



Section PUPILS

Title SUSPENSION AND EXPULSION

LINE MOUNTAIN SCHOOL DISTRICT

Date Adopted November 20, 1979

Date Revised: July 22, 1986

Guide		Reference
<p>1. <u>Purpose</u></p> <p>2. <u>Authority</u></p>	<p style="text-align: center;">233. SUSPENSION AND EXPULSION</p> <p>The Board recognizes that exclusion from the educational program of the schools, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student in this district, and one that cannot be imposed without due process. The Board may, after a proper hearing, suspend a child for such time as it deems necessary or may permanently expel him/her.</p> <p><u>In-School Suspension</u></p> <p>No student may receive an in-school suspension unless the student has been informed of the reasons for the suspension and has been given an opportunity to respond before the suspension becomes effective. Communication to the parents or guardian shall follow the suspension action taken by the school.</p> <p>When the in-school suspension exceeds ten (10) consecutive school days, an informal hearing with the principal shall be offered to the student and to the student's parent or guardian prior to the 11th school day in accordance with the procedures relating to hearings.</p> <p>The student's school district has the responsibility to make some provision for the student's education during the period of the in-school suspension.</p> <p><u>Temporary Suspension</u></p> <p>Temporary Suspension shall mean exclusion from school or class for an offense for a period of up to three (3) consecutive days, by the principal, without a hearing, in accordance with policies of the Board.</p> <p style="text-align: right;">page 1/5</p>	<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>26</p> <p>27</p> <p>28</p> <p>29</p> <p>30</p> <p>31</p> <p>32</p> <p>33</p> <p>34</p> <p>35</p> <p>36</p> <p>37</p> <p>38</p> <p>39</p> <p>40</p> <p>41</p> <p>42</p> <p>43</p> <p>44</p>

Full Suspension

Full Suspension shall mean exclusion from school for an offense for a period of up to ten (10) consecutive school days, after an informal hearing before the principal is offered to the student and the student's parents, in accordance with policies established by the Board.

Expulsion

Expulsion shall mean exclusion from school for an offense for a period exceeding ten (10) consecutive school days, and may be permanent expulsion from the school rolls.

3. Guidelines

No student may receive a temporary suspension unless the student has been informed of the reasons for the suspension and has been given an opportunity to respond before the suspension becomes effective. All full suspensions require a prior informal hearing offered to the student and the student's parents with principals, and all expulsions require prior formal hearing, in accordance with the procedures of Section 12.8 on Hearings.

The maximum period a student may be suspended for an offense shall not exceed ten (10) consecutive school days. A temporary suspension may be followed by a full suspension for the same offense, provided that the ten consecutive school days limitation is not exceeded. Temporary or full suspensions may not be made cumulative or made to run consecutively beyond this ten-day limitation.

During the period prior to the temporary suspension, the full suspension or the hearing and the decision of the Board in an expulsion case, the student shall be placed in his/her normal class.

Students shall have the responsibility to make up exams and work missed while being disciplined by suspension or expulsion.

If, when expulsion proceedings are initiated, it is determined after an informal hearing that a student's presence in his/her normal class would constitute a threat to the health, safety, morals or welfare of others, and it is not possible to hold a formal hearing within the period of a full suspension, the student may be

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excluded from school for more than ten school days, provided the formal hearing is not unreasonably delayed. Any student so excluded shall be provided with alternative instruction.

Students who are less than seventeen (17) years of age are still subject to the compulsory school attendance laws, even though expelled, and they must be provided with an education. The initial responsibility for providing the required education rests with the parents or guardian, through placement in another school, through tutorial or correspondence study, or through another educational program approved by the district's superintendent.

If the parents or guardian are unable to provide the required education, they must, within thirty (30) days, submit to the school district written evidence so stating. The district then has the responsibility to make some provision for the student's education. If thirty days pass without the district receiving satisfactory evidence that the required education is being provided to the student, it must recontact the parent and, pending the parents' or guardian's provision of such education, must make some provision for the student's education, or proceed as follows:

If the approved educational program is not complied with, the school district may take action in accordance with Chapter 63 of the Juvenile Act to ensure that the child will receive a proper education.

Formal Hearing (refer to Policy No. 219)

Students suspended for a period of time longer than a full suspension shall be afforded a formal hearing before the Board or a duly authorized committee of the Board, preferably composed of no fewer than three (3) members of the Board. The hearing committee's decision is advisory to the Board where expulsion is recommended. A majority vote of the entire Board is required to expel a student.

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At the formal hearing, the following due process requirements are to be observed:

1. Notification of charges, in writing, sent to the parents or guardian by certified mail, and to the student
2. Sufficient notice of the time and place of the hearing
3. The right to an impartial tribunal: (1) Board of School Directors, (2) a duly appointed committee of the Board, (3) a qualified hearing examiner
4. The right to be represented by counsel
5. The right to be presented with names of witnesses against the student and copies of statements and affidavits of those witnesses
6. The right to demand that any such witnesses appear in person and answer questions or be cross-examined
7. The student's right to testify and produce witnesses on his/her own behalf
8. A record be kept of the hearing, either by a stenographer or a tape recorder. The student is entitled to a copy of the transcript at his/her expense
9. The proceeding must be held with all reasonable speed
10. Where the student disagrees with the results of the hearing, recourse is available in the appropriate court of the Commonwealth. If it is alleged that a constitutional issue is involved, the student may file a claim for relief in the appropriate Federal District Court.

If requested by the student or the parents, the hearing shall be privately held.

Informal Hearing

The purpose of informal hearings is to enable the student to meet with the appropriate school official to explain the circumstances surrounding the event for which the student is being suspended, to demonstrate that there is a case of mistaken identity, or to show that there is some compelling reason why the student should not be suspended.

The informal hearing also encourages the student's parents or guardian to meet with the principal to discuss ways by which future offenses can be avoided.

At the informal hearing, the following due process requirements are to be observed:

1. Notification of the reasons for the suspension, in writing, given to the parents or guardian and student
2. Sufficient notice of the time and place of the hearing
3. The right to cross-examine witnesses
4. The student's right to speak and produce witnesses on his/her own behalf
5. The district shall offer to hold the informal hearing within the first five (5) days of the suspension.

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