

CHESTER COUNTY INTERMEDIATE UNIT 24

SECTION: PUPILS

TITLE: SUSPENSION AND EXPULSION

ADOPTED: July 20, 2011

REVISED: January 18, 2017

233. SUSPENSION AND EXPULSION	
<p>1. Purpose Title 22 Sec. 12.6, 12.7, 14.143 20 U.S.C. Sec. 1400 et seq 34 CFR Part 300</p>	<p>The Board recognizes that exclusion from the educational program of the Intermediate Unit, 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. The Board shall define and publish the types of offenses that would lead to exclusion from school. Exclusions affecting students with disabilities shall be governed by applicable state and federal law and regulations.</p>
<p>2. Authority</p>	<p>The Intermediate Unit or school official may, after a proper hearing, suspend a student for such time as it deems necessary. The Intermediate Unit or school official may recommend that a student be expelled by his/her home school district.</p>
<p>3. Guidelines</p> <p>SC 1318 Title 22 Sec. 12.6</p> <p>Title 22 Sec. 12.6</p> <p>Title 22 Sec. 12.6, 12.8</p>	<p><u>Exclusion from School - Suspension</u></p> <p>The CCIU building administrator or person in charge of the Intermediate Unit program CCIU program supervisor may suspend any student for disobedience or misconduct for a period of one (1) to ten (10) consecutive school days and shall immediately notify the parent/guardian in writing when the student is suspended.</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 Intermediate Unit or 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-school day period.</p> <p>When a suspension exceeds three (3) school days, the student and parent/guardian shall be given the opportunity for an informal hearing with the designated Intermediate Unit or school official. Such hearing shall take place as soon as possible after the suspension, and the Intermediate Unit shall offer to hold it within the first five (5) days of the suspension.</p>

	<p>Informal hearings under this provision shall be conducted by the CCIU building administrator or CCIU program supervisor.</p>
<p>Title 22 Sec. 12.8</p>	<p><u>Purpose Of Informal Hearing</u></p> <p>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.</p>
<p>Title 22 Sec. 12.8</p>	<p><u>Due Process Requirements For Informal Hearing</u></p> <ol style="list-style-type: none"> 1. The student and parent/guardian shall be given written notice of the reasons for the suspension. 2. The student and parent/guardian shall 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 Intermediate Unit shall offer to hold the informal hearing within five (5) days of the suspension.
<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/guardian shall be informed of the suspension action taken by the Intermediate Unit.</p>
<p>Title 22 Sec. 12.7, 12.8</p>	<p>Should the in-school suspension exceed ten (10) consecutive school days, the student and parent/guardian shall be offered an informal hearing with the Intermediate Unit or school official. Such hearing shall take place prior to the eleventh day of the in-school suspension. The procedure shall be the same as the procedure for informal hearings held in connection with out-of-school suspensions.</p>
<p>Title 22 Sec. 12.7</p>	<p>The Intermediate Unit shall provide for the student's education during the period of in-school suspension.</p>

<p>SC 1318 Title 22 Sec. 12.6, 12.8</p>	<p><u>Expulsion</u></p> <p>Expulsion is exclusion from school for a period exceeding ten (10) consecutive school days. Staff shall notify the home district when a student's misconduct or disobedience warrants this sanction. CCIU staff shall work with the home school district to assist in the appropriate due process proceedings that might result in the expulsion of the student.</p>
<p>Title 22 Sec. 12.6</p>	<p><u>Attendance/School Work During Suspension And Prior To Expulsion</u></p> <p>Students serving an out-of-school suspension are responsible to make up missed exams and work, and shall be permitted to complete assignments pursuant to established guidelines.</p> <p>Students who are facing an expulsion hearing in their home district must be placed in their normal classes if the formal hearing is not held within the ten-school day suspension.</p> <p>If it is not possible to hold the formal hearing within the first ten (10) school days, the Intermediate Unit 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.</p> <p>Any further exclusion prior to a formal hearing may be only by mutual agreement. Such students shall be given alternative education, which may include home study.</p>
<p>Title 22 Sec. 12.6</p>	<p><u>Attendance/School Work After Expulsion</u></p> <p>Students who are under seventeen (17) years of age are still subject to compulsory school attendance even though expelled and shall be provided an education.</p> <p>The parent/guardian has the initial responsibility of providing the required education and shall, within thirty (30) days, submit written evidence to the home district 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 home district shall, within ten (10) days of receipt of the parent's/guardian's notification, make provision for the student's education.</p>
<p>Pol. 113, 113.1</p>	<p><u>Students With Disabilities</u></p> <p>A student with a disability shall be provided educational services as required by state and federal laws and regulations and Board policies.</p>

<p>4. Delegation of Responsibility</p> <p>Pol. 218</p> <p>Pol. 216</p>	<p>The Executive Director or designee shall develop administrative regulations to implement this policy which include:</p> <ol style="list-style-type: none"> 1. Publication of a Student Discipline Code for specific programs, in accordance with Board policy on student discipline. 2. Procedures that ensure due process when a student is being deprived of 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. 4. The name of a student who 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. 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. <p>References:</p> <p>School Code – 24 P.S. Sec. 1318</p> <p>State Board of Education Regulations – 22 PA Code Sec. 12.3, 12.6, 12.7, 12.8, 14.143</p> <p>Local Agency Law – 2 Pa. C.S.A. Sec. 101 et seq.</p> <p>Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.</p> <p>Individuals With Disabilities Education, Title 34, Code of Federal Regulations – 34 CFR Part 300</p> <p>Board Policy – 000, 113, 113.1, 216, 218</p>
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