



**Jean Massieu Academy
Discipline Code and Code of Conduct**

www.jeanmassieu.com

Board Approved 8-11-2014

JMA's WHATEVER IT TAKES CONTRACT

SCHOOL CONTRACT

- The School pledges to do whatever is necessary to support student achievement.
- The School will communicate frequently with parents about academic and behavioral issues, both positive and negative.
- The School will ensure that students make academic progress and pass all classes before being promoted to the next grade.
- The school will provide academic support for students who demonstrate that they are falling behind.
- The school will provide a safe and orderly environment to promote student success.

Administrator Signature

STUDENT CONTRACT

I CHOOSE TO BE HERE:

I will do whatever it takes to be successful. I will work hard, follow the rules and remain focused on my academic achievement.

ATTENDANCE:

I will attend school every day, prepared to learn, and on time.
I understand that attendance significantly impacts grades.

GRADING:

I will earn a minimum grade average of 70% in all of my courses. I understand that any percentage lower than 70% will result in course failure. I also understand that failure to pass one or more courses will result in mandatory summer school or grade retention. I will complete all home-work nightly. I understand that homework significantly impacts grades.

ACADEMIC SUPPORT:

I understand that JMA provides additional mandatory academic programming before and after school hours, (7:00-7:45; 3:15-5:00) and I will attend all such programming that the school deems necessary for my success.

CODE OF CONDUCT:

I agree to learn and follow the Code of Conduct and community rules outlined in the Student Handbook. I understand that failure to follow the Code of Conduct and community rules may result in-school or out of school suspension, restorative consequences and/or expulsion. I agree to comply with any consequences determined by the school.

STUDENT DRESS CODE & PERSONAL ELECTRONICS:

I will abide by all parts of the dress code daily. I understand that failure to do so, no matter how minor, may result in disciplinary action including possible exclusion from class. I will not bring any personal electronic devices including phones, iPods, MP3s, etc... to school. Doing so may result in confiscation. Confiscated items will only be returned to a parent or guardian upon payment of a \$15 fine.

Student signature

Date

PARENT/GUARDIAN CONTRACT

I WILL SUPPORT MY CHILD:

I will do whatever it takes to support my child's success. I will ensure that s/he works hard, follows the rules, and remains focused on his/her academic achievement. I agree to support my child's academic work by communicating regularly with my child's teachers and attending parent-teacher conferences. I agree to notify JMA when my address, telephone, or email contact information changes.

ATTENDANCE:

I will ensure that my child attends school every day, prepared to learn and on time. I understand that attendance significantly impacts grades.

GRADING:

I will ensure my child earns a minimum grade average of 70% in all courses. I understand that any percentage lower than 70% will result in course failure. I also understand that failure to pass one or more courses will result in mandatory summer school or grade retention. I will ensure my child completes all homework nightly. I understand that homework significantly impacts grades.

ACADEMIC SUPPORT:

I understand that JMA provides additional mandatory academic programming before and after school hours, (7:00-7:45; 3:15-5:00) and I will ensure that my child attends all such programming that the school deems necessary for his/her success.

CODE OF CONDUCT:

I agree to learn and review the Code of Conduct and community rules with my child. I understand that if my child fails to follow the Code of Conduct and community rules, consequences such as in-school or out of school suspension, restorative consequences and/or expulsion, may result. I will come to school for a reinstatement meeting if my child is suspended and I understand that my child will not be allowed to return to class until this reinstatement meeting occurs.

STUDENT DRESS CODE & PERSONAL ELECTRONICS:

I will ensure that my child abides by all parts of the dress code daily. I understand that his/her failure to do so, no matter how minor, may result in disciplinary action including possible exclusion from class. I understand that are not allowed at JMA and personal electronic devices including phones, iPods, MP3s, etc. may be confiscated. Confiscated items will only be returned to a parent or guardian upon payment of a \$15 fine.

Parent signature

Date

SCHOOL CULTURE

Any individual who is found to be responsible for harassment or other prohibited discriminatory conduct shall be subject to appropriate discipline. The severity of the disciplinary action will be based upon the circumstances of the infraction, and may result, among other things, in suspension or expulsion.

