

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: May 27, 2003

TO: **BOARD OF EDUCATION**

FROM: **Dr. J. Hairston, Superintendent**

SUBJECT: Rule 5560

ORIGINATOR: Christine M. Johns, Deputy Superintendent of Curriculum and Instruction

RESOURCE Robert J, Kemmery, Executive Director of Student Support Services

PERSON(S): Dale Rauenzahn, Director of Student Support Services

INFORMATION

That Rule 5560 is presented to the Board of Education for information.

RJK/ds

STUDENTS: Conduct

Suspension or Expulsion

1. Short-term Suspension

The principal of each school, in accordance with the rules of the Board of Education, shall have the right to suspend temporarily, for cause, any pupil in the school under his/her direction for a period of not more than ten (10) school days.

Prior to any suspension, a student shall receive oral or written notification of the charge against him/her, the conduct which forms the basis of the charge, and the policy, rule, or regulation violated. If the student denies the charge, he/she has the right to an explanation of the evidence supporting the charge and an opportunity to present his/her side of the story. A student whose presence in school poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, may be immediately removed from school provided that, as soon as practicable thereafter, the student shall be informed of the nature of the charge against him/her and the evidence supporting it, and be given the opportunity to present his/her side of the story.

The principal will implement the suspension by preparing the [appropriate] NOTICE OF TEMPORARY [s]Suspension form [BEBCO 84-42-76] (BEBCO 84-042-88). One copy of the suspension form is given to the student, one copy is mailed to the parent or guardian, the school retains one copy, and one copy is forwarded to the pupil personnel worker for that school. Every effort will be made to notify the parent(S) or guardian(S) of the suspension by phone. Normally, suspensions will be activated at the end of the school day.

It is the responsibility of the school administrator to make every effort to schedule a conference with the student and his/her parent(S) or guardian(S) as soon as possible, preferably the same or next school day. Parents of students, including those of students UNDER eighteen (18) years [and older], are required to participate in suspension conferences. If the conference is satisfactory, the student should be reinstated immediately unless the principal deems it to be advantageous for the student or the school that the suspension be longer. If the conference is not satisfactory, the case [should] MAY be referred to the pupil personnel worker assigned to the school.

In certain other cases of temporary suspension, the principal may deem it advisable that the pupil personnel worker assigned to the school should assume the responsibility for conferring with the student and his/her parents. Generally, prior to taking this action, the principal should discuss this matter with the pupil personnel worker. Suspensions processed by the pupil personnel worker require that a parent-student conference be held promptly. Whenever a temporary suspension is to be handled by a pupil personnel

worker, the appropriate suspension form, signed by the principal, must be immediately forwarded to the pupil personnel worker. A phone call subsequent to the completion of proper forms will assist in the communication process. In addition, a detailed school report must be forwarded as quickly as possible to the pupil personnel worker.

2. Long-term Suspension or Expulsion

Suspension for greater than ten (10) school days or expulsion may be made by the Superintendent of Schools or the designee at the recommendation of the principal. It must be stressed that the school should use all of its resources prior to making such a recommendation, except in cases of acts of behavior that warrant immediate suspension with a recommendation for a long-term suspension or expulsion. Pending action by the Superintendent, the principal may temporarily suspend a student in accordance with the procedures previously stated for short-term suspension.

The procedure for recommending a long-term suspension or expulsion is begun by the principal forwarding a copy of the [appropriate] NOTICE OF [Temporary] [s]Suspension form [BEBCO 84-40-81] (BEBCO 84-040-89), signed by the principal, to the Superintendent or the designee, with a copy to the parent(s) OR GUARDIAN(S), one copy to the student, one copy to the pupil personnel worker for the school, and one copy to the Coordinator of Pupil Personnel. Every effort will be made to notify the parent by phone of the suspension. Normally, suspensions should be activated at the end of the school day. The copies of the suspension form must contain specific and adequate information to justify the recommendation for a suspension for more than ten (10) school days.

Following receipt of the suspension notice and other appropriate data, the Superintendent, or the designee, shall [investigate] REVIEW and determine whether a suspension longer than ten (10) school days appears to be warranted. This decision must be communicated promptly by letter to the principal. If it is determined that a suspension beyond ten (10) school days is not advisable, the principal shall process the suspension as he/she would regularly process a short-term suspension. In all instances of a principal's recommendation for a long-term suspension or expulsion, a thorough school report (THE SUSPENSION PACKET) must be promptly submitted to the Superintendent's designee. Prompt receipt of the school report will assist the Superintendent, or the designee, in [arranging] CONDUCTING a hearing with the student and his/her parents or guardian(S) within [five (5)] TEN (10) school days OF THE SUSPENSION BY THE PRINCIPAL.

[If, after a thorough investigation of the problem, the Superintendent, or the designee, believes that a long-term suspension or expulsion is warranted,] [t]The Superintendent or the designee shall [arrange] CONDUCT [for] a hearing with the student and his/her

parent(S) or guardian(S) within [five (5)] TEN (10) school days of the date of the temporary suspension. The student and the parent or guardian shall be notified in writing of the time and place of the hearing, the nature of the charge, the evidence and witnesses upon which the charge is based, the policy, rule, or regulation violated, and the fact that the hearing may result in the student's suspension for longer than ten (10) school days or expulsion. The notice shall also inform the student and the parent or guardian that the student may have witnesses and a representative or attorney appear on his/ her behalf. At the hearing, the student shall have the right to [be personally confronted with the witnesses testifying against him/her, to ask questions of such witnesses, and to have witnesses testify on his/ her behalf] REVIEW ALL DOCUMENTARY EVIDENCE.

If, upon consideration of all of the evidence presented at the hearing, the Superintendent or the designee concludes that a long-term suspension or expulsion is warranted, he/she may impose an expulsion or continue the suspension as long as necessary. The Superintendent or the designee shall notify the student and parents or legal guardians in writing of his/her findings and decision; this letter shall also advise the parents and student of their right to appeal this decision to the Board of Education by sending such a request in writing to the Superintendent within ten (10) days of the decision of the Superintendent or the designee.

While under expulsion, expelled students are prohibited from participating in any school activity on property owned by the Board or any off-site school-sponsored activities except those associated with approved counseling and alternative educational programs. Seniors who are under expulsion shall not be permitted to participate in any graduation-related activity including the HOME SCHOOL commencement program.

3. Follow-up

One of the most meaningful aspects of a suspension is the follow-up of recommendations made during the period of suspension. The principal has the responsibility of considering, in consultation with the staff, the appropriate follow-up activities to be pursued at the school level. Such activities may include a principal-student conference, schedule adjustment, feedback to staff, involvement of school counseling services, case conference, or team conference. Coupled with this approach is the understanding that [pupil] STUDENT SUPPORT services personnel will follow-up those recommendations which are related to their roles.

In the event of expulsion or long-term suspension, the student will be offered an alternative instructional program. [Pupil] STUDENT SUPPORT services personnel will assist the student in transferring to an [alternate] ALTERNATIVE program. The student, PARENT(S), OR GUARDIAN(S) shall also be informed regarding possible reinstatement.

