

# SOUTHERN LEHIGH SCHOOL DISTRICT

SECTION: PUPILS

TITLE: SUSPENSION AND EXPULSION

ADOPTED: February 8, 2010

REVISED:

REVIEWED: October 10, 2016

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, is the most severe sanction that can be imposed on a student and one that cannot be imposed without due process.</p>
<p>2. Authority SC 1318 Title 22 Sec. 12.6</p>	<p>The Board may, after a proper hearing, suspend a student for such time as it deems necessary or may permanently expel him/her.</p>
<p>3. Guidelines</p> <p>Title 22 Sec. 12.6 (b) (1)</p> <p>Title 22 Sec. 12.6 (b) (1)</p>	<p><u>Exclusion From School Suspension</u></p> <p>The designated school official 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 shall report the suspension to the Superintendent as soon as possible.</p> <p>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. The parents shall be notified immediately in writing when a student is suspended. Students shall have the responsibility to make up exams and work missed while being disciplined by suspension and shall be permitted to complete those assignments within guidelines of the student's principal.</p> <p>When the suspension exceeds three (3) school days, the student and parent or guardian will 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. The designated school official shall offer to hold the informal hearing within 5 days of suspension.</p>

<p>Title 22 Sec. 12.7</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 s/he is suspended and an opportunity to be heard prior to the time the suspension becomes effective. The parent or guardian 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 his/her parent or guardian shall be offered an informal hearing with the designated school official. Such hearing shall take place prior to the eleventh day of the in-school suspension.</p>
<p>Title 22 Sec. 12.6 (b) (2), 12.8</p>	<p><u>Expulsion</u></p> <p>The Board may either expel for a period exceeding ten (10) school days or may permanently expel from the district rolls 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 or a duly authorized committee of the Board and upon action taken by the Board after the hearing.</p>
<p>Title 22 Sec. 12.6 (e)</p>	<p><u>Suspensions/Expulsions For New Entrants</u></p> <p>It shall be the policy of the district to give full faith and credit to the decision of another school entity to suspend or expel a student for disciplinary reasons. Therefore, the district shall honor and continue to impose all unfinished suspensions and/or expulsions that were imposed on each and every new entrant into the Southern Lehigh School District. Each new entrant, whether by transfer or relocation will serve the remainder of that discipline prior to physical entrance into any district school. The total number of days assigned by the sending or former school will be used for calculating purposes. Days not belonging to any school district will not be used for calculating purposes.</p>
<p>Title 22 Sec. 12.6 (e) (3) Sec. 12.1 (b) 42 Pa C.S.A. SC 6301-6308</p>	<p><u>Attendance Requirements</u></p> <p>A student under seventeen (17) years of age who is expelled has forfeited his/her right to an education in the district schools, but s/he has not been excused from compliance with the compulsory attendance statute.</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>Title 22 Sec. 12.8(c)</p>	<p><u>Hearings</u></p> <p><u>Informal Hearings</u></p> <p>Students suspended for a period of time longer than three (3) days shall be afforded an informal hearing. 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 suspended or to show why the student should not be suspended and for the student and his/her parents to discuss ways by which future offenses might be avoided.</p> <p>At the informal hearing, the following due process requirements will be observed: Notification of the reasons for the suspension in writing, given to the student and/or parent or guardian. Sufficient notice of the time and place of the informal hearing. The student's right to speak and produce witnesses on his/her own behalf.</p>
<p>Title 22 Sec. 12.8 (b)</p>	<p><u>Formal Hearings</u></p> <p>A formal hearing is required in all expulsion actions. The hearing may be held before the School Board or authorized committee of the Board or a qualified hearing examiner appointed by the Board. When a committee of the Board or a qualified hearing examiner conducts the hearing, a majority vote of the entire Board is required to expel a student.</p>
<p>Title 22 Sec. 12.6 (2)(c) and (d)  Sec. 12.8 (b)(9)</p>	<p>Following a period of suspension of 10 school days, each suspended student involved in a formal hearing shall be restored to the regular educational program pending the outcome of the formal hearing, unless it is determined after an informal hearing that a student's presence in his/her normal class would constitute a threat to the health, safety or welfare of others and it is not possible to hold a formal hearing within the period of suspension, in which case the student may be excluded 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. A formal hearing may be delayed for any of the following reasons, in which case the hearing shall be held as soon as reasonably possible: (i) laboratory reports are needed from law enforcement agencies; (ii) evaluations or other court or administrative proceedings are pending due to a student invoking his rights under the Individuals with Disabilities Education Act (20 U.S.C.A. Sections 1400-1482; and/or (iii) in cases in juvenile or criminal court involving sexual assault or serious bodily injury, delay is necessary due to the best interests of the victim.</p>
<p>Title 22 Sec. 12.8(b)</p>	<p>At the formal hearing, the following due process requirements will be observed: notification of the charges in writing by certified mail to the student and the student's parents or guardian; at least 3 days' notice of the time and place of the hearing; a copy of the expulsion policy, notice that legal counsel may represent the student and hearing procedures shall be included with the hearing notice; a student may request</p>

<p>4. Delegation of Responsibility</p> <p>School Code 1318</p> <p>PA Code Title 22 Sec. 12.1 12.3, 12.6 12.7, 12.8</p> <p>PA Statute 42 Pa. C.S.A. Sec. 6301-6308</p> <p>Pol. 216</p>	<p>the rescheduling of the hearing when the student demonstrates good cause for an extension; that the hearing shall be private unless the student or parent requests a public hearing; the right to representation by counsel, at the expense of the parents or guardian, and the right to have the parents or guardian attend the hearing; the right to be presented with the names of witnesses and copies of the statements and affidavits of those witnesses; the right to request that the witnesses appear in person and answer questions or be cross-examined; the right to testify and present witnesses on the student's behalf; a written or audio record shall be kept of the hearing and a copy of the transcript shall be made available to the student at the student's expense or, if indigent, at no cost to the student. Notice of a right to appeal the results of the formal hearing shall be provided to the student with the expulsion decision.</p> <p><u>Appeal of Decisions of School Officials</u></p> <p>The student and/or his/her parents/guardian may appeal any ruling by a school official to that official's immediate supervisor. Appeals to the Superintendent and the Board must be made in writing on a form available in the school office and addressed to the Superintendent. Any appeal must be made promptly, usually within forty-eight (48) hours.</p> <p>The Superintendent shall develop rules and regulations to implement this policy.</p> <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 student may be designated by code.</p>
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