Non-Violent Community

Safety is an absolute priority and necessity at Jean Massieu Academy ("JMA"). Accordingly, all students agree to abide by the JMA non-violence contract:

I agree not to use violence for any reason what-so-ever at JMA, while representing JMA, or with any members of the JMA community. I understand this non-violence pledge applies to all parties involved in any fight, no matter whether I am "right" or "wrong", or whether I am acting in "self defense." Students are officially under the jurisdiction of the school from the time that they arrive in the morning until they reach home in the afternoon.

In the event of an incident, a Disciplinary Hearing will be held to determine if I violated the non-violence contract. I understand that the likely consequence for violating the non-violence contract is expulsion. JMA will follow mandated due process procedures to address the Level III infraction.

Restorative Practices

At JMA we believe that true learning comes from understanding one's responsibility to oneself and to the community. Therefore, students who violate our community's Code of Conduct will often face a restorative consequence—an opportunity to give back to the community they violated and repair relationships they have damaged. This concept of honoring the community and the relationships within our JMA community is a foundation of our program and our Code.

K-5th Grade Rewards and Consequences

The culture system in lower elementary is structured to encourage students to make great choices. A color-coded choice chart helps students see how their choices are impacting themselves and their community. This chart creates a uniform language for teachers, as well as a clear visual cue for students to track their progress throughout the day. Students always start the day on Blue - Good day and strive towards Green - Wow! Great Day!

Green - Wow! Great Day! → Blue - Good Day → Yellow - Official Warning → Orange- Loss of Privilege → Red - Phone Call Home

JMA Discipline System (all grades)

The JMA Discipline System is designed to create a safe, respectful, cooperative community. There are three types of violations: Level 1, Level 2, and Level 3:

Level I Violations:

Level I violations are actions that negatively impact JMA’s high achievement culture and community of safety, respect, and cooperation. Level I Violations include, but are not limited to:

Level I Violation	Description
Late to School or Class	Arrival after the bell rings for the start of any class or after school activity.
Violation of Uniform Policy	This includes, but is not limited to, violations of dress code, even if minor.
Obscene/Abusive/Inappropriate/Disrespectful Language	This includes spoken, written, and body language that is disrespectful, inflammatory, or offensive to generally accepted community standards including religious or ethnic epithets. Inappropriate language includes rolling eyes, sucking teeth, talking back, silently mouthing words, defiantly folding arms, pouting, avoiding eye contact, slouching in chair, etc.
Disruptive Behavior	Students are expected to follow the rules that individual teachers have established for student conduct in their classrooms. No student’s behavior can be permitted to disrupt the learning of others. Violations include: <ul style="list-style-type: none"> • Disruptive behavior, including disruptive outbursts, talking while others are talking, throwing objects, and inappropriate gestures and sounds. • Sleeping in class or putting head on desk • Being unprepared, e.g. not having proper supplies & books • Leaving class without permission and a hall pass • Wearing headphones except for approved instructional purposes • Horseplay that includes but not limited to pushing, shoving, kicking, or other physical contact, knowingly taking of another’s property done in a playful and/or confrontational manner
Gum & Food Contraband	Gum chewing is prohibited in the building. There is no eating and/or drinking allowed in class. Students are prohibited from carrying food or drinks from the cafeteria. For additional support, students may eat lunch in their teacher’s classroom provided they have a pass from their teacher. If this pass from the teacher is abused, the Dean/Assistant Principal will revoke the privilege.
Environment	JMA is committed to maintaining a professional and healthy environment. Students are required to maintain a clean school environment by picking up after themselves at lunch, disposing of paper in hall/class, retrieving lost/unwanted personal items, and respecting all school property.
Lapse of Integrity	Attempt to deceive or mislead by verbalizing intentions that misrepresent a student’s actions when questioned by school personnel.
Student Personal Electronics	Students are never permitted to use mobile phones, iPods or music devices, video game devices, laser pointers, etc... in school. Once confiscated, teachers immediately give the device to the Dean. Confiscated items are only returned to the parent/guardian and only during an appointment or routine time dedicated to such matters. <i>JMA does not accept any responsibility for loss of student’s electronic equipment due to theft or other loss. In addition, JMA will <u>not</u> be responsible for damage or loss of a nuisance device that is confiscated by staff.</i>
Consequences	May include, but are not limited to the following: <ul style="list-style-type: none"> • Re-direction by the teacher (teacher-created behavior rubric); • Referral to the Dean of Students • In school suspension • Repeated ISS consequences may lead to a further disciplinary action • Appropriate/relevant consequences will be determined on a case-by-case basis • All referrals/consequences will result in documentation being maintained in the student’s file.

