



## OAK HARBOR SCHOOL DISTRICT

350 S Oak Harbor St.  
Oak Harbor, WA 98277-5137

## BOARD POLICY

### 4310 - STUDENT RIGHTS AND RESPONSIBILITIES

1. Student responsibilities and duties:  
The mission of the common school system is to provide a learning experience which will assist all students to develop skills, competencies, and attitudes that are fundamental to an individual's achievement as a responsible, contributing citizen. In order to maintain and advance this mission, it shall be the responsibility and duty of students to:
  - a. Pursue their course of studies and make reasonable efforts to learn.
  - b. Attend school daily and be on time to all classes.
  - c. Be aware of all rules governing student behavior and conduct themselves accordingly.
  - d. Express opinions and ideas in a respectful manner so as not to libel or slander others.
  - e. Dress in a manner which is not disruptive to the educational process nor a threat to the health and safety of themselves or others.
  - f. Conduct themselves in a manner which will not be disruptive to their education nor disrupt or deprive others of their education.
  - g. Respect the rights of others and exercise the highest degree of self-discipline in observing and adhering to established rules and regulations.
  - h. Follow established procedures in seeking changes in those policies, rules, or regulations which affect themselves and with which they disagree.
  - i. Identify themselves, upon request, to school district personnel or authorities in the school building, on school grounds, at school-sponsored events, or on school buses.
  - j. Follow reasonable requests of school employees who are acting in the performance of their duties.
  - k. Comply with the rules of the district and school.
  - l. Submit to reasonable corrective action or punishment imposed by the district and its professional staff for violation of its rules.

It shall be the responsibility and duty of each student to pursue his or her course of studies, comply with written rules of the school which are adopted pursuant to and in compliance with state law and/or rules and regulations, and submit to reasonable corrective action or punishment imposed by the school district and its agents for violations of such rules. These provisions do not lessen the responsibilities and duties of each student. It is the intention of the Oak Harbor School District to assure that reasonable corrective action or punishment is imposed for just cause and in a fair and just manner, in the interest of maintaining an orderly educational environment for all students.

The rights enumeration in Oak Harbor School District policy shall not be construed to deny or disparage other rights set forth in the constitution and the laws of Washington State or the rights retained by the people, nor to restrict the school district from establishing and enforcing reasonable and lawful rules for the governance of the school and the conduct of students. In addition, all students shall accept their personal responsibility for the safety of all students and staff by promptly reporting the presence of any weapons or any other threat to the safety of the school.

2. In addition to other rights established by law, each student served by or in behalf of the Oak Harbor School District shall possess the following substantive rights:
  - a. No student shall be unlawfully denied an equal educational opportunity or be unlawfully discriminated against because of national origin, race, religion, economic status, sex, pregnancy, marital status, previous arrest, previous incarceration, or a physical, mental, or sensory disability.
  - b. All students possess the constitutional right to freedom of speech and press and the constitutional right to peaceably assemble and to petition the government and its representative for redress of grievances, subject to reasonable limitations upon the time, place, and manner of exercising such rights.
  - c. All students possess the constitutional right to be secure in their persons, papers, and effects against unreasonable searches and seizures.

- d. All students shall have the right to be free from unlawful interference in their pursuit of an education while in the custody of the Oak Harbor School District.
- e. No student shall be deprived of the right to an equal educational opportunity in whole or in part by a school district without due process of law.

### 4340 - STUDENT CONDUCT

Any student who creates a disruption of the educational process in violation of the building disciplinary standards while under a teacher's immediate supervision may be excluded by the teacher from his or her individual classroom and instructional or activity area for all or any portion of the balance of the school day or until the principal/designee and teacher have conferred, whichever occurs first: **Provided** that, except in emergency circumstances, the teacher shall have first attempted one or more alternative forms of corrective action and: **Provided further** that, in no event, without the consent of the teacher shall an excluded student be returned during the balance of that class or activity period.

Any student who willfully performs any act that materially interferes with or is detrimental to the orderly operation of a school, a school-sponsored activity, or any other aspect of the educational process within the school district shall be subject to discipline, suspension, or expulsion. Such acts shall include, but not be limited to, those enumerated below. The following acts of a student on school premises (or in reasonable proximity thereto) or off school premises at any school-sponsored activity shall constitute sufficient cause for discipline, suspension, or expulsion:

1. Disruptive conduct
2. Disobedience of reasonable instructions of school authorities
3. Refusal to identify oneself
4. Truancy or unauthorized absence from class
5. Cheating
6. Immoral conduct
7. Vulgarity or profanity
8. Destruction or defacing of school property
9. Extortion or intimidation of another student or a staff member
10. Assault of another student or staff member
11. Stealing
12. Possession or use of any dangerous weapons or objects
13. Racial slurs
14. Inappropriate use of technology as outlined in policy 5560.
15. Commission of any criminal act as defined by law

Students are additionally expected to promptly report the presence of weapons, dangerous substances, or other threatening situations to a staff member.

