

Policy Number: ED0012	Title: Expulsion and Suspension of a Student
Performance Standard: 1302.17	Original Date: 4/2017 Reviewed: 5/2020 JS
USD 418 BOE Policy:	Policy Council Approval/Revision: 6/2017 BOE Approval: 8/2017

POLICY:

(a) *Limitations on suspension.* (1) A program must prohibit or severely limit the use of suspension due to a child’s behavior. Such suspensions may only be temporary in nature.

(2) A temporary suspension must be used only as a last resort in extraordinary circumstances where there is a serious safety threat that cannot be reduced or eliminated by the provision of reasonable modifications.

(3) Before a program determines whether a temporary suspension is necessary, a program must engage with a mental health consultant, collaborate with the parents, and utilize appropriate community resources – such as behavior coaches, psychologists, other appropriate specialists, or other resources – as needed, to determine no other reasonable option is appropriate.

(4) If a temporary suspension is deemed necessary, a program must help the child return to full participation in all program activities as quickly as possible while ensuring child safety by:

(i) Continuing to engage with the parents and a mental health consultant, and continuing to utilize appropriate community resources;

(ii) Developing a written plan to document the action and supports needed;

(iii) Providing services that include home visits; and,

(iv) Determining whether a referral to a local agency responsible for implementing IDEA is appropriate.

(b) *Prohibition on expulsion.* (1) A program cannot expel or unenroll a child from Head Start because of a child’s behavior.

(2) When a child exhibits persistent and serious challenging behaviors, a program must explore all possible steps and document all steps taken to address such problems, and facilitate the child’s safe participation in the program. Such steps must include, at a minimum, engaging a mental health consultant, considering the appropriateness of providing appropriate services and supports under section 504 of the Rehabilitation Act to ensure that the child who satisfies the definition of disability in 29 U.S.C. §705(9)(b) of the Rehabilitation Act is not excluded from the program on the basis of disability, and consulting with the parents and the child’s teacher, and:

(i) If the child has an individualized education program (IEP), the program must consult with the agency responsible for the IFSP or IEP to ensure the child receives the needed support services; or,

(ii) If the child does not have an IEP, the program must collaborate, with parental consent, with the local agency responsible for implementing IDEA to determine the child's eligibility for services.

(3) If, after a program has explored all possible steps and documented all steps taken as described in paragraph (b)(2) of this section, a program, in consultation with the parents, the child's teacher, the agency responsible for implementing IDEA (if applicable), and the mental health consultant, determines that the child's continued enrollment presents a continued serious safety threat to the child or other enrolled children and determines the program is not the most appropriate placement for the child, the program must work with such entities to directly facilitate the transition of the child to a more appropriate placement.

PROCEDURE:

- 1) When a student's behavior is a serious safety threat the program must engage mental health consultation in the classroom and collaborate with the child's parent/legal guardian. In addition, the program will utilize appropriate community resources, such as a behavioral coach, psychologist, or other resources/specialists to provide support to the student.
- 2) If a temporary suspension is deemed necessary, the program director, principal, parent/legal guardian and other supportive professionals will meet to discuss and determine the course of action.
- 3) If the student is suspended the program will ensure the student returns to the classroom as quickly as deemed safely by the mental health consultant, program director, and principal.
- 4) If the student is suspended the following services will be employed:
 - a). weekly communication with the parent(s)/legal guardian(s), mental health consultant, and other community resources
 - b). a written plan will be devised by the program director in consultation with the mental health consultant, principal, parent(s)/legal guardian(s) and other providers as needed outlining the action steps and supports needed
 - c). services will be provided to the parent(s)/legal guardian(s) and student including home visits during the suspension time
 - d). the program director will determine if the student would benefit from a referral for special education services
- 5) The program will not expel or unenroll a student from the program due to the student's behavior.
- 6) If a student has persistent and serious challenging behaviors, the program must explore all possible steps and document all the steps taken to address the problems and facilitate the child's safe participation in the program. At a minimum, the program needs to engage mental health consultation and other supportive services to ensure any disabilities are supported, including collaboration with the special education service providers if in place to ensure the child is receiving the needed services. If the student does not have an IEP in place the program will collaborate with the parent(s)/legal guardian(s) to gain consent to determine if the student is eligible for services.
- 7) All steps taken will be documented
- 8) The program will consult with the parent(s)/legal guardian(s), the student's teacher, the special education service provider(s), and the mental health consultant will determine the child's behavior continues to present a serious safety threat to the child, other students, and the program determines that the program is not the

most appropriate placement for the child then the program will work with other service providers to facilitate a transition to a more appropriate placement.