



5400.5: ACADEMIC CREDIT FOR EXPELLED STUDENTS AND STUDENTS SUSPENDED FOR TEN SCHOOL DAYS OR MORE THROUGH ALTERNATIVE COURSES OR PROGRAMS

I. Expelled Students. Students expelled from the District will be eligible for academic credit upon successful participation in and completion of approved alternative courses or programs.

A. 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 alternative courses or programs.

2. Alternative Education. The 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 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 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 alternative education available to them. At the conclusion of the expulsion period, any student who has satisfactorily participated in the 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 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 an expelled student to participate in an alternative school, class, or program, the District will have no further obligation to the student, parent, or guardian with regard to providing an alternative school, class, or program.

B. Academic Credit and Requirements for Successful Participation.

1. If an expelled student successfully completes the course requirements of an 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 an 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 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.

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. 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 alternative courses or programs.

2. Alternative Education. The 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 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 alternative education available to them. At the conclusion of the suspension period, any student who has satisfactorily participated in the 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 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 an alternative school, class, or program, the District will have no further obligation to the student, parent, or guardian with regard to providing an 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 an 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. Transportation. Students participating in the District's alternative education courses or programs shall not be provided transportation to the 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.

IV. Definitions.

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

B. "Learning Program" shall mean a general 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 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 credit toward graduation.

Date of Adoption

May 19, 1997

Date of Revision

June 1, 1998

September 25, 2000

December 7, 2009

September 17, 2012

May 18, 2015

January 3, 2022

Legal Reference

Neb. Rev. Stat. § 79-266

Title 92, Nebraska Administrative Code, Chapter 17