Given that the use of illicit drugs and unlawful possession and use of alcohol is illegal and harmful, this student conduct policy includes the following acts by a student on school premises (or in reasonable proximity thereto) or off school premises at any school-sponsored activity shall constitute sufficient cause for mandatory discipline, suspension, or expulsion:

1. Use or possession of tobacco
2. Use or possession of alcoholic beverages
3. Possession or use of any controlled substance as defined by RCW 69.50 (including, without limitation, any narcotic drug, hallucinogenic substance, or marijuana) not prescribed by a physician for such possessor or user
4. Sale or delivery of any controlled substance to another person
5. Possession of drug paraphernalia intended or designed for use, storage, or distribution of any controlled substance except to the extent authorized by a physician for such possessor
6. Abuse by inhalation, ingestion, or otherwise of any substance for its intoxicating effect

Compliance with this policy regulating student conduct is mandatory for all students enrolled in the Oak Harbor School District. Referral for prosecution, where applicable, shall be imposed on students who violate these standards of conduct.

### 4305 - AUTHORITY TO EXPEL AND SUSPEND

The following school district personnel are delegated the authority to expel, suspend, or order the emergency expulsion of students subject to the right of any such student to a conference pursuant to policy 4373.1 or a hearing pursuant to policy 4376.1: superintendent, principals, vice principals, and any other certificated administrator to whom such authority has been delegated in writing by the superintendent.

#### **4342 - RIDING SCHOOL BUSES**

While riding buses to and from school, students shall comply with the rules of conduct set forth in this policy in addition to those rules adopted by the district's Board of Directors pursuant to WAC 392-145-035. School bus drivers shall possess the authority to discipline students for misconduct which violates any such rules.

#### **4350 - STUDENT DISCIPLINE**

"Discipline" shall mean all forms of correction other than expulsion and suspension and shall include the exclusion by a teacher or an administrator, any student who creates a disruption of the educational process in violation of the building disciplinary standards while under the teacher's immediate supervision, from his or her individual classroom and instructional or activity area for all or any portion of the balance of the school day or until the principal/designee and teacher has conferred, whichever occurs first.

Discipline shall also mean the exclusion of a student from any other type of activity conducted by or in behalf of a school district. No form of discipline shall be administered in such a manner as to:

1. Prevent a student from accomplishing specific academic grade, subject, or graduation requirement or;
2. Adversely affect a student's academic grade or credit in a subject or course because of tardiness or absence, except to the extent that the student's attendance and/or participation is related to the instructional objectives of the subject or course and such attendance and/or participation has been identified pursuant to a school district policy as a basis for grading.

The forms of discipline set forth in policy 4351 and 4353 are not intended to exclude the imposition of other appropriate forms of disciplinary action.

#### **4351 - EMERGENCY REMOVAL FROM CLASS**

Notwithstanding any other provision of this policy, a student may be removed immediately from a class, subject, or activity by a teacher or administrator and sent to the principal or a designated school authority, provided that the teacher or administrator has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the class, subject, activity or educational process of the student's school. The removal shall continue only until:

1. The danger or threat ceases.
2. The principal or designated school authority acts to impose discipline, impose a short-term suspension, initiate a long-term suspension or an expulsion, or impose an emergency expulsion.

The principal or designated school authority shall meet with the student as soon as reasonably possible following the student's removal and take or initiate appropriate corrective action or punishment. In no case shall the student's opportunity for such a meeting be delayed beyond commencement of the next school day. The teacher or administrator who removed the student shall be notified of the action taken or initiated.

