

AVON GROVE SCHOOL DISTRICT

SECTION: PUPILS
 TITLE: SUSPENSION AND EXPULSION
 ADOPTED: April 25, 2000
 REVISED: January 11, 2007

233. SUSPENSION AND EXPULSION	
<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 is the most severe sanction that can be imposed on a student in this district and one that cannot be imposed without due process. The Board may, after a proper hearing, suspend a child for such time as it deems necessary or may permanently expel him/her.</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 personteacher 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. <u>Discipline may also include probation or other disciplinary terms.</u> Written notice will be mailed to the parent(s) and an attempt will be made to contact <u>a parent</u>them by phone.</p>
<p>20 U.S.C. §1415 (k); 29 U.S.C. § 794.34 C.F.R. & 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>
<p>Title 22 Sec. 12.6 (b) (1)</p>	<p>No student may be suspended without <u>being informed notice</u> of the reasons for which s/he is suspended and <u>having</u> an opportunity to <u>orally respond to the principal or person in charge, be heard in his/her own behalf before the school official who holds the authority to reinstate him/her.</u> <u>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.</u></p>
<p><u>Sec. 12.8 (c)</u></p>	<p>When the suspension exceeds three (3) school days, <u>the student and parent(s) shall be given the opportunity for</u> an informal hearing. <u>Upon request, the informal hearing</u> will be scheduled with parent, student, and administrators. to hear all sides</p>

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	<p>and try to resolve any and all problems. 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 <u>and may also include probation or other discipline terms</u>. 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> <p><u>Expulsion/Long Term Suspension</u></p>
<p><u>Title 22</u> <u>Sec. 12.6 (b) (2),</u> <u>12.8</u></p>	<p>A building principal may request the Superintendent to authorize the expulsion of a student. <u>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.</u></p>
<p><u>Title 22</u> <u>Sec. 12.6 (b) (2),</u> <u>12.8</u></p>	<p>The Board may either expel for a period exceeding ten (10) school days, <u>may impose additional disciplinary terms</u> 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. <u>In the case of a formal expulsion hearing, a Adequate notice and due process procedures will be followed in accordance with 22 Pa. Code 12.8(b) or any successor law or regulation.</u></p> <p>notice will be given the parents and student to secure legal counsel and to prepare defense. The student will be given the opportunity to present witnesses, and the entire procedure will be duly recorded.</p> <p><u>Alternative School</u></p> <p>Assignment to the Alternative School is made through the recommendation of the administration <u>in accordance with any applicable due process procedures, and/or the Discipline Review Board.</u></p> <p><u>Internal Suspension</u></p> <p>The purpose of internal suspension is to allow an individual to continue his/her</p>

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	<p>education. Rules and regulations must be followed by every student assigned to internal suspension.</p> <p><u>Education Upon Expulsion</u></p>
<p>Title 22 Sec. 12.6 (e)</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 DDistrict, but has not been excused from compliance with the compulsory attendance statute.</p>
<p>Title 22 Sec. 12.6 (e) (2)</p>	<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>
<p>Title 22 Sec. 12.6 (e) (3) Sec. 12.1 (b) 42 Pa C.S. SC 6301-6308 Title 22 Sec. 12.8</p>	<p>If the approved educational program is not complied with, the school district may take action to ensure that the student will receive a proper education.</p>
<p>Act 26 of 1995</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 <u>in accordance with</u></p>

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	<p><u>law as to enumerated</u> twice each year any acts of violence or possession of weapons on school property.</p>
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	<u>Hearings</u>
Title 22 Sec. 12.6 (b)	<u>Informal Hearing:</u> Students suspended for a period of time longer than three (3) days, shall be afforded <u>the opportunity for an informal hearing within the first five (5) days of suspension.</u> Delay of such hearing shall not operate to delay return to school <u>upon service of the suspension.</u>
Title 22 Sec. 12.6 (2) (c)	The Board requires that each hearing shall be closed to the public but should the student and/or his/her parents likely to be affected by its outcome agree, the hearing may be held publicly.
Title 22 Sec. 12.8	<p><u>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.</u></p> <p><u>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.</u></p> <p>Each suspended student involved in a formal hearing shall be restored to a regular educational program pending the outcome of the hearing, except when in the opinion of the Superintendent, the presence of the student in school poses a danger to him/herself or others as to warrant continued absence.</p> <p>The formal hearing shall observe the due process requirements of notification of the charges in writing, by certified mail, to the student or the student's parents or guardian; notice of the time and place of the hearing; that the hearing shall be private unless the student or parent requests a public hearing; the right to representation by counsel; the disclosure of the names of witnesses and the testimony they have made; the right to testify and present witnesses on the student's behalf; the hearing shall be held with all reasonable speed; recordation of the proceedings and a copy of the transcript at the student's expense.</p>

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