

SUSPENSION AND EXPULSION/PUPIL DUE PROCESS

Suspension

Suspension cases shall be given priority in the principal's time schedule.

A. Referral of suspension cases to principal

The following regulations shall apply to referral by the faculty of pupils whose behavior is such that state law and board policy subject them to the possibility of suspension as a disciplinary measure.

The staff member shall:

1. Notify the principal promptly concerning a pupil who is being sent to him/her;
2. Present to the principal in writing on a form to be provided:
 - a. The time and date of the occurrence;
 - b. The specific nature of the offense;
 - c. Descriptions and dates of other offenses if not previously reported; and
 - d. Specific measures taken by the teacher to effect an adjustment, including the specialized help secured before referral such as conferences with other teachers, conferences with parents/guardians, referrals to guidance counselor, referral to the Pupil Assistance Committee (PAC), etc.
3. Admit a pupil to the classroom until directed by the principal not to do so;
4. Avoid threatening a pupil with exclusion from the room;
5. Inform the principal of a pupil whose transfer from one room to another appears desirable for specified reasons;

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6. Accept completely the principal's authority to assign or reassign a pupil as the principal thinks is in the best interests of the pupil;
7. Accept the principal's decision to suspend or not suspend a pupil.

B. Suspension procedure

The suspension procedure should include, but not be limited to:

1. An exploration of possible solutions to the problem--conferences with parents/guardians, counseling, referral to the Pupil Assistance Committee (PAC), etc.;
2. An interview with the pupil by the principal, or his/her designated representative, prior to suspension, to:
 - a. Make sure the pupil knows exactly why he/she has been referred;
 - b. Convey to the pupil the seriousness of his/her behavior;
 - c. Afford the pupil the opportunity to present his/her side of the story in its entirety;
 - d. Let the pupil know the judgment of the interviewer--including the acceptability of the pupil's account and the development with the pupil of the steps necessary to effect improvement;
 - e. Record information pertinent to the case and make the pupil aware of the record to be kept on file;
 - f. Review with the pupil the reason for suspension.

C. Length of suspension

A principal may suspend a child for a period not to exceed 10 school days for each suspension period. A principal may never suspend a pupil for disciplinary reasons for an indefinite period of time.

D. Dismissal of pupil

A suspended elementary pupil (grades kindergarten through six) should be retained in the school building under the close supervision of a responsible adult until the close of the session or school day, unless dismissed in the custody of a parent/guardian, or adult representative of the family.

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When a secondary pupil (grades seven through 12) has been suspended, the principal should:

1. Notify the parent/guardian of the pupil's suspension prior to the pupil's leaving the school grounds; or
2. When the principal is unable to contact the parent/guardian, retain the pupil in the school building under the supervision of a responsible adult(s) until the close of the school session.

Every effort should be made to establish immediate contact with a responsible adult family representative to notify him/her of the suspension of a pupil.

E. Notification of parent/guardian and Superintendent.

Written notification that a pupil has been suspended shall be forwarded to the parent/guardian, to the Superintendent, and to other departments that may be involved such as to the Child Study Team case manager for a special education pupil.

The principal shall keep a complete record of the entire proceedings of each suspension.

F. Reinstatement of pupil

A parent/guardian re-admittance conference shall be held after a pupil has been suspended. The conference should be arranged with the parent/guardian in an effort to resolve the problem.

Included in the conference should be:

1. The parent/guardian of the pupil;
2. The principal or his/her designated representative;
3. Teacher(s) concerned;
4. Pupil suspended;
5. Others (as required).

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G. There are two types of suspensions:

1. In-school suspension

- a. In an effort to improve pupil attendance at school, in-school suspension will be used as a means to discipline pupils who violate the school attendance rules and regulations, or commit infractions of other school policies.
- b. A pupil who violates the school rules and regulations may be assigned an in-school suspension, providing his/her presence in school will not interfere with the normal operation of the school's programs.
- c. When a pupil is serving an in-school suspension, he/she reports to school at the regular time, but instead of going to classes, shall report to the room assigned for serving the in-school suspension. During the suspension period, the pupil will be separated from classmates and schoolmates. However, he/she must do the classwork assigned during this period. The pupil shall bring books, paper and pencils to complete assigned work.
- d. The in-school suspension room will be supervised by approved personnel. The supervisor of the in-school suspension room will consistently enforce the in-school suspension room rules and regulations as enumerated by the school's discipline code.
- e. In-school suspension will be assigned to pupils by an administrator. Pupils who are assigned in-school suspensions will receive an in-school assignment sheet that is to be taken to each of the pupil's teachers for the assignment and the teacher's initials.

