



Section: *Pupils*

Title: *Suspension and Expulsion Policy*

Adopted: *12-18-74*

Revised: *2-16-89*

233 *Suspension and Expulsion Policy*

PHILOSOPHY:

The aim of all discipline is to rehabilitate the students. The use of school suspension as a procedure in the maintenance of discipline and in the preservation of order should be applied sparingly, and as a last resort. Other procedures including personal counseling should be utilized and only when these have failed to rehabilitate the student should suspension be instituted. Exceptions to this would be rare cases involving serious disciplinary infractions which are detrimental to the individual or the health, safety, morals or welfare of others.

Suspensions should be as short in duration as is possible to achieve a resolution of the problem.

Expulsion is an action taken only by the Board of School Directors in appropriate circumstances.

DEFINITIONS:

Suspension shall be defined as the prohibition of a child temporarily from attending school. Suspension may be ordered by the principal for willful disobedience, open defiance of school authority, or for such other misconduct or infraction of established rules as may be determined by the principal or the Board of School Directors.

Expulsion shall be defined as excluding a student from school for an offense for a period of time exceeding ten school days, and may be permanent expulsion from the school rolls.

Conditional Readmittance will mean readmission of the student to school on the condition that the behavior of the student conforms to the school's rules and regulations pending the further disposition of the case.

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OFFENSES WHICH MAY LEAD TO EXCLUSION FROM SCHOOL:

Each student shall comply with the rules, regulations and procedures established by the Colonial School District and implemented by the school staff. Any serious or repeated disobedience regarding this compliance may be grounds for exclusion of a student from school. The principal will refer appropriate students to the C.A.R.E. Team which will promptly initiate its information gathering process. The following rules for students are adopted and any infraction of them may lead to exclusion from school.

1. *Each student shall comply with directions of school members of the professional staff acting in the proper performance of their duties.*
2. *Each student shall meet the obligations of his time schedule. Cutting classes, study halls, or other time structured commitments is prohibited.*
3. *Smoking or the use of tobacco products is prohibited in school buildings and buses.*
4. *Gambling, the use of profanity, or the perpetration of immoral acts or indecent behavior is prohibited.*
5. *Willful defacing, damaging, destroying, or vandalizing of school property or equipment is prohibited.*
6. *All forms of dishonesty including cheating, plagiarism, knowingly furnishing false information to school authorities, forgery, and alteration or use of school documents with intent to defraud is prohibited.*
7. *The intentional disruption or obstruction of the teaching, learning, administrative, or other institutional processes and activities is prohibited.*
8. *The physical abuse of any person on school premises, school buses or at school sponsored functions held on/or off campus is prohibited.*
9. *Theft of school property or of the property of anyone on school premises or buses is prohibited.*

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- 10. Unauthorized occupancy of school facilities or blocking access to or from such facilities is prohibited.**
- 11. Leaving the campus without administrative consent is prohibited.**
- 12. The possession, use (or transmission of narcotics,) distribution or intent to distributenarcotics, illegal drugs (controlled substances), or intoxication liquors is prohibited.**

It will be the responsibility of the building principal to communicate the above rules and regulations to the students and professional staff members.

PROCEDURES:

The principal, or the person in charge of public school governing student behavior, shall have the power to suspend any student on account of disobedience or misconduct which violates established rules governing student behavior. The person suspending the student will report such actions promptly to the office of the Superintendent and the C.A.R.E. Team.

