

Resolution (Actions)

In recent years we have noticed an influx in inaccurately reporting actions for a student's behavior. Below is a list of the action codes, the Montana Statute that is in accordance with the action, and a general description.

Expulsion

Expulsion can only happen after a student has been suspended for over 20 days.

Montana Statute 20-5-202, MCA: States that expulsion is a disciplinary action available only to the school district board of trustees. The board of trustees must adopt a policy defining the circumstances and procedures by which the trustees may expel a student.

The statute also states that the trustees of a district must adopt a policy for the expulsion of a student who is determined to have brought a firearm to school, and that the expulsion must be for a period of not less than one calendar year unless the trustees modify the requirement for expulsion of a student on a case-by-case basis (20-5-202, MCA).

250 Expulsion, placed in interim alternative educational setting (referral by school personnel):

The student is expelled by an action of the school board of trustees from his/her current educational setting and placed in an interim alternative educational setting to continue receiving educational services for the duration of the expulsion. The length of removal should include the school days the student was suspended pending board action to expel.

260 Expulsion, without services:

The student is expelled by an action of the school board of trustees from all school settings for the duration of the expulsion, with total cessation of educational services. The length of removal should include the school days the student was suspended pending board action to expel.

Out-of-School Suspension

Montana Statute 20-4-302(5), MCA: In a district employing neither a district superintendent nor a principal, the teacher has the authority to suspend a pupil for good cause. And, when either a district superintendent or a school principal is employed, only the superintendent or principal has the authority to suspend a pupil for good cause.

Montana Statute 20-5-202(1), MCA: The trustees of a district must adopt a policy defining the authority and procedure to be used by a teacher, superintendent, or principal in suspending a student.

Montana Statute 20-5-202(3), MCA: A teacher, superintendent or principal must suspend immediately for good cause a student who is determined to have brought a firearm to school (until the board of trustees can act on the expulsion).

400 Suspension, out-of-school, placed in interim alternative educational setting (referral by school personnel):

The student is removed from his/her current educational setting in accordance with school district suspension policy and placed in an interim alternative educational setting to continue receiving educational services for the duration of the suspension. For a student with disabilities this would be an appropriate interim alternative educational setting where the student continues to participate in the general education curriculum, in another setting, and to progress toward meeting the IEP goals.

410 Suspension, out-of-school, without services:

The student is removed from his/her current educational setting in accordance with school district suspension policy and from all school settings for the duration of the suspension during which the student does not receive educational services.

500 In-School Suspension