

Policy Guide

Policy No. 233Section PUPILSTitle SUSPENSION AND EXPULSIONAdopted AUGUST 21, 1989Last Revised DECEMBER 5, 2023

POLICY NO. 233 SUSPENSION AND EXPULSION		
Section 1	<p><u>Purpose</u></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 and one that cannot be imposed without due process. The Board shall define and publish the types of offenses that would lead to exclusion from school. Exclusions affecting students with disabilities shall be governed by applicable state and federal law and regulations.</p>	22 PA Code 12.6, 12.7, 14.143 20 U.S.C. 1400 et seq 34 CFR Part 300
Section 2	<p><u>Authority</u></p> <p>The Board may, after a proper hearing, suspend or expel a student for such time as it deems necessary, or may permanently expel a student.</p>	22 PA Code 12.6, 12.8 SC 1318
Section 3	<p><u>Guidelines</u></p> <p><u>Exclusion from School – Suspension</u></p> <p>The principal or person in charge of the school may suspend any student for disobedience or misconduct for a period of one (1) to ten (10) consecutive school days and shall immediately notify the person in parental relation and the Superintendent in writing when the student is suspended.</p> <p>No student may be suspended without notice of the reasons for which the student is suspended and an opportunity to be heard on their own behalf before the school official who holds the authority to reinstate the student. Prior notice is not required</p>	SC 1318 22 PA Code 12.6 22 PA Code 12.6

	<p style="text-align: center;">POLICY NO. 233 SUSPENSION AND EXPULSION</p> <p>where it is clear that the health, safety or welfare of the school population is threatened. Suspensions may not be made to run consecutively beyond the ten-school day period.</p> <p>When a suspension exceeds three (3) school days, the student and person in parental relation shall be given the opportunity for an informal hearing with the designated school official. Such hearing shall take place as soon as possible after the suspension, and the District shall offer to hold it within the first five (5) days of the suspension.</p> <p>Informal hearings under this provision shall be conducted by the building principal.</p> <p><u>Purpose of Informal Hearing</u></p> <p>The purpose of the informal hearing is to permit the student to explain the circumstances surrounding the event leading to the suspension, to show why the student should not be suspended, and to discuss ways to avoid future offenses.</p> <p><u>Due Process Requirements for Informal Hearing</u></p> <ol style="list-style-type: none"> 1. The student and person in parental relation shall be given written notice, in their native/preferred language, of the reasons for the suspension. 2. The student and person in parental relation shall receive sufficient notice of the time and place of the informal hearing. 3. The student may question any witnesses present at the informal hearing. 4. The student may speak and produce witnesses who may speak at the informal hearing. 5. The District shall offer to hold the informal hearing within five (5) days of the suspension. 	<p>22 PA Code 12.6, 12.8</p> <p>22 PA Code 12.8</p> <p>22 PA Code 12.8</p>
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	<p style="text-align: center;">POLICY NO. 233 SUSPENSION AND EXPULSION</p> <p><u>Exclusion from Class – In-School Suspension</u></p> <p>No student may receive an in-school suspension without notice of the reasons for which the student is suspended and an opportunity to be heard prior to the time the suspension becomes effective. The person in parental relation shall be informed of the suspension action taken by the school.</p> <p>Should the in-school suspension exceed ten (10) consecutive school days, the student and person in parental relation shall be offered an informal hearing with the building principal. Such hearing shall take place prior to the eleventh (11) day of in-school suspension. The procedure shall be the same as the procedure for informal hearings in connection with out-of-school suspensions.</p> <p>The District shall provide for the student’s education during the period of in-school suspension.</p> <p>Students are not permitted to participate in any District extra-curricular activities or interscholastic athletics or attend district events while serving an in-school suspension.</p> <p><u>Expulsion</u></p> <p>Expulsion is exclusion from school by the Board for a period exceeding ten (10) consecutive school days. The Board may permanently expel from the District rolls any student whose misconduct or disobedience warrants this sanction. No student shall be expelled without an opportunity for a formal hearing before the Board, a duly authorized committee of the Board, or a qualified hearing examiner appointed by the Board, and upon action taken by the Board after the hearing.</p> <p>However, a voluntary expulsion may be entered into between the District and the student’s person in parental relation whereby the parties agree to not go through a formal Board expulsion hearing and agree to the terms in a voluntary expulsion agreement. The voluntary expulsion agreement would need to be ratified by the Board as presented by the Superintendent.</p>	<p>22 PA Code 12.7</p> <p>22 PA Code 12.7, 12.8</p> <p>22 PA Code 12.7</p> <p>SC 1318 22 PA Code 12.6, 12.8</p>
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		2 Pa. C.S.A. 101
		22 PA Code 12.6 Pol. 204

<p>Section 4</p>	<p style="text-align: center;">POLICY NO. 233 SUSPENSION AND EXPULSION</p> <p>If it is not possible to hold the formal hearing within the first ten (10) school days, the District may exclude such a student from class for up to five (5) additional – fifteen (15) total school days if, after an informal hearing, it is determined that the student’s presence in their normal class would constitute a threat to the health, safety or welfare of others.</p> <p>Any further exclusion prior to a formal hearing may be only by mutual agreement. Such students shall be given alternative education, which may include home study.</p> <p><u>Attendance/School Work after Expulsion</u></p> <p>Students who are under eighteen (18) years of age are still subject to compulsory school attendance even though expelled and shall be provided an education.</p> <p>The person in parental relation has the initial responsibility of providing the required education and shall, within thirty (30) days, submit written evidence to the school that the required education is being provided or that they are unable to do so. If the person in parental relation is unable to provide for the required education, the District shall, within ten (10) days of receipt of the person in parental relation notification, make provision for the student’s education.</p> <p>The Board may provide an educational program to the student immediately upon expulsion and may waive the 30-day period, at its discretion.</p> <p><u>Students with Disabilities</u></p> <p>A student with a disability shall be provided educational services as required by state and federal laws and regulations and Board policies.</p> <p><u>Delegation of Responsibility</u></p> <p>The Superintendent or designee shall develop administrative regulations to implement this policy which include:</p> <ol style="list-style-type: none"> 1. Publication of a Code of Student Conduct, in accordance with Board policy on student discipline. 	<p>22 PA Code 12.6 SC 1326 Pol. 204</p> <p>Pol. 113, 113.2</p> <p>Pol. 218</p>
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