

<b>Category:</b>  <b>8000 STUDENTS</b>	<b>Policy Number:</b>  <b>8646</b>
<b>Policy Title:</b>  <b>Expulsion/Denial of Attendance</b>	<b>Effective Date:</b>  <b>May 15, 2001</b>

The district may deny a student enrollment, or may deny a student attendance at any of its schools by expulsion, for the following reasons:

1. The student is a habitual truant, who is incorrigible, or whose conduct, in the judgment of the board, is such as to be continually disruptive of school discipline or of the instructional effectiveness of the school, or whose presence in a public school is detrimental to the health and safety of other students.
2. The student has been expelled from another school district in this state or any other state.
3. The parent/guardian fails to furnish, or to request of a previous administration, out-of-state records for a student transferring into this district. The parent/guardian of a student transferring from out-of-state to a school in this district is required, if requested, to furnish the district accurate copies of the student's school records, including records containing information concerning violent or disruptive behavior or disciplinary action involving the student.

The district will grant the school principal the authority to consider and grant the readmission of students to school following denial of attendance, unless otherwise notified. Prior to readmission, the student must have completed a successful trimester/semester at another school.

When a student's request for readmission is denied by the principal, the request for readmission may be referred to the Board of Trustees for further review.

The board will expel from school for a period of not less than one (1) year, twelve (12) calendar months, or may deny enrollment to, a student who has been found to have carried a weapon or firearm on school property in this state or any other state, except that the board may modify the expulsion or denial of enrollment order on a case-by-case basis. An authorized representative of the board will report such student and incident to the appropriate law enforcement agency.

Discipline of a student with disabilities will be in accordance with the requirements of federal law Part B of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act (Section 504) as well as the provisions of this policy.

No student will be expelled or denied enrollment without first receiving the following due process rights:

1. The board, through the superintendent or his or her designee, will give written notice to the parent/guardian of the student;
2. The notice will state the grounds for the proposed expulsion or denial of enrollment and the time and place where such parent/guardian may appear to contest the action of the board to deny school attendance;
3. The notice will also state the right of the student to be represented by counsel, to produce witnesses, and submit evidence on his or her own behalf, and to cross-examine any adult witnesses who may appear against him or her.
4. Within a reasonable period of time following such notification, the board will grant the student and his or her parent/guardian a full and fair hearing on the proposed expulsion or denial of enrollment.
5. The board will allow a reasonable period of time between such notification and the holding of such hearing to allow the student and the parent/guardian to prepare their response to the charge.
6. Any student who is within the age of compulsory attendance, who is expelled or denied enrollment as herein provided, will come under the purview of the Juvenile Corrections Act, and an authorized representative of the board will file a petition with the magistrate division of the district court of the county of the student's residence in such form as the court may require under the provisions of the Juvenile Corrections Act.

**Reference:** Policy 8110: "Attendance"  
Policy/Procedure 8070 and 8070p "Code of Conduct - Discipline Policy"  
Policy 8790, "Weapons Prohibited on School Property"

**Legal Reference:** Idaho Code Sections 33-205; 33-209; 20-527