

JICD

Pittsfield School District

STUDENT DISCIPLINE AND DUE PROCESS

At all times, students are required to conduct themselves in accordance with behavioral standards set forth in Policy JIC and all other applicable Board policies and all district and school rules. Failure to comply can lead to disciplinary consequences as set forth in this policy and applicable law.

Definitions

Disciplinary measures include, but are not limited to, removal from the classroom, detention, in-school suspension, out-of-school suspension, restriction from activities, probation, and expulsion.

- A. “Removal from the classroom” means a student is sent to the student support center. It is within the discretion of the person in charge of the classroom to remove the student.
- B. “Detention” means the student's presence is required for disciplinary purposes before or after the hours when the student is assigned to be in class. The dean of operations is authorized to establish guidelines or protocol for when detention shall be served (either before school or after school). Whether a student will serve detention, and the length of the detention, is within the discretion of the licensed employee disciplining the student or the dean of operations.
- C. ~~A~~ “In-school suspension” means the student will attend school but will be temporarily isolated from one or more classes while under supervision. An in-school suspension will not exceed ten consecutive school days.
- D. ~~A~~ “Out-of-school suspension” means the temporary denial of a student’s attendance at school for a specific period of time for gross misconduct or for neglect or refusal to conform to school rules or policies.
 - a. “Short term suspension” means a suspension of ten school days or less.
 - b. “Long term suspension” means the continuation of a short-term suspension under RSA 193:13, I (b) – (c) and also means a suspension of ten school days under Ed 317.04(a)(2).
- E. ~~A~~ “Restriction from school activities” means a student will attend school, ~~and~~ classes, and practice but will not participate in school extra-curricular activities, including competitions.
- F. “Probation” means a student is given a conditional suspension of a penalty for a definite period of time in addition to being reprimanded. The conditional suspension will mean the student must meet the conditions and terms for the suspension of the penalty. Failure of the student to meet these conditions and terms will result in immediate reinstatement of the penalty.

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- G. “Expulsion” means the permanent denial of a pupil’s attendance at school for any of the reasons listed in RSA 193:13, II and III.

Standards for Removal from Classroom and Detention. Students may be removed from the classroom at the classroom teacher’s discretion and at the discretion of the individual supervising the student at the time if the student refuses to obey the teacher’s directives, becomes disruptive, fails to abide by school rules or policies, or otherwise impedes the educational purpose of the class.

Likewise, classroom teachers may assign students to detention for similar conduct.

The dean of operations may assign students to detention under the same standard.

Standards for In-School Suspension, Restriction of Activities, and Probation. The dean of operations is authorized to issue in-school suspensions, restrictions of activities, or place a student on probation for any conduct that causes material or substantial disruption to the school environment, interferes with the rights of others, presents a threat to the health and safety of students, employees, and visitors, is otherwise inappropriate, violates other board policies, or is prohibited by law.

Restriction of activities may also be issued pursuant to rules or policies pursuant to specific clubs or teams.

Process for Out-of-School Suspension. The power of suspension is authorized for gross misconduct, neglect, or refusal to conform to school district policies and rules as follows:

- A. Short-Term Suspensions. The dean of operations (as designee of the superintendent) or other personnel designated by the superintendent is authorized to suspend a student for ten school days or less.

As required by RSA 193:13(a), educational assignments shall be made available to the suspended student during the period of suspension.

Due process standards for short-term suspension (ten days or less) will adhere to the requirements of Ed 317.04(f)(1).

- B. Long-Term Suspensions. The superintendent is authorized to continue the suspension and issue a long-term suspensions of a student for a period in excess of ten school days, provided that if the superintendent issued the original short-term suspension, then the School Board may designate another person to continue the short-term suspension and issue the long-term suspension.

Prior to a long-term suspension, the student will be afforded an informal hearing on the matter. The informal hearing need not rise to the level and protocol of a formal hearing before the School Board, but the process must comply with the requirements of Ed 317.04 (f)(2) and Ed 317.04 (f)(3)(g), including, without limitation, the requirements for advance notice and a written decision.

Any suspension in excess of ten school days, as described in Paragraph 2 of this Section, is appealable to the School Board, provided that the superintendent receives the appeal in writing within ten days after the issuance of the

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superintendent's decision described in Paragraph 2. Any suspension in excess of ten school days shall remain in effect while this appeal is pending.

Process for Expulsion. Any student may be expelled by the School Board for (a) an act of theft, destruction, or violence as defined in RSA 193-D, (b) for possession of a pellet paint ball gun or BB gun, or rifle as provided by RSA 193:13, II, or (c) for gross misconduct, or for neglect, or refusal to conform to the reasonable rules of the school. An expulsion under this paragraph will run until the School Board restores the student's permission to attend school.

A student seeking restoration of permission to attend school shall file a written request with the superintendent while details the basis for the request. The Board will determine whether and in what manner it will consider such a request.

Additionally, any student may be expelled by the School Board for bringing or possessing a firearm as defined in Section 921 U.S.C. Title 18 in a safe school zone, as defined in RSA 193-D:1, unless such student has written authorization from the superintendent. Any expulsion under this provision shall be for a period of not less than twelve months.

Prior to any expulsion, the district will ensure that the due process standards set forth in Ed 317.04 (f)(3) are followed.

Any decision by the Board to expel a student may be appealed to the State Board of Education.

The superintendent is authorized to modify the expulsion or suspension requirements of the first two paragraphs in this section on a case-by-case basis.

Disciplinary Removal of Students with Disabilities. If a student is disabled under the Individuals with Disabilities Act (IDEA), New Hampshire RSA 186-C, Section 504 of the Rehabilitation Act of 1973, and Americans with Disabilities Act, or any other law providing special rights to disabled students, those laws shall govern and shall supersede these district policies to the extent that these district policies are inconsistent with those laws. Accordingly, any suspension or expulsion of a student with a disability as defined in Ed 1102.01 (t) shall be in accordance with Ed 1124.01.

Notice. This policy and school rules which inform the student body of the content of RSA 193.13 shall be printed in the student handbook and made available on the district's website to students and families. The dean of operations shall also inform the student body concerning this policy and school rules which address the content of RSA 193:13 through appropriate means, which may include posting and announcements.

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