



# THE ACADEMIES OF OKLAHOMA

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## **Policy- Student Suspension/Expulsion-**

### **Student Discipline, Suspension, and Due Process.**

Discipline: Good discipline is vital to the educational program. Discipline should be fair, dignified, and administered with an even temper. Discipline may include, but is not limited to, conferences with parents or guardians, in-school detention, revocation of privileges, and suspension. In administering discipline, consideration will be given to alternative methods of punishment to ensure that the most effective discipline is administered in each case. In all disciplinary actions, teachers and administrators will be mindful of the fact that they are dealing with individual personalities. Administrators may consider consultation with parents to determine the most effective disciplinary measure. The Board will rely upon the judgment and discretion of the administrator to determine the appropriate remedial or corrective action in each instance. In considering the different forms of disciplinary action, the faculty and the administration of the school district will consider the following; however, the school is not limited to these various methods, nor does this list reflect any order of sequence of events to follow in disciplinary actions:

1. Conference with student
2. Conference with parents
3. In-school suspension/Restorative Behavior Intervention
4. Detention
5. Referral to counselor
6. Behavioral contract
7. Changing student's seat assignment or class assignment
8. Requiring a student to make financial restitution for damaged property
9. Requiring a student to clean or straighten items or facilities damaged by the student's behavior
10. Restriction of privileges
11. Involvement of local authorities
12. Referring a student to the appropriate social agency

13. Change of placement

14. Suspension

15. Other appropriate disciplinary action as required and as indicated by the circumstances which may include, but is not limited to, removal from eligibility to participate or attend extracurricular activities as well as removal from the privilege of attending or participating in the graduation ceremony, school dances, prom, and/or class trips.

The District does not utilize corporal punishment as a means of discipline.

**Definitions:** “Suspension” or “out-of-school suspension” is the removal of a student from the daily school environment for a period not to exceed one calendar year for offenses involving firearms and the remainder of the current semester and the succeeding semester for all other offenses. A principal may suspend a student when the student’s behavior violates the District’s Student Code of Conduct, Administrative Regulations, or directives received from school authorities. Suspensions should have a definite commencement and ending date; indefinite out-of-school suspensions are not permitted. Although suspensions, until the student performs some remedial act, are not permitted, a student may be advised a suspension of definite length will terminate earlier if the student performs a prescribed remedial act or acts.

- . • A “long-term suspension” exceeds ten (10) school days
- A “short-term suspension” is ten (10) or fewer school days
- . • “Parent” refers to a student’s parent, legal guardian, or the person having legal custody of the student.

**Special Education Suspension/Discipline:**

Student discipline, suspension, and due process for special education students, as defined by the Individuals with Disabilities Education Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1973, shall be administered in accordance with “The Policies and Procedures Manual for Special Education in Oklahoma” published by the Oklahoma State Department of Education. Federal law or regulation and Oklahoma law or regulation about students with disabilities shall take precedence over District policy and regulations in all matters that are specifically addressed by the federal and state laws or regulations. Where Federal and Oklahoma law or regulation permits, are silent or do not directly address issues dealing with students with disabilities, District policy and regulations will be followed.

**• Pre-Suspension Informal Conference with Student**

(a) When a student is believed to have committed an offense for which suspension may be imposed, the principal or designee shall conduct an informal conference with the student.

(b) The principal or designee shall inform the student of the policy, rule, or regulation the student is charged with or suspected of having violated, the evidence supporting the charges, and the conduct reported to violate the policy, rule, or regulation.

(c) The principal or designee will allow the student to respond to the charges, the evidence presented by the principal or designee in support of the charges, and allow the student the opportunity to provide his/her information and admit or deny the charges.

(d) If the principal or designee concludes the student committed the offense and suspension is appropriate, the principal or designee shall inform the student of the length of the suspension. In deciding whether to suspend and determining the length of a suspension, a principal or designee may consider the following: the seriousness of the offense, the student’s attitude, the student’s disciplinary history, those adversely affected by the misconduct, those potentially adversely affected by the misconduct, and the number of behavioral offenses associated with the misconduct and current suspension decision

. (e) The principal or designee shall inform the parent of the suspension and that alternative in-school placement or other available disciplinary options were considered. Elementary and middle school students shall not be dismissed on suspension before the end of the school day without advance notice to the parent. High school students shall not be dismissed on suspension before the end of the school day without reasonable efforts by the school administration to contact

the parent except in cases where the student poses an immediate threat to the safety and welfare of the student, other students, staff, and/or property.

