

PROCEDURE 551 – STUDENT EXCLUSION AND EXPULSION

I. DEFINITIONS AND RESTRICTIONS

- A. Exclusion
Exclusion is an action taken by the school district to prevent enrollment or re-enrollment of a student for a period that will not extend beyond the school year.
- B. Expulsion
Expulsion is an action taken by the school district to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled.
- C. Exclusions and expulsions may be based upon 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 District employees, or property of the school.

II. GENERAL PROCEDURE

- A. The School Board will not exclude or expel a student without attempting to provide alternative programs of education prior to exclusion or expulsion hearings, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.
- B. The Principal will contact the Assistant Superintendent or designee for consultation prior to completing a recommendation for exclusion or expulsion.
- C. The Principal will forward a written recommendation for exclusion or expulsion, with supporting data, to the Assistant Superintendent or designee.
- D. The Assistant Superintendent or designee will review the case and determine whether or not to recommend exclusion or expulsion to the School Board.
- E. Exclusion or expulsion may be exercised only by the School Board after a hearing and upon recommendation of the Superintendent and a finding by the School Board that sufficient grounds exist which require such exclusion or expulsion of the student from school.
- F. All expulsion and exclusion procedures will be held pursuant to and in accordance with The Pupil Fair Dismissal Act.
- G. An exclusion or expulsion decision may be appealed to the Commissioner of Education within twenty-one (21) calendar days of School Board action. The decision of the School Board shall be implemented during the appeal to the Commissioner.
- H. In the event of exclusion or expulsion, the Commissioner of Education will be notified within thirty (30) days of the School Board action as required by law. The notification must 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 report must also include the student's age, grade, gender, race, and special education status. The dismissal report must include state student identification numbers of affected students.

- I. The school district 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.
- J. Each exclusion or expulsion action will include a readmission plan. The plan may include measures to improve the student's behavior, including completing a character education program 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 a parent or guardian to provide sympathomimetic medication or require a student to submit to a psychiatric evaluation, screening or examination as a condition of readmission.

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Procedure Revised: 6/23/09

Procedure 551 Adopted: 10/16/01 (formerly Procedure 535 – 12/7/99) (formerly Procedure 5116)

Procedure Revised: 11/15/94

Procedure Revised: 3/6/90

Procedure Revised: 12/16/86

Procedure Revised: 1/2/85

Procedure Revised: 11/15/83

Procedure Revised: 10/2/74

Legal References:

M.S. 121A.40-121.56 - Pupil Fair Dismissal Act

M.S. Ch. 125A – Students with Disabilities

20 U.S.C. § 1400-1487 – IDEA

29 U.S.C § 794 *et. seq.* – Rehabilitation Act of 1973, §504

34 C.F.R. § 300.530-300.536 – Discipline Procedures

Cross Reference:

Policy 502 – Search of Student Lockers, Desks, Personal Possessions and Student's Person

Policy 503 – Attendance and Absences

Policy 504 – Student Dress and Appearance

Policy 506 – Student Discipline

Policy 514 – Bullying Prohibition

Policy 516 – Student Medication

Policy 524 – Internet Acceptable Use Policy

Policy 526 – Hazing Prohibition

Policy 541 – Chemical Use/Abuse

Policy 542 – Extended Educational Trips

Policy 548 – Harassment and Violence

Policy 550 – Suspension

Policy 709 – Student Transportation Safety

Policy 726 – Student Conduct on Buses

School Board

INDEPENDENT SCHOOL DISTRICT 279

Maple Grove, Minnesota