- 1. Teachers do not have the authority to suspend a child from attendance either from school or from a given class.**
- 2. In the case of repeated flagrant violation of school regulations, the principal or person in charge of school may recommend a hearing by the Board of School Directors to determine the future educational status of the student.**

No student shall be sent home during the school day for disciplinary reasons without the consent of the parent or guardian, nor shall a student be suspended from school without being given an opportunity to respond to any offense of which he/she may be accused before suspension becomes effective. Wherever possible, the school officials issuing the suspension shall notify the parent by telephone of the action, including the reason for the suspension and the condition for reinstatement. The school official will also send written notice to the parents of the suspended student. This written notice shall include:

- 1. The reason for the suspension**
- 2. The dates of the suspension**

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3. *Terms for reinstatement*
4. *Such additional information pertinent to the suspension*

Copies of this notice shall be given to the:

1. *Student*
2. *Guidance Department*
3. *Principal*
4. *Superintendent*

Principal=s Hearing: *No suspension may continue beyond three (3) consecutive school days unless an opportunity for an informal hearing is provided by the building principal or the school official who has suspended the student. In those cases where the C.A.R.E. Team is involved, its recommendations are due to the principal prior to the informal hearing. The student, his parents, and their legal representative have the right to appear and participate in this hearing. The hearing will be of an informal nature and a memo to the record will be dictated after the hearing containing appropriate information and the conclusions. If such an opportunity is not offered the student will be reinstated at the conclusion of the three-day period. If a problem has not been resolved after five (5) consecutive school days of suspension and the building principal has not yet been directly involved in the case, it shall at that time be referred to the direct attention of the principal who shall take appropriate action to attempt to conclude the matter. If a problem has not been resolved after suspension for ten (10) consecutive school days the student shall be conditionally readmitted to school and the case shall be referred to the superintendent of schools.*

Exceptions to Suspension Limits: *If, when expulsion proceedings are initiated, it is determined, after an informal hearing, that a student=s presence in his or 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 ten (10) days, the student may be excluded from school for more than ten (10) days, provided the formal hearing is not unreasonably delayed. For special education students suspended more than ten (10) days, a Notice of Recommended Assignment (NORA) will be provided to the parent for approval. In the event that parental approval is not obtained, the district reserves its right to exercise other legal options. Any student so excluded shall be provided with alternate instruction.*

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Superintendent=s Hearing: *If a student has been on suspension for ten (10) consecutive school days without effective resolution of the problem causing the suspension, the student shall be conditionally readmitted to school and the case shall after the tenth such consecutive day of suspension be referred immediately to the Superintendent of Schools. The Superintendent may then take any appropriate action with respect to resolving the problem including the conducting of a Superintendent=s Hearing or direct referral to the Board of School Directors. In the event that the case is not referred directly to the Board of School Directors, an opportunity will be provided for the student, his parents, their legal representative, and school personnel involved to appear at a hearing. The hearing will be conducted by the Superintendent of Schools, or his designated representative. The hearing shall be held as soon as it can be reasonably scheduled. The hearing will be of an informal nature and a memo to the record will be dictated after the hearing containing appropriate information and conclusions.*

Board of School Directors Hearing: *If a case is referred to the Board, and the Board of School Directors agrees to hear the case, then the Board shall give written notice by certified mail to the parents. A notice shall contain:*

1. *A concise statement of the charges that make up the misconduct; or the offense.*
2. *The names of the person, or persons, bringing the charges.*
3. *The time and place of the hearing.*
4. *A statement that the student and his parents have the right to appear at the hearing, to hear and cross-examine all witnesses testifying against the student, to produce witnesses and testimony on behalf of the student and to be represented by legal counsel.*

The hearing date shall be fixed not less than (10) days after the date of written notice, which written notice shall be sent as soon after the referral of the case to the Board as can reasonably be arranged.

The Hearing procedure will be as follows:

1. *The Board president, or his designate, will preside at all hearings. The Board=s Solicitor will conduct the hearing.*

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2. *Within fifteen (15) days thereafter, the Board shall consider the evidence and determine the action to be taken. The Board may dismiss the charges, reprimand, suspend, expel, or take any other action it deems appropriate.*
3. *A record of all testimony and decisions relating to the case will be kept.*
4. *In all cases where the final decision of the Board is in favor of the student, the charges made shall be physically expunged from the student's record and from the record of the governing Board.*

STATUS OF SUSPENDED STUDENT:

A student suspended from school shall be given every reasonable opportunity to complete course assignments and upon reinstatement make up work missed while on suspension.

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Reference: Student Rights & Responsibilities Regulations