

**STUDENT NOTIFICATION OF
SOUHEGAN SAFE SCHOOL POLICY**

This is notice that the Souhegan School Board has adopted a safe school policy. A summary of this policy follows and covers New Hampshire laws RSA 193-B (Drug-Free School Zone), RSA 193-D (Safe School Zone), and RSA 193:13 (school suspension and expulsion). Students, parents or other persons having questions or desiring more details may inquire in the Dean of Students' Office where a copy of the full policy is kept.

STUDENT MISCONDUCT LEADING TO SUSPENSION OR EXPULSION

Student violation of this policy will result in school disciplinary action and notification of the Amherst Police Department.

A student may be suspended for up to 20 days by the administration, or expelled by the school board for more than 20 days for acts of theft, destruction or violence occurring on school property, at school-sponsored events, at bus stops and on bus routes; also, a student may be suspended or expelled for gross misconduct or neglect or refusal by the student to conform to the rules of the school. In addition, a student may be suspended or expelled for activities not immediately connected with school activities where school officials have reasonable cause to believe that a student by virtue of activities after school hours and off school property presents a danger to himself, to others, or to school property.

Acts of theft, destruction or violence include homicide, assault, sexual assault, criminal mischief/vandalism, arson, burglary, robbery and theft; also, the illegal sale or possession of a controlled drug and the unlawful possession or sale of a firearm or other dangerous weapon (explosives, clubs, artificial knuckles, switchblades or knife blades longer than 2½ inches, etc.). A weapon, or replica of a weapon, is considered any object which, in the manner it is used, or threatened to be used, is known to be capable of frightening, threatening, intimidating, or injuring another person.

Any student who is determined to have brought a firearm (as defined by 18 U.S. C. 921) to school without prior written approval by the superintendent of schools will be expelled for not less than one year (365 days). This expulsion may be modified by the superintendent upon review of the specific case in accordance with other applicable law, and district policy.

Weapons under control of law enforcement personnel are permitted.

NOTIFICATION OF AMHERST POLICE DEPARTMENT

The board has a memorandum of understanding with the Amherst Police Department which requires the high school to notify the police whenever a serious offense has been committed. Students and parents should expect the police to be included in investigating such incidents.

DUE PROCESS PROCEDURES

The board has adopted levels of due process to use in disciplinary proceedings. These levels are commensurate with the seriousness of the misconduct:

Level 1 Suspension Hearing (10 school days or less):

The principal and the Dean of Students are authorized to suspend a student from school for up to 10 school days. The student is entitled to oral or written notice of the charges, an opportunity to present his/her side of the story and a written statement explaining any disciplinary action taken.

Level 2 Suspension Hearing (11 to 20 days):

The superintendent is authorized to add to the length of the principal's suspension of a student as long as the combined suspension of the principal and the superintendent does not exceed 20 school days. Any suspension beyond 10 days imposed by the superintendent may be appealed to the school board.

Level 3 Expulsion Hearing (21 or more school days):

The due process requirements for a level 2 supervision hearing and a level 3 expulsion hearing are the same, as follows:

The student is entitled to know what he or she is charged with and the evidence supporting the charge. The student has the right to be represented by legal counsel at the non-public hearing, the right to present any evidence and to cross-examine witnesses. Formal rules of evidence do not apply; however, the school shall present evidence through exhibits and testimony in support of the charge. Certain evidence may be taken in private to respect the privacy rights of other students. A taped record will be made of the hearing and a written decision will be issued as soon as possible after the hearing.

HEARING WAIVERS AND APPEALS

The school board and parents may agree to waive, modify or extend certain procedural requirements of this policy, including the need for a hearing. Such agreements should be in writing whenever possible.

Appeals from decisions of the principal or Dean of Students shall be to the superintendent. Appeals from decisions of the superintendent shall be to the board. Appeals from decisions of the board will be to the State Board of Education or other body as designated in state law. In any appeal, the reviewing officials may rely on the record and any documentary evidence submitted at the hearing.

Any decision to suspend a student for longer than 10 days or to expel a student shall contain any conditions or procedures for review or readmission.

PROCEEDINGS FOR STUDENTS WITH DISABILITIES

In the event a student being considered for suspension of more than 10 days or expulsion is disabled, certain additional procedures will apply. These procedures may require a meeting of the student's team to consider whether the behavior is a manifestation of the disability. Certain additional time periods apply to cases involving a student with disabilities. The full school policy and state and federal regulations should be consulted by any parent or student who questions whether a student being disciplined is or might be disabled. Copies of the policy and applicable rules are maintained in the Special Education Director's office.