



STUDENTS: Conduct

Suspension or Expulsion

I. Purpose

To outline procedures for the suspension and expulsion process in Baltimore County Public Schools (BCPS).

II. Definitions

- A. *Appropriate Education Programming* – A general or alternative educational program that allows the student the opportunity to continue to receive educational services.
- B. *Assignment to an Alternative Program* – The transfer from the day school program of a student of any age by direction of the Superintendent or the designee upon review of the student’s suspension from school.
- C. *Expulsion* – The exclusion of a student from the student’s regular school program for 45 school days or longer as determined by the Superintendent or his/her designee.
- D. *Extended Suspension* – The exclusion of a student from a student’s regular program for a time period between 11 and 45 school days as determined by the Superintendent or his/her designee.
- E. *In-School Suspension* – The removal within the school building of a student from the student’s current education program for up to but not more than 10 school days in a school year for disciplinary reasons by the school principal.
- F. *Long-term Suspension* – The removal of a student from school for a time period between 4 and 10 school days for disciplinary reasons by the principal or Superintendent.
- G. *Parent* – The biological or adoptive parent, legal guardian, or person acting in the absence of the parent or guardian.
- H. *Principal* – The principal of a school or the principal’s designee.

- I. *Regular Instructional Hours* – The school day, beginning at the opening bell and concluding at the dismissal bell.
- J. *School Property* – Any Board-owned, controlled, or leased property or vehicle regardless of whether students are present.
- K. *School-Sponsored Activity* – An activity that is sponsored, approved, conducted, planned, and/or supervised by school personnel, regardless of whether the activity takes place on or off school property or occurs during regular instructional hours.
- L. *Short-term Suspension* – The removal of a student from school for up to but not more than 3 school days for disciplinary reasons by the principal.
- M. *Superintendent* – The superintendent or the superintendent’s designee.
- N. *Suspension* – The application of in-school suspension, short-term suspension, long-term suspension, or extended suspension.

III. Guidelines

- A. The student behavior code, outlined in Board of Education Policy 5550, *Disruptive Behavior*, establishes standards for student behavior and disciplinary consequences for violations of those standards.
- B. Administrators have the authority to review and assess each individual situation to determine the type and number of interventions and supports to use, if any, prior to any disciplinary consequence is taken.
- C. The use of a long-term suspension or expulsion as a disciplinary consequence shall be used only as a last resort.

IV. In-School Suspension Procedures

- A. The student shall receive oral or written notification of the charge(s) against him/her, the conduct which forms the basis of the charge(s), and the student behavior code offense(s) violated.

- B. If the student denies the charge(s), he/she shall be provided with an explanation of the evidence supporting the charge(s) and an opportunity to present his/her side of the story.

V. Short-term and Long-term Suspension Procedures

- A. The student shall receive oral or written notification of the charge(s) against him/her, the conduct which forms the basis of the charge(s), and the student behavior code offense(s) violated.
- B. If the student denies the charge, he/she shall be provided with an explanation of the evidence supporting the charge and an opportunity to present his/her side of the story.
- C. A student whose presence in school poses a continuing danger to persons or property or threatens to disrupt the academic process may be immediately removed from the school using the disciplinary process or reportable offense process.
- D. The *Resource List for Baltimore County Children and Families* is to be attached to the suspension notice and given to the student and parent.
- E. The principal will implement the suspension by preparing the notice of temporary suspension form.
 - 1. Copies of the suspension form shall be distributed as follows:
 - a. One copy is given to the student;
 - b. One copy is mailed to the parent;
 - c. One copy is filed in the student discipline record; and
 - d. One copy is forwarded to the school's pupil personnel worker for that school.
 - 2. Every effort will be made to notify the parent(s) by phone of the suspension.
 - a. Normally, the suspension will be effective beginning the next school day following the notice of the charges.
- F. It is the principal's responsibility to make every effort to schedule a conference with the student and his/her parent(s) as soon as possible, preferably the same or next school day.