#### **4364 - DANGEROUS WEAPONS ON SCHOOL PREMISES**

1. It is a violation of district policy and state law for any person to carry a firearm or dangerous weapon, firearm replica or chemical spray (e.g. mace, pepper spray) on school premises, school-provided transportation, or areas of other facilities being used exclusively for school activities.
2. It is a district expectation that students and staff will promptly report a suspicion of the presence of any dangerous weapons to a school administrator, counselor, or other staff member. A violation of applicable state law with regard to dangerous weapons on school premises is a gross misdemeanor.
3. Any student found to have a firearm in his or her possession or in his or her desk or locker or on the school premises will be immediately expelled from school for not less than one year in accordance with applicable state and federal laws.
4. Any student found to have any dangerous weapon, excluding a firearm, in his or her possession or in his or her desk or locker or on the school premises shall be subject to appropriate discipline as outlined in board policy 4365.

#### **4365 - EXCEPTIONAL MISCONDUCT**

Exceptional misconduct is a violation of district rules for student conduct which is so serious in nature and/or is so serious in terms of the disruptive effect upon the operation of the school(s) as to warrant an immediate resort to suspension. "Exceptional misconduct" includes the following:

1. Defiant insubordination and/or extreme disrespect directed toward any staff member if the administrator in charge believes that the student's presence poses an immediate and continuing danger to the student, other students, or school personnel, or an immediate and continuing threat of substantial disruption of the educational process.
2. Possession or use of any controlled substance, inhalant, or intoxicant

not prescribed by a physician for such possessor or user.

3. Sale or delivery of any controlled substance, inhalant, or intoxicant to another person.
4. Intimidation or assault of another student or staff member.
5. Commission of any criminal act

#### **4373 - SHORT-TERM SUSPENSION - CONDITIONS AND LIMITATIONS**

"Suspension" shall mean denial of the right of attendance (other than for the balance of the immediate class, for "discipline" purposes) at any single subject or class, or any full schedule of subjects or classes, for a stated period of time. A suspension also may include a denial of admission to or entry upon real and personal property that is owned or controlled by the school district.

1. "Short-term suspension" shall mean a suspension for all or any portion of a calendar day up to and not exceeding ten consecutive school days.a. No student in kindergarten through 4th grade shall be subject to a short-term suspension for more than a total of five school days during any single semester and no loss of academic grades or credit will be imposed by reason of the suspension of such a student.
  - b. No student in grade five or above shall be subjected to short-term suspensions for more than a total of 15 school days during any single semester.
  - c. Any student subject to a short-term suspension shall be provided the opportunity to make up assignments and tests if:
    - 1) Such assignments or tests have a substantial effect upon the student's semester grade or grades.
    - 2) Failure to complete such assignments or tests would preclude the student from receiving credit for the course or courses.
  - d. All short-term suspensions and the reasons therefore shall be reported in writing to the superintendent of the school district or to his or her designee within 24 hours after the imposition of the suspension.
  - e. If any special education student is given a short-term suspension, the administrator in charge of the school district's special education program will be promptly notified by the administrator imposing the suspension.
2. A short-term suspension may be imposed upon a student by a designated school authority, **after a conference conducted with the student**, subject to the limitations and conditions set forth below:
  - a. An oral or written notice of the alleged misconduct and violation(s) of school district rules shall be provided to the student and parent or guardian.
  - b. An oral or written explanation of the evidence in support of the allegation(s) shall be provided to the student and parent or guardian.
  - c. An oral or written explanation of the corrective action or punishment which may be imposed shall be provided to the student and parent/guardian; and
  - d. The student will be provided the opportunity to present his or her explanation.
3. In the event a short-term suspension is to exceed one calendar day, the parent or guardian of the student shall be notified of the reason for the student's suspension and its duration, orally and/or by letter deposited in the United States mail, as soon as reasonably possible. The notice shall also inform the parent or guardian of the right to an informal conference as outlined in administrative procedure 4373.1 and that the suspension may possibly be reduced as a result the informal conference.

#### **4373.1 - SHORT-TERM SUSPENSION/GRIEVANCE PROCEDURE**

1. Any student, parent, or guardian who is aggrieved by any disciplinary action or by the imposition of a short-term suspension has the right to an informal conference with the principal or his or her designee and any other staff member involved. The employee whose action is being grieved will be notified of the initiation of a grievance as soon as reasonably possible.
2. At the informal conference, the student, parent, or guardian will be subject to questioning by the principal or his or her designee and will be entitled to question school personnel involved in the matter being grieved.
3. Any student, parent, or guardian who may be aggrieved following the informal conference may, upon two school business days' prior notice, present a written and/or oral grievance to the superintendent of the district or to his or her designee. If the grievance is not resolved, the student, parent, or guardian, upon two school business days' prior notice, may present a written and/or oral grievance to the Board of Directors at its next regularly scheduled meeting.
4. Grievances before the Board of Directors shall be heard in an open meeting, unless a closed meeting is specifically requested by the student and/or parent guardian.