Level II Violations:

Level II violations involve actions that **significantly** impact JMA's high achievement culture and community of safety, respect, and cooperation. Level II Violations include, but are not limited to:

Level II Violation	Description
Physical Aggression	Physical contact (e.g. hitting) involving one or more offenders where no student is injured and the incident does not elevate to a Level III Violation (i.e. Simple Assault).
Pre-fight	Physical contact (e.g. pushing, shoving) that ends very quickly or is easily stopped by an adult or other student.
Threats, Provocation	<u>Threats</u> are words and/or actions that are intended to taunt, provoke, or do emotional harm. <u>Provocation</u> are words and/or actions intended to provoke a violent reaction, including poking, —getting in his/her face, violation of personal space, aggressive gestures, etc.
Facilitating Violence	Watching, encouraging or instigating a pre-fight/fight before school, during school or after school is prohibited. It is our belief that bystanders play a role in escalating violence; therefore anyone watching a fight has an obligation to de-escalate the situation by <u>staying calm, remaining nonpartisan and getting help.</u>
Major Insubordination	This includes ignoring any and all redirection, walking/running away from a staff member, and refusal to cooperate in any manner with a staff member's request - escalating to a scene which disrupts the larger community (multiple staff members may be required to address the behavior).
Insubordination	This includes failure to comply with directions of teachers and other school personnel such as leaving class without permission. This also includes refusing to turn over a demerit card when asked to do so by any adult.
Constant Disruption	Behavior that continuously interrupts the learning environment of a class – the actions have been addressed multiple times and the student has exhausted all interventions found within the Classroom Discipline Cycle.
Major Disrespect toward Staff	This includes, but is not limited to, any nonthreatening words and/or actions that are directed towards a staff member in either an overtly loud, profane, or demonstrative manner.
Plagiarism, Forgery, Cheating	Plagiarism is using, without permission, the ideas & writings of another; either word for word or in substance, and representing such as one's own. Forgery is the signing of a document in another's name. Cheating includes deceit, fraud, or deception (i.e., copying another's assignments, assisting another to cheat by lending one's own work; giving or receiving aid during a testing period).
Cutting Class	Cutting includes all scheduled activities as well as leaving the building without permission (see attendance section).
Gambling	Gambling includes betting or wagering for money, favors, or fun. <i>The severity of the disciplinary action will be based upon the circumstances of the infraction, and could include expulsion from school. Repeated or serious violations may also result in filing of criminal charges as deemed appropriate by JMA.</i>
Damaging or Stealing (Misdemeanor)	Damage to or stealing of any property of \$50.00 or less.
Consequences	May include, but not limited to the following: <ul style="list-style-type: none"> • Restorative consequence(s) • Parent/guardian meeting • In-school suspension • Out-of-School suspension • Disciplinary Hearing • Other appropriate/relevant consequence as determined by the Dean of Students

JMA considers repeated Level II violations to be a serious violation of its Code of Conduct and the community trust. Multiple Level II violations (5) in one school year may be a basis for an expulsion.

Level III Violations:

Level III violations involve actions that are very serious violations of JMA’s Code of Conduct, and/or are criminal violations of Texas law. When a criminal violation occurs, JMA is required to report the incident to the State and it will become part of the student’s permanent record. Level III Violations include, but are not limited to:

Level III Violation	Description
Firearm, Weapons or Dangerous Instrument	Any person found or observed on school property or school-sponsored event in possession of a firearm, weapon or dangerous instrument (i.e. BB gun, bullet, pistol, rifle, gun, disguised gun, dagger, switchblade, knife, box cutter, paintball gun, dart gun, pepper spray or other noxious sprays, explosive or incendiary bomb or other instrument, material or device that can cause physical injury etc.) must immediately be reported to the Principal. Law enforcement officials shall be informed.
Terrorist Threats/Acts	Terrorist threats/act mean a communication/act to commit violence, terrorize, evacuate building, or otherwise cause serious public in convenience or safety risk. Depending on the nature of the incident, law enforcement officials may be informed.
Drug, Alcohol, or Tobacco Possession, Use, or Illicit Activity	<p><u>Drug Possession:</u> Illegal/inappropriate drug-possession, use, or illicit activity (selling, storing, producing, or purchasing) on school grounds, or at school-sponsored events is absolutely prohibited. Such activities will result in an immediate suspension and Expulsion Hearing before the Board of Directors.</p> <p><u>Tobacco Policy:</u> Students may not possess or use any product containing tobacco while on school property or at a school-sponsored event. The use of tobacco is defined as the possession and/or use of cigarette, pipe, cigar, chewing tobacco, e-cigarettes, snuff or related tobacco product and paraphernalia. Students found with tobacco on their person will be suspended.</p> <p><u>Violations:</u> This violation includes drug, alcohol or tobacco possession, use, or illicit activity on school grounds or at a school-sponsored event. Illicit activity means the intent to use, sell, store, or purchase illegal substances, and paraphernalia. School administrators will report the incident to the police and provide all information concerning the matter to law enforcement authorities.</p>
Theft	Theft means withholding, taking, or removal of personal or school property (including tests) without the owner’s consent. Depending on the nature of the incident, law enforcement officials may be informed.
Arson and/or Possession of Fireworks and Other Explosive Devices	Arson means the malicious burning of another’s property. Students may not possess or use fireworks or the paraphernalia needed to explode them—matches, lighters—on school grounds or during school activity. Depending on the nature of the incident, law enforcement officials may be informed.
Vandalism	Vandalism includes intentional or reckless damage to, or attempt to damage, the property of another, or the causing of damage while committing an act contrary to this code or to the law. Depending on the nature of the incident, law enforcement officials may be informed.

Bullying	<p>Intentional electronic, written, verbal or physical act, or a series of acts:</p> <ol style="list-style-type: none"> (1) Directed at another student or students; (2) Which occurs in a school setting; (3) That is severe, persistent or pervasive; and (4) That has the effect of doing any of the following: <ol style="list-style-type: none"> (i.) Substantially interfering with a student's education (ii.) Creating a threatening environment; or (iii.) Substantially disrupting the orderly operation of the school; and "school setting" shall mean in the school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervise or sanctioned by the school.
Disorderly Conduct	Reckless behavior that could cause injury, including throwing objects (tables, chairs), pulling fire alarms, etc.
Threatening Staff Member	Physical, verbal, written, or electronic threat (e.g., internet) or intimidation is to unlawfully place another person in fear of bodily harm through verbal threats without displaying a weapon or subjecting the person to actual physical attack; stalking (i.e. pursuing another, spying on or watching another person, with or without the internet to harm, frighten, or coerce) should be included.
Fighting	Violence includes physical aggression between two or more students that escalates into punching, wrestling, knocking down, or damaging or destroying property. This means physical aggression typically that lasts more than a few seconds and is not easily broken up.
Assault	An unlawful physical attack by one person upon another.
Sexual Harassment	<p>JMA recognizes that harassment on the basis of sex is a violation both of Federal and State discrimination laws and that these laws apply to students and employees. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature when:</p> <ul style="list-style-type: none"> • Submission to such conduct is made a term of the students' right to learning • Such conduct interferes with an individual's academic performance or creates an intimidating, hostile, or offensive educational environment • Submission to or rejection of such conduct is used as the basis for academic decisions <p>Forms of sexual harassment include but are not limited to the following.</p> <ul style="list-style-type: none"> • Derogatory comments, jokes, or slurs; sexually-oriented sounds or remarks • Uninvited, unnecessary or offensive touching, pinching, patting, grabbing, brushing against another person's body, or impeding or blocking movement • Derogatory or offensive pictures, posters, cards, cartoons, graffiti, drawings, or gestures <p>The severity of the disciplinary action will be based upon the circumstances of the infraction, and could include expulsion from school. Repeated or serious violations may also result in filing of criminal charges as deemed appropriate by the school.</p>
Sexual Misconduct	This may include attempting or carrying out a sexual act with oneself or another person whether it is consensual or non-consensual. Depending on the nature of the incident, law enforcement officials may be informed.

Consequences	<p>If a Level III incident occurs:</p> <ul style="list-style-type: none"> • Parent/Guardian notified • Immediate removal from school during school investigation • Out-of-School Suspension (1-10 days) • Disciplinary hearing <p>Possible Outcomes of a Disciplinary Hearing:</p> <ul style="list-style-type: none"> ○ Return to Community ○ Return to Community under contract ○ Disciplinary Transfer to ISS ○ Recommendation for Expulsion Hearing, all expulsions are confirmed by Board of Directors
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Substance Abuse

Drug and alcohol abuse prevents students from achieving their potential. JMA personnel will provide appropriate referrals to counseling/support services for students and to follow the student's treatment.