VI. Suspensions to the School's Pupil Personnel Worker

- A. The principal may direct the school's pupil personnel worker (PPW) to confer with the student and his/her parents to determine whether a violation of the student behavior code has occurred.
- B. The principal will immediately forward to the PPW the following:
 - 1. Signed suspension form, or;
 - 2. Required parent conference form; and
 - 3. A detailed school report.
- C. Suspensions or required parent conference processed by the PPW require that a parent-student conference be held within 5 school days.
 - 1. Following the parent conference the PPW will either return the student to his/her current education program or notify the principal that suspension to the designee is warranted.

VII. Extended Suspension and Expulsion Procedures

- A. At the request of a principal, the Superintendent may suspend a student for cause for more than 10 school days or expel a student for 45 school days or more.
- B. Prior to recommending an extended suspension or an expulsion, the principal shall ensure that:
 - 1. All school resources, interventions, and supports to help the student modify his/her inappropriate behavior have been exhausted.
 - 2. Extended suspension and expulsion are used as a last resort, except when:
 - a. The student's behavior poses an imminent threat of serious harm to other students and staff; or
 - b. The student has engaged in chronic and extreme disruption of the educational process that has created a substantial barrier to learning for other students.
- C. Pending action by the Superintendent, the principal may suspend a student in accordance with the process outlined in paragraph V.

VIII. Minimum Educational Services

- A. Each student who receives an out-of-school suspension or is expelled and who is not placed in an alternative education program shall be provided the

opportunity to complete the academic work missed during the suspension period without penalty as is allowed for any excused absence.

- B. Each student shall receive daily classwork and assignments from each teacher, which shall be reviewed and corrected by teachers on a weekly basis and returned to the student.
- C. The principal shall provide each student and his/her parent with the name of a school employee who will serve as the liaison between teachers and the suspended student or his/her parent.
- D. The staff liaison shall:
 - 1. Ensure that the student receives daily classwork and assignments from each of the student's teachers;
 - 2. Ensure that the classwork and assignments are returned to the teachers and corrected classwork is returned to the student on a weekly basis; and
 - 3. Communicate weekly about classwork assignments and school-related issues by phone or e-mail with the student or the student's parents.

IX. Mitigation

- A. The student or the student's parent may request mitigation following the Superintendent's determination of an extended suspension, assignment to an alternative program, expulsion, or when all appeals have been exhausted or resolved.
- B. The request for mitigation must be made in writing to the executive director for school safety and security ("executive director") within 10 calendar days following the Superintendent's determination and all appeals have been exhausted.
- C. Upon receipt of the mitigation request, the executive director or his/her designee may consider the following circumstances in the decision to grant or deny mitigation:
 - 1. The student's disciplinary history;
 - 2. Present effort in academic program including attendance and citizenship;
 - 3. Whether the offense for which the student was expelled caused disruption;

4. Whether the readmission would create disruption;
 5. Health and safety issues implications for the school; and
 6. Recommendations of the school staff.
- D. The executive director's decision will be issued in writing and shall be final.
- X. Readmission
- A. The review and reinstatement committee, under the direction of the executive director, meets quarterly to review the progress of each student who is eligible to return to the regular school program.
 - B. The review and reinstatement committee will review reports submitted by staff from the alternative program and the school's PPW about the student's progress. The reports will include, but not be limited to, the student's success in the alternative program, restitution, participation in substance abuse programs, and/or threat assessments.
 - C. The review and reinstatement committee shall make a recommendation concerning readmission to the Superintendent.
 - D. The Superintendent will convene a meeting with the student and the student's parent and make a final decision on reinstatement.

Legal References: *Annotated Code of Maryland*, Education Article §7-305, Suspension and Expulsion
Annotated Code of Maryland, Education Article §7-306, *Corporal Punishment; State Code of Discipline*
COMAR 13A.05.01, *Provision of a Free Appropriate Public Education*
COMAR 13A.08.01.11, *Disciplinary Action*

Related Policies: Board of Education Policy 3532, *Restitution for Vandalism*
Board of Education Policy 5550, *Disruptive Behavior*
Board of Education Policy 6702, *Extracurricular Activities*

RULE 5560

Rule		Superintendent of Schools
Approved:	08/12/76	
Revised:	07/13/78	
Revised:	07/09/81	
Revised:	06/14/84	
Revised:	08/08/85	
Revised:	09/19/86	
Revised:	07/02/96	
Revised:	06/10/03	
Revised:	06/10/14	Effective August 4, 2014