5. The Board of Directors will notify the student and the student's parent or guardian, in writing, of its decision within ten (10) school business days following the meeting.
6. The disciplinary action or short-term suspension will continue, notwithstanding the implementation of the grievance procedure, unless the principal or his or her designee elects to postpone such action.

**4376 LONG-TERM SUSPENSION - CONDITIONS AND LIMITATIONS**

"Suspension" shall mean denial of the right of attendance (other than for the balance of the immediate class, for "discipline" purposes) at any single subject or class or any full schedule of subjects or classes for a stated period of time. A suspension may also include a denial of admission to or entry upon real and personal property that is owned or controlled by the school district.

1. No student in kindergarten through 4th grade shall be subject to short-term and long-term suspension for more than a total of ten school days during any single semester, and no loss of academic grades will be imposed by reason of the suspension of such a student.
2. No single long-term suspension shall be imposed upon a student in the 5th grade and above in a manner which causes the student to lose academic grades or credit, in excess of one semester, during the same school year.
3. All long-term suspensions and the reasons therefor shall be reported in writing to the superintendent of the school district or his or her designee within 24 hours after the imposition of the suspension. The nature and circumstances of the violation must reasonably warrant a suspension and the length of the suspension imposed. As a general rule, no student will be suspended unless another form of corrective action or punishment reasonably calculated to modify his or her conduct has previously been imposed upon the student as a consequence of misconduct of the same nature. If, however, the violation of school district rules for student conduct constitutes "exceptional misconduct," suspension may be imposed, notwithstanding the fact that prior alternative corrective action or punishment has not been imposed upon the student involved. Disciplinary and hearing officers may grant exceptions to the suspension of students who are guilty of "exceptional misconduct" in cases involving extenuating and/or exceptional circumstances.
4. In addition to the alternative corrective action requirement mentioned above, no student subject to compulsory attendance pursuant to RCW 28A.225 shall be suspended by reason, in whole or in part, of one or more unexcused absences unless the school district has also first:
  - a. Provided written notice to the student's parent or guardian in English or in the primary language of the parent or guardian that the student has failed to attend school without valid justification.
  - b. Scheduled a conference(s) with the parent or guardian and the student at a time and place reasonably convenient to all persons to analyze the causes of the student's absence, the analysis to determine, by appropriate means, whether the student will be made a focus of concern for placement in a special education or other special program designed for his or her educational success.
  - c. Taken steps to reduce the student's absences which include, where appropriate, in the judgment of school officials and, where possible, discussion with the student and parent or guardian, adjustments of the student's school program or course assignment, or assistance to the student or parent in obtaining supplementary services that might ameliorate the causes for the student's absence.
5. No student in the special education program or on a 504 Plan shall be subject to a long-term suspension from school until a multidisciplinary team has determined whether the misconduct for which the student is being excluded from school is a manifestation of the disability and/or was the direct result of the district's failure to implement the student's IEP or 504 Plan. The decision of the multidisciplinary team shall be completed within ten (10) days after the start of the suspension. The multidisciplinary team will determine if the student's behavior for which suspension of the student is being considered was caused by or had a direct and substantial relationship to the student's disability. If the multidisciplinary team determines that the behavior which the student is alleged to have engaged in is not related to a disability, the student may be removed but, if on an IEP, is entitled to services determined by the IEP team. All other actions must be consistent with procedure 5220.1. The administrator in charge of the school district's special education or Section 504 program shall be promptly notified, in writing, prior to the imposition of any long-term suspension given to a special education student.

**4376.1 - PROCEDURES FOR LONG-TERM SUSPENSION AND EXPULSION**

Except in the case of emergency expulsion, no long-term suspension or expulsion may be imposed until written notice thereof has been delivered in accordance with the following requirements:

1. A long-term suspension may be imposed upon a student by a designated school authority after an oral conference has been conducted with the student, subject to the conditions set forth:
  - a. Oral notice of the alleged misconduct and violation(s) of school district rules shall be provided to the student.
  - b. An oral explanation of the evidence in support of the allegation(s) shall be provided to the student.
  - c. The student shall be provided the opportunity to present his or her explanation of the case.
  - d. An oral explanation of the corrective action or punishment which may be imposed shall be provided to the student.
2. School district personnel authorized to suspend or expel students shall be responsible for the preparation and delivery of notices of suspension or expulsion.
3. Following the oral conference, written notice of the suspension or expulsion shall be delivered to the student and to his or her parent or guardian by certified mail or in person. Such notice will:
  - a. Be provided in the predominant language of a student and/or a parent or guardian who predominantly speak a language other than English, to the extent feasible.
  - b. Specify the alleged misconduct and the school district rule(s) alleged to have been violated.
  - c. Set forth the corrective action or punishment proposed.
  - d. Set forth the right of a student and/or the parent or guardian to a hearing for the purpose of contesting the allegation(s) and/or sanction.
  - e. State that a written request for a hearing must be received by the designated school authority on or before three school business days after receipt of the notice of opportunity for a hearing and, further, that the right to a hearing may be deemed waived and the proposed sanction imposed without further opportunity to contest the matter, if such a request is not received within the prescribed period of time.
  - f. Include a schedule of the school business days applicable to the exercise of the right to request such a hearing.

The student and/or the parent or guardian shall reply in writing to the notice within three (3) school business days of receipt, indicating whether a hearing will be requested.

If such a reply is not received within three (3) school business days, the student and the parent or guardian will be deemed to have waived the right to a hearing and the proposed sanction will take effect.

Any special education student for whom suspension is appropriate (see policy 4376) shall, in addition to the notice required above in paragraph 3, also be given written notice regarding the multidisciplinary team decision and written notice of any hearing rights available under WAC 392-172-350 - 364 pertaining to education for handicapped children.

**4379 - EXPULSION - CONDITIONS AND LIMITATIONS**

Expulsion shall mean the denial of the right of attendance at any single subject or class or any full schedule of subjects or classes for an indefinite time period. An expulsion also may include a denial of admission to or entry upon real and personal property that is owned or controlled by the school district.

1. The nature and circumstances of the violation must reasonably warrant the harshness of expulsion. No student shall be expelled unless other forms of corrective action or punishment reasonably calculated to modify his or her conduct have failed or unless there is good reason to believe that other forms of corrective action or punishment would fail if employed. The requirements of policy 4376, item 4., will apply with respect to expulsions for unexcused absences. The requirements of policy 4376, item 5., will apply with respect to the expulsion of any student in the special education program.
2. All expulsions and the reasons therefore shall be reported in writing to the superintendent of the school district or his or her designee within 24 hours after the imposition of the expulsion.
3. Appropriate local and state authorities, including juvenile authorities acting pursuant to RCW 13.03, shall be notified of any expulsion in order that such authorities may address the student's educational needs.

#### **4380 - APPEALS - LONG-TERM SUSPENSION/EXPULSION**

Upon the timely receipt of a written request for a hearing, the principal or other appropriate school authority shall schedule the hearing to commence within three (3) school business days after receipt of such request unless an emergency expulsion has been imposed on the student, in which event the hearing shall be scheduled to commence as soon as reasonably possible and in no case later than the third school business day after receipt of the request. The student and parent or guardian shall be promptly informed of the time, date, and place of the hearing.

The hearing will be conducted by a hearing officer designated for such purposes by the superintendent. The hearing officer will not be a witness and will determine the facts of each case solely on the evidence presented at the hearing.

The student and parent or guardian shall be permitted to inspect in advance of such hearing any documentary and physical evidence which the school district intends to introduce at the hearing. The designated school authority assigned to present the district's case shall likewise be permitted to inspect documentary and physical evidence which the student and parent or guardian intend to introduce at such hearing.

At any hearing conducted in accordance with this paragraph, the student shall have the following rights:

1. The student shall have the opportunity to be represented by counsel.
2. The student shall have the opportunity to present his or her explanation of the alleged misconduct.
3. The student shall have the opportunity to make a relevant showing by way of witnesses and the introduction of such documentary and physical evidence as he or she desires.
4. The student shall have the opportunity to cross-examine witnesses presented by the district.

The district will make a tape recording of the hearing.

A written decision setting forth the findings of fact, conclusions, and the nature and duration of the suspension or expulsion or lesser form of corrective action or punishment to be imposed, if any, shall be provided to the student's legal counsel, if any, or the student and parent or guardian.

If a student is in an emergency expulsion status, the decision shall be rendered within one school business day after the date upon which the hearing concludes and shall be communicated to the student's legal counsel or, if none, the student and parent or guardian, by depositing a certified letter in the United States mail.