Any student at JMA exhibiting behavioral symptoms indicating alcohol and substance abuse will be given a drug/alcohol test (parents/guardians will be notified whenever a test is issued). Symptoms may include intoxication, slurred speech, unsteady walk, impaired coordination, slowed reflexes, odor, physical expression, brief intense euphoria, repetitive physical mannerisms (lip chewing, constant grinding of teeth, constant scratching), violence, blank expression, sexual promiscuity, nausea and elevated heart rate.

If a student tests positive, the student will be referred for appropriate referral to counseling/supportive services. Parent/guardians have the responsibility to seek outside treatment for their child. The student must receive and continue outside treatment in order to remain a student at JMA. JMA must receive a treatment plan and regular updates from the outside treatment agency. The student will be re-tested sixty days from the day of the initial testing date. If the student's test comes back negative, s/he will adhere to treatment recommended by the Counselor and outside treatment center. If the student tests positive for the second chemical analysis, s/he will be expelled from JMA.

Search Policy

JMA holds the right to search any and all bags, and clothing without probable cause. Prior to a bag search, students shall be notified and given an opportunity to be present. When school authorities have a reasonable suspicion that the, bag or student contains/possesses materials that pose a threat to the health, welfare or safety of students in the school, bags and students may be searched without prior warning or their presence.

Parents/Guardians and students should be aware that:

- The school assumes no responsibility for loss of student's personal property.
- Random "bag sweeps" and bag searches are conducted periodically throughout the year.
- When school authorities have a reasonable suspicion that a bag or student contains or is holding materials that pose a threat to the health, welfare or safety of students in the school, student bags may be searched without prior warning. Illegal or prohibited materials seized during a student search maybe used as evidence against the student in a school disciplinary proceeding. At least two staff members will be present when searching a student's bag, or person.
- Person searches will be limited to shoes, outer wear, pockets and pat-downs unless performed by the police.

DUE PROCESS: DISCIPLINE

Disciplinary Hearings

Disciplinary hearings serve as JMA's "informal hearings". Disciplinary hearings are designed to bring forth all relevant information regarding the students' disciplinary and academic problems facing the student and for students, their parents/guardians and school officials to discuss the incident involving the student and ways by which future problems might be avoided.

The outcomes of such a hearing may include:

- Invitation to rejoin the community without any disciplinary or academic intervention
- Invitation to rejoin the community with mandatory or voluntary disciplinary and/or academic intervention
- Transfer to ISS
- Recommendation to the Board for expulsion which would result in the student and parent/guardian being required to attend a formal expulsion hearing. See—Expulsion below.

Steps to ensure due process include:

- Parents/guardians will be notified in writing regarding the reasons for the hearing.
- Sufficient notice of the time and place of the hearing shall be given.
- A student has the right to question any witnesses present at the hearing, and has the right to speak and produce witnesses on his/her own behalf.
- Teacher narratives, grades, attendance and disciplinary records will be available for review.

Out of School Suspensions

An Out of School Suspension is exclusion from school for a period from 1 to not more than 10 consecutive school days. Suspensions may be assigned by the Dean of Students, Assistant Principal and/or Superintendent/Principal. Students have the responsibility to make up exams and work missed while suspended and shall be permitted to complete assignments within Board determined guidelines.

Due process includes:

- A student may not be suspended until the student has been informed of the reasons for the suspension and given an opportunity to respond. Prior notice of the intended suspension need not be given when it is clear that the health, safety or welfare of the school community is threatened.
- The parent/guardian shall be notified immediately in writing when the student is suspended.
- When the suspension exceeds three (3) school days, the student and parent/guardian shall be given the opportunity for an informal "disciplinary hearing" consistent with Texas Law. The school shall offer to hold the informal hearing within the first 5 days of the suspension, and notice of the hearing will be given to the parent/guardian.
 - Disciplinary hearings enable the student to explain the circumstances surrounding the event for which the student is being suspended or to show why s/he should not be suspended. All relevant information regarding the event for which the student may be suspended will be presented and the school and the parent will discuss ways by which future offenses might be avoided. At the hearing, the student has the right to question any witnesses present and to speak and produce witnesses on his own behalf.

In-School Suspensions (ISS)

Students may be assigned in-school suspension as a result of disciplinary action.