**(f) Records and Reports:** The principal or designee will record each pre-suspension conference, including the date of the conference, the names of the persons present, and the 36 alternative in-school disciplinary alternatives that were considered. The principal or designee shall maintain records related to the Education Plan and the student and/or parent's compliance or non-compliance with the Plan.

**(g) Notification to Parents:** The principal or designee will inform the parent or guardian of the suspension as soon as possible after a suspension is imposed, explain the basis for the suspension, inform the parent of the opportunity to have the suspension reviewed by appeal, and provide the parent the time deadlines for submitting an appeal request. The notice required in this section shall be completed with the parent signing and dating the notice or in the form of a letter sent by certified mail, return receipt requested.

**Immediate Out-of-School Suspension without a Pre-Suspension Conference:** A student may be suspended without a pre-suspension conference only where a student's conduct reasonably indicates the continued presence of the student poses an immediate danger to the health or safety of the students, employees, or District property, or continued substantial disruption of the educational process. In this event, an out-of-school suspension conference with the student and the parent or guardian will be scheduled as soon as possible after the student has been removed from school.

### **Education Plan**

**Suspensions of Five (5) School Days or Less:** Suspensions of five (5) school days or less shall include the following Suspension Education Plan ("Plan"):

**(a)** A student shall be eligible to receive grades for full credit on all work, assignments, and tests during the period of the out-of-school suspension for five (5) school days or less.

**(b)** The student is solely responsible for obtaining and making up the missed work, assignments, and/or tests missed while on suspension from and with the student's teachers upon return to school from suspension.

**(c)** The student will have one day for each day of suspension to make up the work, assignments, and/or tests missed during the suspension. The failure of the student to meet these time requirements will result in a grade of zero (0) or "F" and no credit for work, assignments, and/or tests not made up according to the time requirements.

**Suspensions in Excess of Five (5) School Days:** Suspensions in excess of five (5) school days shall include a Suspension Education Plan ("Plan") which describes a home-based schoolwork assignment setting or other appropriate work assignment setting. The Plan shall be prepared by the principal or designee with the assistance of other school employees as warranted.

A Suspension Education Plan as described in this policy will be formed for suspensions over five school days except for those specifically involving a firearm or possession of a controlled dangerous substance(s) while selling, conspiring to sell, distributing, being in the chain of sale or distribution, or with the intent of furnishing illegal or illicit drugs or other mood-altering substances

. The Plan shall provide for the core units in which the student is enrolled. Core units are the minimum English, mathematics, Science, Social Studies and Art units required by the Oklahoma State Department of Education for grade completion in grades kindergarten through grade eight and for high school graduation in grades nine through twelve

. The Plan shall be provided to the student and parent. The parent shall be responsible for providing the student with a supervised, structured environment in which to comply with the Plan and monitoring educational progress until the student is readmitted. The Plan shall set out the procedure for education and set what academic credit will be earned for work satisfactorily completed.

**Attendance at School Pending Appeal Hearing:** Pending a properly and timely submitted appeal, the student may attend school under whatever "in-school" restrictions the principal deems proper. Provided, the student shall remain out of

school and/or not attend school pending an appeal if the principal determines the misconduct of the student reasonably indicates continued attendance would pose a danger to students, employees, or property, or would substantially interfere with school operations.

**Student Privileges While Suspended:** Participation in all extracurricular activities is a privilege and not a right. Accordingly, when a student is suspended the student immediately, notwithstanding the filing of an appeal, forfeits the privilege of participating in all extracurricular activities. In addition, when a principal or designee determines to impose alternative measures, in-school disciplinary actions, or other correctional measures against a student, the student will not be permitted to participate in any extracurricular activities during the term of the discipline unless, in the sole judgment of the principal, such participation is appropriate given the nature of the offense committed by the student. "Extracurricular activities" include, but are not limited to, all school-sponsored games/events, school-sponsored teams, clubs, organizations, ceremonies, student government, band, athletics, and all other school-sponsored activities and organizations. The prohibition includes the restriction from participating in and attending extracurricular and school activities on and/or off school property. Commencement/ graduation is an extracurricular activity.

**Appeal of Short-Term Suspensions:** A student suspended for a period of ten (10) or fewer school days, following an informal pre-suspension conference with the principal or designee, may appeal the suspension as follows:

(a) An appeal to the Site Committee must be requested in writing to and received by the school principal or designee within two (2) calendar days after the principal's or designee's suspension decision is received by the student or parent and must specify what part of the out-of-school suspension decision is being appealed. The parent/student may appeal one or both of the following:

- 1) The finding of guilt of the charge(s) by the principal or designee for which the student was suspended; and/or
- 2) The reasonableness and length of the suspension.

