

Book	Policy Manual
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Title	*REVISED POLICY - VOL. 21, NO. 2 - EMERGENCY REMOVAL OF STUDENTS
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REVISED POLICY - VOL. 21, NO. 2

5610.01 - EMERGENCY REMOVAL OF STUDENTS

If a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process taking place either in a classroom or elsewhere on school premises, then the Superintendent, principal, or assistant principal may remove the student from curricular activities or from the school premises. If the student's behavior involves unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities, employees must disclose such information in accordance with Policy 8406 - *Reports of Suspicious Activity and Potential Threats to Schools*. If the student misconduct ~~conduct~~ complained of involves sexual harassment, the District shall comply with the requirements specified in Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities.

A teacher may remove the student from curricular activities under the teacher's supervision, but not from the premises. If a teacher makes an emergency removal, the teacher will notify a building administrator of the circumstances surrounding the removal in writing, as soon as practicable. No prior notice or hearing is required for any removal under this policy. In all cases of normal disciplinary procedures where a student is removed from a curricular activity for less than one (1) school day and is not subject to further suspension or expulsion, the following due process requirements do not apply.

If the emergency removal exceeds one (1) school day, then a due process hearing will be held within three (3) school days after the removal is ordered. Written notice of the hearing and the reason for the removal and any intended disciplinary action will be given to the student as soon as practicable prior to the hearing. If the student is subject to out-of-school suspension, the student will have the opportunity to appear at an informal hearing before the principal, assistant principal, Superintendent, or designee and has the right to challenge the reasons for the intended suspension or otherwise explain his/her actions. Within one (1) school day of the decision to suspend, written notification will be given to the parent(s)/guardian(s) or custodian of the student and Fiscal Officer of the School Board. This notice will include the reasons for the suspension, the right of the student or parent(s)/guardian(s) to appeal to the Board or its designee and the student's right to be represented in all appeal proceedings. If it is probable that the student may be subject to expulsion, the hearing will take place within three (3) school days and will be held in accordance with the procedures outlined in the Policy 5611 - Due Process Rights.

If the Superintendent or principal reinstates a student prior to the hearing for emergency removal, the teacher may request and will be given written reasons for the reinstatement. The teacher cannot refuse to reinstate the student.

In an emergency removal, a student can be kept from class until the matter of the misconduct is disposed of either by reinstatement, suspension, or expulsion.

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