

Discipline – Exclusions & Exemptions

The Superintendent of schools or designee shall approve an exclusion or exemption only upon the documentation of severe physical disability, mental disability or the recommendation of a screening committee that a pupil's behavior is inimical to classmates and makes attendance inadvisable.

The screening committee shall include the Superintendent, an Office of Education psychologist and other members as determined by the Superintendent/designee.

Criteria to be considered by the screening committee shall include the pupil's age, educational needs, capacity of family to plan for the pupil's educational, physical and emotional needs, and the family's need for school personnel in securing community resources to cope with the pupil's problems.

Screening committee recommendations shall document the physical or mental condition involved and propose conditions under which the Superintendent/designee might consider readmission.

The Superintendent or designee and other school personnel shall work with the responsible parent or guardian on a day—to—day basis in an attempt to remedy the condition necessitating exemption.

The terms of all exclusions shall include a date for reconsideration not more than three months from the effective date of the exclusion order.

The Superintendent/designee shall cause a notice of hearing to be delivered to the responsible parent or guardian at least ten days before the hearing, which shall be tape recorded.

Following the hearing, the Superintendent/designee shall cause a notice of decision to be delivered to the responsible parent or guardian.

All notices shall be delivered either by school personnel or via U.S. certified mail, return receipt requested.

*Legal Reference:**EDUCATION CODE**35146 Closed sessions re: suspensions**35291 Rules of governing board**48203 Reports of severance of attendance of disabled students**48900-48925 Suspension and expulsion**56000 Special education; legislative findings and declarations**56320 Educational needs; requirements**56321 Development or revision of individualized education program**56329 Independent educational assessment**56340-56347 Individualized education program teams**56505 State hearing**UNITED STATES CODE, TITLE 20**1412 State eligibility**1415 Procedural safeguards*

UNITED STATES CODE, TITLE 29

706 Definitions

794 Rehabilitation Act of 1973, Section 504

CODE OF FEDERAL REGULATIONS, TITLE 34

104.35 Evaluation and placement

104.36 Procedural safeguards

300.1-300.818 Assistance to states for the education of students with disabilities, especially:

300.530-300.537 Discipline procedures