student's mandatory interim record and shall be forwarded to any school in which the student subsequently enrolls upon receipt of a request from the admitting school for the student's school records.

6. Procedure for Readmission.

- a) On or before the date established by the Governing Board when the student will be reviewed for readmission, the student shall submit written documentation in support of readmission to the Superintendent. The student should describe his/her compliance with the rehabilitation plan recommended at the time of the expulsion order. Failure to submit documentation and/or to cooperate in the review for readmission may be deemed grounds for denial of readmission.
- b) The Superintendent will review the written documentation in support of readmission, the accompanying information, and may request additional information as needed. The Superintendent also may schedule a conference with the student and the student's parent to review the written documentation in support of readmission.
- c) The Superintendent will determine whether the student should be readmitted, and will give the student and/or the student's parent written notice of the decision. If the Superintendent readmits the student, the decision shall be final.
- d) If the Superintendent denies the student's readmission, the Superintendent shall inform the student, in writing, of the decision, the reasons therefore, and of the student's right to appeal the Superintendent's decision to the Governing Board.

First Adopted: November 4, 2012  
Last Revision: November 15, 2016  
Last Reviewed: November 15, 2018  
Review Schedule: Every 2 Years