



Book	Policy Manual
Section	200 Pupils
Title	Suspension and Expulsion - SGASD
Code	233 - OUTDATED POLICY / STRIKETHROUGH
Status	DRAFT - Under Construction
Last Revised	October 15, 2007
Last Reviewed	March 9, 2020

Propose removal of language in current, outdated policy to adopt new language.

Purpose

~~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.~~[\[1\]](#)[\[2\]](#)[\[14\]](#)

~~The Board will define and publish the types of offenses that would lead to exclusion from school. Exclusions affecting students with disabilities will also be governed by applicable state and federal law and regulations.~~

Authority

~~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.~~[\[1\]](#)[\[4\]](#)[\[5\]](#)

~~Every principal in charge of a public school may temporarily suspend any student for disobedience or misconduct.~~

Guidelines

Suspension (Exclusion From School)

~~The principal or designee in charge of a public school may suspend any student for disobedience or misconduct for a period of one (1) to ten (10) consecutive school days and will immediately notify the parent/guardian and the Superintendent in writing when the student is suspended.~~[\[1\]](#)[\[4\]](#)

~~No student may be suspended without notice of the reasons for which s/he is suspended and an opportunity to be heard on his/her own behalf before the school official who holds the authority to reinstate the student. Prior notice is not required 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 (10) school day period.~~

~~When the suspension exceeds three (3) school days, the student and parent/guardian will be given the opportunity for an informal hearing with the designated school official. Such hearing will take place as soon as possible after the suspension and the district will offer to hold it within the first five (5) days of the suspension, except that when extraordinary circumstances involving the health and safety of the student or others in the school require immediate exclusion, the hearing may be delayed to such a time as circumstances permit.~~[\[5\]](#)

~~Informal hearings, under this provision, will be conducted by the building principal or his/her designee.~~

Purpose of Informal Hearing

~~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.~~[\[5\]](#)

Due Process Requirements for Informal Hearing

- ~~1. The student and parent/guardian will be given written notice of the reasons for the suspension.~~[\[5\]](#)
- ~~2. The student and parent/guardian will 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 school district will offer to hold the informal hearing within five (5) days of the suspension.~~

Exclusion From Class—In School Suspension

~~No student may receive an in school suspension without notice for which s/he is suspended and an opportunity to be heard prior to the time the suspension becomes effective. The parent/guardian will be informed of the suspension action taken by the school.~~[\[6\]](#)

~~Should the in school suspension exceed ten (10) consecutive school days, the student, and his/her parent/guardian will be offered an informal hearing with the designated school official. Such hearing will take place prior to the eleventh day of the in school suspension. The procedure will be the same as the procedure for informal hearings held in connection with out of school suspensions.~~[\[5\]](#)

~~The district will provide for the student's education during the period of in school suspension.~~

Expulsion

~~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 and disobedience warrants this sanction. No student will be expelled without an opportunity for a formal hearing before a duly authorized committee of the Board and upon action taken by the Board after the hearing.~~[\[1\]](#)[\[4\]](#)[\[5\]](#)

~~An expelled student will not be permitted to attend or participate in the graduation ceremony.~~

~~The Board of Education recognizes that handicapped students are afforded certain safeguards prior to suspension and/or expulsion. In order to be in compliance with these regulations and standards, all appropriate steps will be followed as found in State Board of Education, Chapter 14, Section 14.36, PDE Standards, Chapter 342, Section 342.36 and Basic Education Circular, BEC 12-91 when considering suspension and/or expulsion for all exceptional students.~~

Expulsion Hearings

Either a formal hearing or a parent signed admission and waiver form will be required in all expulsion actions. [Z]

The formal hearing will observe the due process requirements of: [5]

1. Notification of the charges, in writing, by certified mail, to the student or the student's parents/guardians.
2. At least three (3) days' notice of the time and place of the hearing, which will include a copy of this policy, hearing procedures, and notice of the right to representation by legal counsel. A student may request the rescheduling of the hearing when s/he demonstrates good cause of an extension.
3. The hearing will be private unless the student or parent/guardian requests a public hearing.
4. Representation by counsel at the parent's/guardian's expense and parent/guardian may attend the hearing.
5. Disclosure of the names of witnesses against the student and copies of their written statements or affidavits.
6. The right to request that witnesses against the student appear in person and answer questions or be cross examined.
7. The right to testify and present witnesses on the student's own behalf.
8. A written or audio record will be kept of the hearing and a copy made available to the student at the student's expense, or at no charge if the student is indigent.
9. The hearing will be held within fifteen (15) school days of the notice of charges, unless a delay is mutually agreed to by both parties or is delayed by:
 - a. The need for laboratory reports from law enforcement agencies.
 - b. Evaluations or other court or administrative proceedings are pending due to a student's invoking his/her rights under the Individuals with Disabilities Act (IDEA).
 - c. Delay is necessary due to the condition or best interests of the victim in cases of juvenile or criminal court involving sexual assault or serious bodily injury.
10. Notice of a right to appeal the results of the hearing will be provided to the student with the expulsion decision.

Adjudication

A written adjudication will be issued after the Board has acted to expel a student. The adjudication may include additional conditions or sanctions. [8]

Attendance/School Work During Suspension and Prior to Expulsion

Students serving an out-of-school suspension must make up missed exams and work, and will be permitted to complete assignments pursuant to established guidelines. [1][9]

Students who are facing an expulsion hearing must be placed in their normal classes, if the formal hearing is not held within the ten school day suspension.

~~If it is not possible to hold the formal hearing within the first ten (10) school days, the school 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 his/her normal class would constitute a threat to the health, safety or welfare of others.~~

~~Any further exclusion prior to a formal hearing may be only by mutual agreement. Such students will be given alternative education, which may include home study.~~

Attendance/School Work After Expulsion

~~Students who are under seventeen (17) years of age are still subject to compulsory school attendance even though expelled and will be provided an education.[1]~~

~~The parent/guardian has the initial responsibility of providing the required education and will, 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 parent/guardian is unable to provide for the required education, the school district will, within ten (10) days of receipt of the parent's/guardian's notification, make provision for the student's education.~~

Students With Disabilities

~~A student with a disability will be provided educational services as required by state and federal laws and regulations and Board policies.[10][11]~~

Suspension for Health and Safety Reasons

~~The principal or designee in charge, with the approval of the Superintendent, may suspend any student for an acute concern for health/safety/welfare of the student and/or others.~~

~~School district officials and parents/guardians will develop an interim plan to provide educational services for the child.~~

~~Parents/Guardians will be asked to follow up with the concern and provide verification that this issue has been addressed, so that the child's safety or the safety to those around him/her is no longer a critical issue.~~

Delegation of Responsibility

~~The Superintendent or designee will develop rules and regulations to implement this policy which will include:—~~

- ~~1. Publication of a Code of Student Conduct, in accordance with Board policy on student discipline.[12]~~
- ~~2. Procedures that ensure due process when depriving a student the right to attend school.~~
- ~~3. Regulations regarding student records which require that records of disciplinary suspension be maintained in accordance with Board policy on student records.[13]~~
- ~~4. The name of a student who has been disciplined will not become part of the agenda or minutes of a public meeting, nor part of any public record of the Board; but such students may be designated by code.~~
- ~~5. Any student who has been expelled may apply for readmission to school upon such conditions as may be imposed by the Board.~~

Legal

1. 22 PA Code 12.6
2. 22 PA Code 14.143
4. 24 P.S. 1318
5. 22 PA Code 12.8
6. 22 PA Code 12.7
7. 2 Pa. C.S.A. 101 et seq
8. 2 Pa. C.S.A. 101
9. Pol. 204
10. Pol. 113
11. Pol. 113.1
12. Pol. 218
13. Pol. 216
14. 34 CFR Part 300
- 20 U.S.C. 1400 et seq
- 22 PA Code 12.3