

LEARNER SUSPENSION OR EXPULSION

Serious breaches of standards of behavior may result in suspensions or expulsions from school. A short-term suspension is a temporary denial to a student by the Principal, Superintendent, or School Board, of participation in a class. Long-term suspension is a temporary denial to a student by the Superintendent or School Board of participation in school for more than ten days, but not to exceed ninety days. An expulsion is a denial of a student's membership in school by the school. A principal is authorized to suspend learners for not more than ten school days and a Superintendent is authorized to suspend learners for not more than 90 days. The period of expulsion may extend beyond the semester in which the violation, insubordination, or misconduct occurred.

Any long-term suspension for consumption or possession of beer or alcoholic beverages may not extend beyond ninety school days. Any learner bringing learner having a firearm, or air gun, whether or not the firearm or air gun is designed, adapted, used, or intended primarily for imitative or noise making purposes, or any dangerous weapon to at school, except as authorized by law, shall be recommended for an expulsion for up to twelve months and will be disciplined accordingly and referred to law enforcement authorities as necessary. The Superintendent shall have the authority to decrease the length of expulsion on a case-by-case basis. This policy shall be implemented in a manner consistent with IDEA and Section 504.

A suspension may be imposed, but is not limited to, when a learner's behavior creates a threat to his own or other's safety or imposes a threat to property or premises or creates a serious disruption of the school environment. Behavior such as fighting or committing an assault on another; stealing; vandalism; possessing weapons, explosives or other prohibited materials; making a false alarm or terroristic threat; lewd or threatening behavior or language; possession of drugs, this includes tobacco, nicotine delivery devices, e-cigarettes and vaping devices; or possession of beer or alcoholic beverages on the school premises or at school activities may result in suspensions.

Hearing procedures as established by state regulations will be followed for all learners who receive long-term suspensions or expulsion.

- In case of a suspension by the Superintendent for more than ten school days, the Superintendent will schedule a hearing before the Board of Education and the hearing shall be scheduled within ten (10) school days of the first day of the learner's suspension.
- Additional procedures mandated by state and federal law apply to special education learners.

Suspension from Extra-Curricular Activities: Learner penalties and suspension from extra-curricular activities is set forth in Policy JFC-R(1) Learner Conduct - Learner Activities.

Legal References:

[ARSD 24:05:26 \(Special Education Student Suspension\)](#)
[ARSD 24:05:26.01 \(Special Education Student Expulsion\)](#)
[ARSD 24:07 \(Student due process\)](#)
[SDCL 13-32-4 \(School board to assist in discipline\)](#)
[SDCL 13-32-4.2 \(Procedure for suspension\)](#)
[SDCL 13-32-5 \(Injury to school property as grounds\)](#)
[SDCL 13-32-7 \(Possession of firearms on premises\)](#)

[SDCL 13-32-9 \(Suspension from extracurricular activities\)](#)
[SDCL 13-32-9.1 \(Consequences imposed by local school districts\)](#)
[SDCL 13-32-9.2 \(Reduced suspensions–Commencement of suspension\)](#)
[SDCL 22-11-9.2 \(Falsely reporting a threat\)](#)
[SDCL 22-14A-24 \(Use of substance or device to communicate a threat\)](#)
[SDCL 22-14A-25 \(Use of hoax substance or device to cause fear\)](#)
[SDCL 22-42 \(Controlled Substances and Marijuana\)](#)
[Public Law 103-382 \(Improving America's Schools Act of 1994\)](#)

Cross References:

IGD - Student Activities
JFA - Learner Due Process Rights
JFC - Learner Conduct
JFCC - Learner Conduct on School Vehicles
JFCD - Bullying
JFCD-E(1) - Bullying - Complaint Report Form
JFCD-E(2) - Bullying - Complaint Appeal to the Superintendent
JFCD-E(3) - Bullying - Complaint Appeal to the School Board
JFCH - Alcohol and Other Drug Use by Learners
JFCJ - Weapons

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