If the hearing officer imposes a sanction of a long-term suspension or expulsion, the student or the student's parents or guardian will have the right to appeal such decision to the board of directors by filing a written notice of appeal at either the office of the superintendent or the office of the hearing officer within three school business days after the date of receipt of the decision.

If a timely appeal is made to the Board of Directors, the imposition of the sanction may be imposed during the appeal period, subject to the following conditions and limitations:

1. A long-term suspension or non-emergency expulsion may be imposed during the appeal period for no more than ten consecutive school days or until the appeal is decided, whichever is the shortest period.
2. An emergency expulsion may be continued during the appeal period for as long as the student continues to pose an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process of the student's school.
3. All of the days that a student is temporarily suspended or expelled before the appeal is decided shall be applied to the term of the student's suspension or expulsion and shall not limit or extend the term of the student's suspension or expulsion.

If an appeal is not taken to the Board of Directors within the required three (3) school business days, the suspension/expulsion decided upon will take effect on the calendar day following the expiration of the three (3) school business day period.

#### **4381 - EMERGENCY EXPULSION**

Emergency expulsion shall mean the immediate denial of the right of school attendance for a student prior to the opportunity for a hearing pursuant to the provisions of policy 4379. An emergency expulsion may only be imposed if the expelling authority has good and sufficient reason to believe that the student is an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the

educational process. Such emergency expulsion will continue until the student is reinstated or modified by the expelling authority or until a hearing is held and a final determination reached.

#### **4382 - EMERGENCY EXPULSION - NOTICE OF HEARING - WAIVER OF HEARING RIGHT**

Special notice requirements for emergency expulsion.

If an emergency expulsion has been imposed, the notice requirements in policy 4379 shall apply except as follows:

1. The written notice of emergency expulsion will be prepared and delivered to the student and parent or guardian within 24 hours of such expulsion. In addition, reasonable attempts shall be made to notify the student and parent or guardian by telephone or in person as soon as reasonably possible.
2. The student and parent or guardian will have ten (10) school business days in which to reply in writing to the notice of opportunity for a hearing.
3. If a request for a hearing is not received within the required ten (10) school business day period, the school district may deem the student and his/her parent(s) or guardian(s) to have waived the right to a hearing and the emergency expulsion may be continued as deemed necessary by the school district.

#### **4386 - APPEAL TO BOARD OF DIRECTORS**

If appeal is received by the school board within three (3) school business days after the decision of the hearing officer, the board shall schedule and hold a meeting to review the matter within ten school business days from receipt of such appeal. At that time, the student and parent or guardian or legal counsel shall be granted the opportunity to present such witnesses and testimony as the board deems reasonable. Prior to adjournment or recess, the board shall agree to one of the following procedures:

1. Study the hearing record or other material submitted, and render its decision within ten school business days.
  2. Schedule and hold a special meeting to hear further arguments based on the record and render its decision within fifteen school business days.
  3. Hear and try the case de novo within ten school business days and in accordance with the applicable hearing provisions of policy 4376.1.
- Any decision by the Board of Directors to impose or to affirm, reverse, or modify the imposition of discipline, suspension, or expulsion upon a student shall be made:
1. Only by those board members who have heard or read the evidence.
  2. Only by those board members who have not acted as a witness in the matter.
  3. Only at a meeting at which a quorum of the board is present and by majority vote.

Within thirty days of receipt of the Board of Directors' final decision, any student or parent or guardian desiring to appeal any decision upon the part of the board to impose or to affirm a long-term suspension or an expulsion shall make such appeal to the courts. Whether or not the decision of the board shall be postponed pending an appeal to superior court shall be discretionary with the board except as ordered otherwise by a court.

#### **4388 - READMISSION PROVISIONS**

Any student who has been suspended or expelled may apply for readmission at any time by making written application to the superintendent. The application should include:

1. Reasons why the student wants to return to school and why the request should be considered,
2. Evidence which supports the request, and
3. A supporting statement from the parent or others who may have assisted the student.

The superintendent may designate an individual or committee to consider the application and make recommendations concerning such readmission.

The superintendent will advise the student and the student's parents or guardian, in writing, of the superintendent's decision within 30 school business days of the receipt of such application.

#### **4389 - SCHOOL BUSINESS DAY**

As used in this policy "school business day" shall mean any calendar day, exclusive of Saturdays, Sundays, and any federal and school holidays, upon which the office of the superintendent is open to the public for the conduct of business. A school business day shall be concluded or terminated upon the closure of said office for the calendar day.