

# Suspension & Expulsion Policy

Section 300 / June 1<sup>st</sup> 2014

## 1. PURPOSE

The purpose of GreenWood's Suspension and Expulsion Policy is to help students take responsibility for their actions and develop self-discipline. GreenWood intends to create a safe, orderly and respectful learning environment.

GreenWood holds all students, employees, and other adults to the highest standards of behavior on school property and during school-sponsored activities. Criminal acts or disruptive behavior of any kind will not be tolerated, and any individual who engages in such activity will be subject to disciplinary action, criminal prosecution, or both.

## 2. SCOPE

2.1. This policy applies to all students enrolled at GreenWood.

## 3. REFERENCES

## 4. DEFINITIONS

**Term:** Notification

**Definition:** Means notice to parents by a reasonable, reliable process, e.g. by mail, by notice in school newsletter, by student delivery, at school registration Policy

**Term:** Timely hearing

**Definition:** means that a hearing will be scheduled no more than 5 school days following the suspension/expulsion. Allowance may be made by mutual agreement of the parties, inability of district to contact parent(s)/guardian(s) despite documented good faith efforts, or lack of cooperation by parent(s)/guardian(s).

## 5. Policy

- 5.1. The Director will determine by consensus student behavior or minor misconduct that should be dealt with in the classroom and school. Minor misconduct should be handled by teachers in the classroom. Chronic or excessive minor misconduct are referred to the Director.
- 5.2. Any student who commits an act for which mandatory suspension or expulsion is provided above, using a real or look alike weapon, explosive, or noxious or flammable material shall be expelled from all school programs and activities for a period of not less than one (1) year, subject to the following:
  - 5.2.1. Within forty-five (45) days after the expulsion, the student shall appear before an appointed Case Management Crew (“CMC”), which shall be comprised of the Director and selected teacher (s), selected support staff and when appropriate, a parent or legal guardian; and the CMC shall determine the appropriate action to take.
  - 5.2.2.

## 6. Short Term Suspension

- 6.1. If a school administrator intends to suspend a student for less than 10 school days the following procedures should be followed:
  - 6.1.1. Student and parents should be notified immediately of the school’s intent to suspend:
    - 6.1.1.1. If the school intends to suspend the student immediately, parents should be notified immediately.
    - 6.1.1.2. Students should never be released until and unless a parent or emergency contact is notified.
- 6.2. A student should hear a brief explanation of reason(s) for suspension prior to suspension.
- 6.3. A student should have the opportunity to tell his side of the story prior to suspension.
- 6.4. This student/administrator or student/teacher conversation or meeting should be documented by the teacher/administrator in writing or on a permanent computer file.

## 7. Long Term Suspension

If a student is suspended for more than 10 school days the following procedures should be followed:

- 7.1. Notice of reasons for suspension to student and parents, preferably in writing.
- 7.2. Notice of opportunity for a timely hearing.
- 7.3. If a parent requests a hearing, the parent shall have and receive notice of:
  - 7.3.1. names of witnesses against him and opportunity to present witnesses (witnesses’ names may be protected if school determines they would suffer physical/psychological harm; student cannot compel witnesses);

- 7.3.2. reasonable time to prepare the case;
- 7.3.3. the opportunity for counsel, if school/local board uses an attorney;
- 7.3.4. the right to notice of procedures for the hearing in writing, in student handbook or on school website;
- 7.3.5. the right to have the hearing recorded;
- 7.3.6. a fair hearing officer (credible and objective person or panel – not necessarily uniformed);
- 7.4. The decision must not be based solely on hearsay; rules of evidence do not control.
- 7.5. The student has no official protection against self-incrimination; though if criminal charges are also pending, this may require consultation with local law enforcement.
- 7.6. A decision must be made only on evidence presented at the hearing.
- 7.7. Student/parent has the right to written findings.
- 7.8. Decision is by a preponderance (>50%) of the evidence.
- 7.9. Student should have at least one level of appeal.
- 7.10. Student/parents must “exhaust administrative remedies” and participate and cooperate in one of these processes, prior to appealing a decision.

## **8. Other Issues To Consider In The Development Or Review Of A District Policy**

- 8.1. If administrator offers student/parent opportunity to explain or have a hearing, and student or parent refuses or waives the right, due process is satisfied.
- 8.2. Make-up work - A district policy shall allow/disallow make-up work for student absences during suspensions/expulsions or provide criteria under which make-up work is allowed. Most courts favor allowing students to do make-up work for classes that they miss. Note: The make-up assignments may not and need not be exactly what the student missed.
- 8.3. School holidays, teacher workdays, school-wide activities or team assessments should not be used as excuses for delaying due process or for short-term suspensions resulting in long-term suspensions. If a school foresees delays, the school should use the more formal due process.