- Student will be informed of the reasons for the in-school suspension and be given an opportunity to respond before the in-school suspension becomes effective.
- Parents/guardian will be informed of the in-school suspension
- When the in-school suspension exceeds 10 consecutive school days, a disciplinary hearing with the Dean of Students and/or Superintendent/Principal shall be offered to the student and the student's parent or guardian prior to the 11th school day.

Expulsions

Expulsion is exclusion from school by the Board of Trustees for a period exceeding 10 school days and may be permanent expulsion from the school rolls. Education is a statutory right, and students shall be afforded due process if they are to be excluded from school. A Board decision is required to expel a student. To ensure a fair Board hearing, JMA's Board of Trustees will designate a Board Hearing Examiner who will represent the Board in discipline matters. The Hearing Examiner will make recommendations to the Board. The Board ultimately decides whether a student will be expelled.

- Expulsions require a prior formal hearing (see below).
- Students shall be suspended from school prior to the hearing and decision of the Board for a period of up to 10 days. The student shall be placed in his normal class after the 10 days except if it is determined after an informal hearing that a student's presence in his normal class would constitute a threat to the health, safety or welfare of others and it is not possible to hold a formal hearing within the period of a suspension. A student may not be excluded from school for longer than 15 school days without a formal hearing unless mutually agreed upon by both parties. Any student so excluded shall be provided with alternative education, which may include home study.

Expulsion Hearing Requirements:

A formal hearing is required in all expulsion actions. The hearing is conducted by a Hearing Examiner that is secured by the Board. The Hearing Examiner solicits evidence from the school and from the student and parent, and determines the facts surrounding each incident. Based on these facts, the Hearing Examiner writes a Report. The report states whether the student has violated JMA's Code of Conduct, and recommends a disciplinary outcome for the student, ranging from a dismissal of the case to a permanent expulsion.

The Report is presented to the Board of Trustees at its next meeting. The Board has the power to adopt, modify, or reject the Report made by the Hearing Examiner. A majority vote of the entire Board is required to expel a student if that is the recommendation of the Hearing Examiner.

Parents and Guardians will receive a copy of the Hearing Examiner's Report for their student. Parents and guardians will also be notified once the Board has made its decision, and will be informed of any legal right to appeal that they may have.

The following due process requirements shall be observed:

- Notification of the charges shall be sent to the student's parents or guardians by certified mail
- At least 3 days' notice of the time and place of the hearing shall be given. A copy of the expulsion policy including hearing procedures and notice that legal counsel may represent the student

shall be included with the notice. A student may request there scheduling of the hearing when the student demonstrates good cause for an extension.

- The hearing shall be held in private unless the student or parent/guardian requests a public hearing.
- The student may be represented by counsel, at the expense of the parents or guardians, and may have a parent or guardian attend the hearing.
- The student has the right to be presented with the names of witnesses against the student, and copies of the statements and affidavits of those witnesses. The student has the right to request that the witnesses appear in person and answer questions or be cross-examined. The student has the right to testify and present witnesses on his own behalf.
- A written or audio record shall be kept of the hearing. The student is entitled, at the student's expense, to a copy. A copy shall be provided at no cost to a student who is indigent. The proceeding shall be held within 15 school days of the notification of charges, unless mutually agreed to by both parties. A hearing may be delayed for any of the following reasons, in which case the hearing shall be held as soon as reasonably possible:
 - Laboratory reports are needed from law enforcement agencies
 - Evaluations or other court or administrative proceedings are pending due to a student invoking his rights under the Individuals With Disabilities Education Act (20U.S.C.A. §§1400—1482)
 - In cases in juvenile or criminal court involving sexual assault or serious bodily injury, delay is necessary due to the condition or best interests of the victim

Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.

If Expelled:

Students who are under 17 years of age are still subject to the compulsory school attendance law even though expelled and shall be provided an education. The initial responsibility for providing the required education rests with the student's parents or guardian, through placement in another school, tutorial or correspondence study, or another educational program. Within 30 days of action by the governing board, the parents or guardians shall submit to the school district written evidence that the required education is being provided as described above or that they are unable to do so. If the parents or guardians are unable to provide the required education, the school entity shall, within 10 days of receipt of the notification, make provision for the student's education. A student with a disability shall be provided educational services as required by the Individuals With Disabilities Education Act (20U.S.C.A. §§1400—1482). If the approved educational program is not complied with, the school may take action in accordance with applicable law to ensure that the child will receive a proper education.