(b) The suspension decision will become final and non-appealable if a request for appeal is not timely submitted. (

(c) Upon receipt of the request for an appeal, the Principal shall confirm the suspension falls within the category of suspensions to which an appeal to the Site Committee is authorized. If the Principal or designee determines the period of suspension is greater than (10) school days, or if for any reason, the short-term suspension is extended beyond ten (10) school days before the committee hearing, the procedures applicable to long-term suspensions must be followed and the student must be allowed to appeal any adverse decision as provided by this policy for long-term suspensions

(d) The Principal or designee shall appoint a Site Committee to hear the appeal. The Site Committee shall consist of not less than three District employees, who shall be a minimum of two teachers assigned to the school site and an administrator or counselor not involved with the suspension of the student. The Site Committee shall designate a chairperson. No administrator or teacher who witnessed the misconduct or any teacher teaching the student during the current semester shall serve on the Site Committee.

(e) The Principal or designee shall schedule the Site Committee hearing as soon as possible during regular school hours, Monday through Friday. Reasonable consideration shall be given to accommodate the work schedules of the parent or guardian within that period, if possible. The Principal shall attempt to schedule the Site Committee meeting within five (5) calendar days of receiving the parent/student's written or e-mail appeal request. The student and parent will be notified in writing, by e-mail, or by phone of the date, time, and place of the hearing. The principal or designee who issued the out-of-school suspension decision shall attend the Site Committee hearing

(f) The Site Committee will conduct a full investigation of the issues appealed. The committee will outline the student's misconduct; read, refer to, or distribute the policy, rule or regulation which the student's misconduct violated; and make any statements or submit documentary evidence that support the suspension decision. The student or parent will explain the student's position and/or make statements or submit documentary evidence relating to the appealed issues.

(g) Evidence supplied by witnesses shall be submitted to the Site Committee in writing only. For evidence supplied by student witnesses, the Site Committee shall have the authority to restrict the identity of the student witnesses. In this case,

the principal or designee will inform the Site Committee of the information received from students and explain why the principal or designee believes the information received is valid and supports the suspension decision.

(h) The Site Committee meeting is closed to the public.

(i) Legal counsel is permitted at the Site Committee hearing.

(j) At the conclusion of the presentation of the evidence, the Site Committee shall retire to render a decision by a majority vote and such decision is final and not appealable. The Site Committee's decision shall be to uphold, modify, or revoke the suspension decision of the Principal or designee as to the guilt or innocence of the student and/or the reasonableness and length of the out-of-school suspension, depending on the issues appealed. The Site Committee's decision shall be in writing and mailed, e-mailed or delivered to the parent, the principal, and the Superintendent. The decision of the Site Committee is final and non-appealable

**Appeal of Long-Term Suspensions:** A parent or the student may appeal the suspension decision for a suspension in excess of ten (10) school days first to a District Review Committee then to the Board as follows:

(a) An appeal must be presented in writing to and received by the school principal, Superintendent or designee within two (2) calendar days after the decision of suspension is received by the parent or student and must specify which part of the suspension decision is being appealed. The parent/student may appeal one or both of the following: 1. The finding of guilt of the charge(s) by the principal or designee for which the student was suspended; and/or 2. The reasonableness and length of the suspension.

(b) The suspension decision will become final and non-appealable if a request for appeal is not timely submitted.

## **Student Discipline- Expulsion from and of The Academies of Oklahoma**

Expulsion, also known as dismissal, withdrawal, or permanent exclusion is the permanent removal or banning of a student from a school, or school district due to persistent violation of that institution's rules, or in extreme cases, for a single offense of marked severity against the school's code of conduct and student handbook.

Upon, a student being expelled from school no services will be provided for that student Unless the student is a special education student with an IEP and/or 504 services.

**General Education Student**- who becomes expelled from the campus will not be allowed to return until the following academic school year if that student lives in the district.

The school district will not provide the student with any academic accommodations or support after being expelled from our site.

Students expelled who do not live in the school's district may apply for enrollment the next academic year. The administration will have the right to consider or deny the student from entry into the school.

**Special Education Students**- who become expelled from the campus WILL be provided with educational services by a certified, Special education teacher in accordance with the student's IEP, until the student enrolls in a different school district and/or returns after the disciplinary period has expired. The services will be somewhere other than the school..

Expulsion of a special education student is only allowed when the misbehavior involved fits into 3 categories.

- (1) Behavior involving a weapon
- (2) Behavior involving drugs
- (3) Behavior that caused serious injury to students, staff, or teachers

**Approved 3/11/24**