A list of pupils who are to report to the in-school suspension room will be indicated on the daily attendance list.

- f. Any pupil on in-school suspension who violates the in-school suspension regulations, is defiant or disruptive, shall be subject to further disciplinary action.

The pupil may receive additional in-school suspension, out-of-school suspension, or be referred to the Superintendent and Board of Education for possible exclusion from school.

- g. No pupil shall be readmitted to classes until a parent/guardian conference has been held.

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2. Out-of-school suspension
 - a. Pupils will be sent home for a certain period of time. This type of suspension is the most serious type of suspension. Repeated suspensions will be brought before the Superintendent and the Board of Education for further action.
 - b. Any pupil who has received out-of-school suspension may not attend or participate in any school activities during the period of suspension. This includes dances, athletic events, etc.
 - c. Before a pupil may be reinstated following the suspension, a parent/guardian conference must be held.
 - d. Any pupil who has been suspended from school must report to the principal's office upon his/her return to receive an admittance to class slip.

Expulsion

Before steps toward expulsion are taken, the pupil may be referred to the child study team to determine whether the pupil needs a comprehensive evaluation. If the pupil is found to be eligible for special education upon completion of this evaluation, then a program must be developed according to the pupil's needs. If the pupil is not eligible, then the expulsion process may continue.

Pupils who are guilty of continuous serious misconduct which interferes with the opportunity of other pupils to carry on their learning activities may be recommended to the Board for expulsion from school using the following procedure:

- A. The principal with his/her staff shall exhaust all means of bringing about a correction of the misconduct and shall bring the case before the Superintendent.
- B. The parent/guardian of the pupil, or a pupil over 18 years of age, shall be interviewed and advised of the reason why expulsion is being considered, of the right of the pupil to a full hearing which will afford the pupil procedural due process and of the right of the parent/guardian to appeal to the Superintendent and the Board. A written statement of charges must be given to the pupil and the parent/guardian. The pupil has the right to have an attorney present at any stage of the procedure.

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- C. The principal may suspend the pupil until the child study team has determined whether the pupil is or is not eligible for a special education program or service. If the pupil is not eligible, the suspension may be extended until the appeal is completed or until the next board meeting, at which time the case will be presented by the Superintendent to the Board with the principal's recommendation for expulsion.
- D. If, after receiving the report from the child study team, the Board determines that the charges, if true, warrant expulsion, the Board may at that time set a date for a full hearing which must be held within 21 days.
- E. The board attorney will arrange for the giving of legal notice to all parties concerned for the preparation and presentation of the evidence in support of the charges at the hearing. The pupil is entitled to an attorney.

A full due process hearing shall include the accused pupil's right to:

1. Notification of charges against him/her;
2. Names of the adverse witnesses;
3. Copies of the statements and affidavits of those adverse witnesses;
4. Opportunity to be heard in his/her own defense;
5. Opportunity to present witnesses and evidence in his/her own defense;
6. Opportunity to cross-examine adverse witnesses; and
7. Opportunity to be represented by counsel.

Appeals

A pupil may appeal a suspension or expulsion decision of the Board of Education to the commissioner of education. Appeal of a decision of the commissioner is to the state board of education. Decisions of the state board are reviewable by the courts.

Suspension or Dismissal from Activities Resulting from Incidents Within or Outside School-scheduled Activities

Pupils may be suspended or dismissed from school activities by sponsors or directors of groups for incidents of policy infractions which happen during the term of the activity in question.

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These incidents will be handled in the following manner:

- A. Incident, including names of persons involved and witnesses, must be compiled in a written report and given to the principal as soon as possible following the incident, but not later than five school days.
- B. Pupils will be notified of a formal hearing before the administration. Both sides may call witnesses. Pupils may have parents/guardians present if they wish.
- C. Following the hearing, the administration will render a decision. This decision is subject to appeal to the Superintendent and the Board of Education.
- D. If the pupil is found guilty of the offense, punishment will be given in line with the policy infraction and be effective the date of the decision.

Evidence of use, possession or sale of alcohol shall be reason for suspension from school-related activities.

Source: Regular Board Meeting

Date: August 20, 1986

Revised:

