

1 **Potomac Elementary**

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3 **STUDENTS**

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5 Suspension and Expulsion

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7 The District recognizes and honors students’ constitutional right to education opportunity.  
8 However, as provided under Montana law, the District will exercise its right to suspend or expel  
9 a student when necessary. The District expects all students to know and follow District policies  
10 and rules. The District considers a student’s failure or refusal to comply with District policies  
11 and rules cause for discipline, including short-term suspension, long-term suspension, or  
12 expulsion.

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14 The following definitions apply for purposes of this policy:

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- 16 • “Suspension” means the exclusion of a student from attending individual classes or
- 17 school and participating in school activities for an initial period not to exceed ten (10)
- 18 school days. An administrator may order suspension of a student.
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- 20 • “Expulsion” is any removal of a student for more than twenty (20) school days without
- 21 the provision of educational services. Expulsion is a disciplinary action available only to
- 22 the Board.
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24 Students with disabilities will be suspended or expelled pursuant to provisions of the Individuals  
25 with Disabilities Education Act (IDEA) and corresponding Montana law.

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27 Upon a finding by the Principal that the immediate return to school by a student would be  
28 detrimental to the health, welfare, or safety of others or would be disruptive of the educational  
29 process, a student may be suspended for one (1) additional period not to exceed ten (10) school  
30 days, if the student is granted an informal hearing with the Principal prior to the additional  
31 suspension, and if the decision to impose the additional suspension does not violate the  
32 Individuals with Disabilities Education Act (IDEA), 20 U.S.C. 1400, et seq.

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34 The Principal will develop procedures to implement this policy and submit the procedures to the  
35 Board for its advice and consent.

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| 36 | 37               | 38   |
| 39 | Legal Reference: | 20 U.S.C. 1400, et seq.      Individuals with Disabilities Education Act |
| 40 |                  | 34 CFR 300.519-521      Procedural Safeguards                            |
| 41 |                  | § 20-4-302, MCA      Discipline and punishment of pupils–                |
| 42 |                  | definition of corporal punishment–penalty–                               |
| 43 |                  | defense  |
| 44 |                  | § 20-4-402, MCA      Duties of district superintendent or county         |
| 45 |                  | high school principal  |
| 46 |                  | § 20-5-105, MCA      Attendance officer – powers and duties              |

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| § 20-5-106, MCA                          | Truancy                       |
| § 20-5-201, MCA                          | Duties and sanctions          |
| § 20-5-202, MCA                          | Suspension and expulsion      |
| ARM 10.16.3346                           | Aversive Treatment Procedures |
| <i>Goss v. Lopez</i> , 419 US 565 (1975) |                               |

Policy History:

Adopted on: December 13, 2010

Reviewed on:

Revised on: