

# AVON GROVE SCHOOL DISTRICT

SECTION: PUPILS

TITLE: SUSPENSION AND EXPULSION

ADOPTED: April 25, 2000

REVISED: January 11, 2007  
February 23, 2012

<p>233. SUSPENSION AND EXPULSION</p>	
<p>1. Purpose Title 22 Sec. 12.6 SC 1318</p>	<p>The Board recognizes that exclusion from the educational program of the schools, whether by suspension or expulsion, requires due process.</p>
<p>2. Authority  Title 22 Sec. 12.6 (b) (1)</p>	<p><u>Suspension (Up to Ten (10) Day Exclusion From School)</u></p> <p>The principal or person in charge of a public school may suspend any pupil for disobedience or misconduct for a period of one (1) to ten (10) consecutive school days. Discipline may also include probation or other disciplinary terms. Written notice will be mailed to the parent(s) and an attempt will be made to contact a parent by phone.</p>
<p>Title 22 Sec. 12.6 (b) (1)</p>	<p>No student may be suspended without being informed of the reasons for which s/he is suspended and having an opportunity to orally respond to the principal or person in charge.. However, prior notice of the intended suspension need not be given when it is clear that the health, safety or welfare of the school community is threatened.</p>
<p>Sec. 12.8 (c)</p>	<p>When the suspension exceeds three (3) school days, the student and parent(s) shall be given the opportunity for an informal hearing. Upon request, the informal hearing will be scheduled with parent, student, and administrators. The purpose of the informal hearing 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 or to show why the student should not be suspended. The informal hearing is held to bring forth all relevant information regarding the event for which the student may be suspended and for students, their parents or guardians and school officials to discuss ways by which future offenses might be avoided.</p> <p>The final decision rests with the administrator in charge and may also include probation or other discipline terms. All work may be made up when the student returns, provided that it is completed within two (2) weeks. It is the student's responsibility to contact each teacher.</p>

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Title 22 Sec. 12.6 (b) (2), 12.8	<p><u>Expulsion</u></p> <p>A building principal may request the Superintendent to authorize the expulsion of a student. Expulsion is any exclusion from school for a period exceeding 10 school days and may be permanent expulsion from the school rolls. Expulsions require opportunity for a formal hearing before the Board, a committee thereof, or a hearing examiner.</p> <p>The Board may either expel for a period exceeding ten (10) school days, may impose additional disciplinary terms or may permanently expel from the rolls of this district any student whose misconduct and disobedience is such as to warrant this sanction.</p> <p>No student shall be expelled without an opportunity for a formal hearing before the Board of School Directors. In the case of a formal expulsion hearing, adequate notice and due process procedures will be followed in accordance with 22 Pa. Code 12.8(b) or any successor law or regulation.</p>
	<p><u>Alternative School</u></p> <p>Assignment to the Alternative School is made through the recommendation of the administration in accordance with any applicable due process procedures.</p>
	<p><u>Internal Suspension</u></p> <p>The purpose of internal suspension is to allow an individual to continue his/her education. Rules and regulations must be followed by every student assigned to internal suspension.</p>
Title 22 Sec. 12.6 (e)	<p><u>Education Upon Expulsion</u></p> <p>The student under seventeen (17) years of age who is expelled has forfeited his/her right to an education in the schools of this District, but has not been excused from compliance with the compulsory attendance statute.</p>
Title 22 Sec. 12.6 (e) (2)	<p>Parents or guardians who are unable to provide an education for their child shall submit a written statement within thirty (30) days that they are unable to do so. The district shall then make provisions for the student's education. If thirty (30) days pass without satisfactory evidence that the required education is being provided to the student, the district shall re-contact the parent and make provisions for the student's education.</p>
Title 22	<p>If the approved educational program is not complied with, the school district may</p>

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<p>Sec. 12.6 (e) (3) Sec. 12.1 (b) 42 Pa C.S. SC 6301-6308 Title 22 Sec. 12.8</p> <p>Act 26 of 1995</p>	<p>take action to ensure that the student will receive a proper education.</p> <p><u>Weapons Violations</u></p> <p>Any student who is determined to have brought a weapon onto any school property, any school-sponsored activity or any public conveyance providing transportation to a school or school-sponsored activity shall be expelled for a period of not less than one (1) year. The term "weapon" shall include, but not be limited to, any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle and any other tool, instrument or implement capable of inflicting serious bodily injury.</p> <p>The Superintendent or designee shall report all incidents involving possession of a weapon to the students' parents and local law enforcement officials.</p> <p>The Superintendent shall report to the Department of Education all incidents relating to expulsions for possession of a weapon.</p> <p>The Superintendent may recommend discipline short of expulsion on a case-by-case basis. The Board will be informed of all weapon related incidents.</p> <p>The Superintendent shall report to the Office for Safe Schools in accordance with law as to enumerated acts of violence or possession of weapons on school property.</p>
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<p>Title 22 Sec. 12.6 (b)</p>	<p><u>Hearings</u></p> <p>Informal Hearing: Students suspended for a period of time longer than three (3) days, shall be afforded the opportunity for an informal hearing within the first five (5) days of suspension. Delay of such hearing shall not operate to delay return to school upon service of the suspension.</p>
<p>Title 22 Sec. 12.8</p>	<p>Formal Hearing: Students facing expulsions require opportunity for a formal hearing before the Board, a committee thereof, or a hearing examiner. The Board may either expel for a period exceeding ten (10) school days, may impose additional disciplinary terms or may permanently expel from the rolls of this district any student whose misconduct and disobedience is such as to warrant this sanction. No student shall be expelled without an opportunity for a formal hearing before the Board of School Directors. In the case of a formal expulsion hearing, adequate notice and due process procedures will be followed in accordance with 22 Pa. Code 12.8(b) or any successor law or regulation.</p> <p>Following completion of a ten (10) day suspension and prior to a formal expulsion hearing, the student shall be placed in his normal class except if it is determined after an informal hearing that a student's presence in his normal class would constitute a threat to the health, safety or welfare of others. If it is not possible to hold a formal hearing within the period of a suspension, the student may be excluded from school for more than 10 school days. A student may not be excluded from school for longer than 15 school days without a formal hearing unless mutually agreed upon by both parties. Any student so excluded shall be provided with alternative education, which may include home study.</p>
<p>3. Delegation of Responsibility Pol. 218</p>	<p>The Superintendent shall develop rules and regulations to implement this policy which shall include:</p> <ol style="list-style-type: none"><li>1. The publication of standards in accordance with Board policy on student discipline.</li><li>2. Procedures that ensure due process in the deprivation of a student's right to attend school and comport with this policy.</li></ol> <p>The name of a student under eighteen (18) years of age whose conduct has been disciplined shall 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.</p>

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<p>PA Code Title 22 Sec. 12.7, 12.3</p> <p>20 U.S.C. §1415 (k); 29 U.S.C. § 794:34 C.F.R.&amp; 300.530- 300.537; 22 Pa Code. Chapt. 14</p>	<p><u>Students with Disabilities</u></p> <p>The suspension or expulsion of students with disabilities shall be governed by the limitations and requirements of the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and implementing regulations of the Pennsylvania State Board of Education. When the provisions of this policy conflict with the requirements of these statutes and regulations, the requirements of the statutes and regulations shall apply.</p>
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