

Book	Policy Manual
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Title	Suspension and Expulsion
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### **Authority**

The Board of School Directors ("Board") of Springfield School District ("District") 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 in this District 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. The Board may, after a proper hearing, suspend a child for such time as it deems necessary or may permanently expel him/her.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)

### **Suspension (Exclusion from School)**

The principal or person in charge of a public school may suspend any pupil for disobedience or misconduct for a period of one (1) to ten (10) consecutive school days and shall report the suspension to the parents or guardians and the Superintendent immediately, in writing.[\[1\]](#)[\[2\]](#)

No student may receive an out-of-school suspension without notice for which s/he is suspended and an opportunity to be heard prior to the time the suspension becomes effective. The parent(s)/guardian shall be informed of the suspension action taken by the school.

When the suspension exceeds three (3) school days, the student and parent(s)/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 is issued except that, when extraordinary circumstances involving the health and safety of the student or others in the school require immediate exclusion, the hearing may be delayed to such time as circumstances permit.

Informal hearings shall observe the due process requirements as outlined in applicable laws and School Code. The student and parent/guardian shall be given written notice of the reasons for the suspension.

Students on suspension forfeit the privilege to participate in any extracurricular school activities.

### **Suspension (Exclusion from Class)**

No student may receive an in-school suspension without notice for which s/he is suspended and an opportunity to be heard prior to the time the suspension becomes effective. The parent(s)/guardian

shall be informed of the suspension action taken by the school.[4]

The District shall provide for the student's education during the period of in-school suspension.

Should the in-school suspension exceed ten (10) consecutive school days, the student and his/her parent(s)/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.

Students on suspension forfeit the privilege to participate in any extracurricular school activities.

### Expulsion

The Board may either expel for a period exceeding ten (10) school days or may permanently expel from the rolls of this District 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 a duly authorized committee of the Board and upon action taken by the full Board at a public meeting after the hearing.[1][2][3]

Students on expulsion forfeit the privilege to participate in any extracurricular school activities.

### Attendance/School Work During Suspension and Prior to Expulsion

Students serving an out-of-school suspension must make up missed exams and work, and shall be permitted to complete assignments pursuant to established guidelines.[2]

Students who are facing an expulsion hearing must be placed in their normal classes if the formal hearing is not held within the ten-school day suspension.

If it is not possible to hold the formal hearing within the first ten (10) school days, the District 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.

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.

### Attendance/School Work After Expulsion

Students who are under eighteen (18) years of age are still subject to compulsory school attendance even though expelled and shall be provided an education.[2][5]

The parent/guardian has the initial responsibility of providing the required education and shall, within thirty (30) days, submit written evidence to the school 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 District shall in accordance with law make provision for the student's education.

The Board may provide an educational program to the student immediately upon expulsion and may waive the 30-day period, at its discretion.

### Hearing Detail

The Board requires that each hearing shall be closed to the public but should the student and/or his/her parents likely to be affected by its outcome agree, the hearing may be held publicly.[2][3]

The formal hearing shall observe the due process requirements as outlined in applicable laws and School Code, including notification of the charges in writing, by certified mail, to the student or the student's parents or guardian; notice of the time and place of the hearing; that the hearing shall be private unless the student or parent requests a public hearing; the right to representation by counsel; the disclosure of the names of witnesses and the testimony they have made; the right to

testify and present witnesses on the student’s behalf; the hearing shall be held with all reasonable speed; recordation of the proceedings and a copy of the transcript at the student’s expense.[3]

### Student Transfer

It is the policy of the District to give full faith and credit to the decision of another public school district to suspend or expel a student for disciplinary reasons unless the decision was arbitrary, capricious or unlawfully discriminatory. Therefore, after notice, and opportunity to the student and the parents and/or legal guardian to be heard and a determination by the Board that the decision of the other public school district was not arbitrary, capricious or unlawfully discriminatory, the District will honor and continue to impose all unfinished suspensions and/or expulsions that were imposed on each and every new entrant into the District until such time, if any, that the student would have been allowed to return to the school from which the student was originally suspended or expelled. Thus, each new entrant, whether by transfer or relocation, will serve the remainder of his or her discipline before entrance into any district school.

### **Delegation of Responsibility**

The Superintendent or designee shall develop rules and regulations to implement this policy.

### **DISCLAIMERS:**

***This policy is superseded by all current federal and state laws and mandates.***

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|-------|-------------------------|
| Legal | 1. 24 P.S. 1318         |
|       | 2. 22 PA Code 12.6      |
|       | 3. 22 PA Code 12.8      |
|       | 4. 22 PA Code 12.7      |
|       | 5. 24 P.S. 1326         |
|       | 2 Pa. C.S.A. 101 et seq |
|       | 22 PA Code 12.3         |