



5400.5: ACADEMIC CREDIT FOR EXPELLED AND SUSPENDED STUDENTS

I. Expelled Students. Students expelled from the District will be eligible for academic credit upon successful participation in and completion of District alternative courses or programs and/or credits earned from any Nebraska accredited institution or other accredited institution.

A. District Alternative School, Classes, or Programs Available to Expelled Students.

1. Notice. All students expelled from the District will be advised in writing of the availability of District alternative courses or programs.

2. District Alternative Education. The District alternative education available to District students who are expelled will consist of the following:

a. High School: Expelled students will be assigned to a District-approved program that provides approved courses of study designed to support their academic needs.

b. Middle School: Expelled students will be assigned to a District-approved program that provides approved courses of study designed to support their academic needs.

c. Elementary School: A District program consisting of materials in reading, math, and writing will be provided by the student's elementary school. A tutor will be provided by the District one (1) day per week at the student's home or another agreed upon location to proctor the course. The principal or principal's designee must approve the learning program prescribed for the student.

3. The District reserves the right to change or modify the District alternative education set forth above at any time without advance notice other than to advise expelled District students in writing of the changed or modified District alternative education available to them. At the conclusion of the expulsion period, any student who has satisfactorily participated in the District alternative education program will be given full academic credit for the school work, classes, or programs completed. Those students who fail to satisfactorily complete the District alternative education program will not be given any academic credit for the District alternative school attended.

4. Refusal to Participate. If a parent or guardian refuses to permit an expelled student to participate in a District alternative school, class, or program, the District will have no further obligation to the student, parent, or guardian with regard to providing a District alternative school, class, or program.

B. Academic Credit and Requirements for Successful Participation.

1. If an expelled student successfully completes the course requirements of a District alternative school, class, or program by meeting the attendance, grade, conduct, and other requirements imposed by the District, such student will be given full academic credit for the school work, class, or program completed.

2. To successfully meet the District's attendance requirements, the student must not miss any school, class, program, or session assigned the student unless the absence is excused. Whether or not an absence is excused will be determined solely by the District. In addition, if the student violates any of the District's Standards for Student Conduct, the District will, without further obligation, terminate the program for such student after a due process hearing.

3. The District may adopt such other rules, regulations, or requirements it deems necessary to effectively administer this Rule.

C. Right to a Due Process Hearing. If an expelled student enrolled in a District alternative school, class, or program fails to meet any of the conditions, rules, regulations, or requirements of the learning program, the District may, without further obligation, terminate the program for such student after a due process hearing; no due process hearing will be required, however, if waived by the parent or guardian.

1. Nature of Due Process Hearing. If an expelled student's District alternative school, class, or program under this Rule is terminated by the District, the student will be afforded a due process hearing. The hearing will be the same or substantially similar to hearings afforded students expelled from the District. Information regarding such hearing may be obtained from the District's Director of Student Services.

D. Credits Earned from Nebraska or other Accredited Institutions.

1. Students expelled from the District are not required to attend or participate in the District's alternative courses or programs. For such students only, the District will accept at the conclusion of the expulsion and reinstatement of the student, any nonduplicative, grade-appropriate credits earned by an expelled student during the term of the expulsion, from any Nebraska accredited institution or institution accredited by one (1) of the six (6) regional accrediting bodies in the United States.

II. Student Suspended Ten (10) School Days or More. Students suspended from the District for ten (10) school days or more will be eligible to participate in the District's alternative education program.

A. District Alternative School, Classes, or Programs Available to Students Suspended Ten School Days or More.

1. Notice. All students suspended from the District for ten (10) school days or more will be advised in writing of the availability of District alternative courses or programs.

2. District Alternative Education. The District alternative education available to District students who are suspended for ten (10) school days or more will consist of the following:

a. High School: Students suspended for ten (10) school days or more will be assigned to a District-approved program that provides approved courses of study designed to support their academic needs.

b. Middle School: Students suspended for ten (10) school days or more will be assigned to a District-approved program that provides approved courses of study designed to support their academic needs.

c. Elementary School: A program consisting of materials in reading, math, and writing will be provided by the student's elementary school. A tutor will be provided by the District one (1) day per week at the student's home or another agreed upon location to proctor the course. The principal or principal's designee must approve the learning program prescribed for the student.

3. The District reserves the right to change or modify the District alternative education set forth above at any time without advance notice other than to advise suspended District students in writing of the changed or modified District alternative education available to them. At the conclusion of the suspension period, any student who has satisfactorily participated in the District alternative education program will be given full academic credit for the school work, classes, or programs completed. Those students who fail to satisfactorily complete the District alternative education program will not be given any academic credit for the alternative school attended.

4. Refusal to Participate. If a parent or guardian refuses to permit a suspended student to participate in a District alternative school, class, or program, the District will have no further obligation to the student, parent, or guardian with regard to providing a District alternative school, class, or program.

B. Academic Credit and Requirements for Successful Participation.

1. If a student suspended for ten (10) school days or more successfully completes the course requirements of a District alternative school, class, or program by meeting the attendance, grade, conduct, and other requirements imposed by the District, such student will be given full academic credit for the school work, class, or program completed.

2. To successfully meet the District's attendance requirements, the student must not miss any school, class, program, or session assigned the student unless the absence is excused. Whether or not an absence is excused will be determined solely by the District. In addition, if the student violates any of the District's Standards for Student Conduct, the District will, without further obligation, terminate the program for such student after a due process hearing.

3. The District may adopt such other rules, regulations, or requirements it deems necessary to effectively administer this Rule.

III. Suspended Students and Make Up Work.

A. Students suspended from the District will have the opportunity to complete any classwork, homework, and examinations missed during the period of suspension, as provided in District Policy 6235 and District Rule 6235.1.

B. Suspended students will not be required to attend the District's alternative education program in order to complete such make up work.

C. This opportunity to complete such make up work applies to all students suspended from the District, including students suspended ten (10) school days or more and who choose not to participate in the District's alternative education program.

IV. Transportation. Students participating in the District's alternative education courses or programs shall not be provided transportation to the District alternative education site unless compelling reasons exist for the administration to arrange otherwise. Such determination shall be made by and at the sole discretion of the Superintendent or designee.

V. Definitions.

A. "District Alternative Schools, Classes, or Programs" shall mean that special category of District schools, classes, or programs required by law to be provided exclusively for expelled students.

B. "Learning Program" shall mean a general District program or plan for all expelled students and students suspended for ten (10) school days or more, or an individualized program adapted from a generally offered District program, or an individualized program developed by the school and/or designated staff member to assist an expelled student or a student suspended for ten (10) school days or more in achieving District credit toward graduation.

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Neb. Rev. Stat. § 79-266

Title 92, Nebraska Administrative Code, Chapter 17