

SECTION: PUPILS

TITLE: SUSPENSION/
EXPULSION/
REASSIGNMENT

ADOPTED: August 12, 1991

REVISED:

Farrell Area School District

233. SUSPENSION/EXPULSION/REASSIGNMENT

1. Purpose

Title 22
Sec. 12.6
SC 1318

The Board 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 may reassign a student to an alternative education program or, after a proper hearing, may suspend a child for such time as it deems necessary or may permanently expel him/her.

2. Definition

Probation: Conditional school attendance during a trial period.

Temporary Suspension: Exclusion from school for a period of time not to exceed three (3) school days.

Full Suspension: Exclusion from school for a period of time not to exceed ten (10) school days.

Expulsion: Exclusion from school for any period exceeding ten (10) school days or permanent removal from the school rolls.

Pol. 132

Reassignment: Used in lieu of suspension. The principal will place student within the mandates of the district Alternative School and the Code.

3. Authority

Probation

School probation comes about after a student has displayed frequent and repeated forms of disruptive behavior. The reasons for probation must be given the student and a letter explaining same shall be mailed to the parents or guardian. This letter is to set forth the length of probation (thirty (30) school days for the first probationary period, and forty-five (45)

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school days for the second), the reasons, and the termination date.

Only the principal and/or the assistant principal may place a student on probation.

During a period of probation, any disciplinary infraction requiring office referral shall cause the probationed student to be reassigned for a period not to exceed ten (10) days.

Temporary Suspension

Title 22
Sec. 12.6
(b) (1)

A temporary suspension requires no hearing but must provide, prior to such suspension, full notification to the student of all reasons. The exclusion time cannot exceed three (3) days. However, parental conferences relating to such misconduct are both welcomed and encouraged.

Temporary suspension may be levied only by the principal and/or the assistant principal in accordance with Board policy.

Students shall be permitted to make up exams and work missed while being disciplined by a temporary suspension. The responsibility for such make-up work must be assumed by the student.

Full Suspension

Title 22
Sec. 12.6
(b) (1)

A full suspension cannot exclude a student from school longer than ten (10) days. Prior to such a suspension, the reasons must be placed in writing; and the parent or guardian must be afforded their right to an informal hearing before the principal and/or the assistant principal.

Full suspension may be levied only by the principal and/or assistant principal in accordance with Board policy.

Students shall be permitted to make up exams and work missed while being disciplined by a full suspension. The responsibility for such makeup work must be assumed by the student.

A temporary suspension may be followed by a full suspension for the same offense, provided that the ten (10) school days limitation is not exceeded.



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Title 22
Sec. 12.6
(b) (2)

Expulsion

Any period of school exclusion exceeding ten (10) days or even the permanent removal of the student from the school rolls shall require School Board action. Again, only the principal and/or the assistant principal can initiate such action.

Expulsion of a student legally permits the parent or guardian and the student to have a formal hearing before the School Board or a duly authorized committee of the Board.

Notification of the charges must be presented to the parent or guardian and student, along with sufficient notice of the time and place of hearing. Standard formal hearing procedures, such as right to counsel and cross-examination of witnesses shall be part of the due process.

Reassignment

Pol. 132

The administration and School Board of the Farrell Area School District realize that full suspension and/or expulsion does little to enhance a student's education and even might provide a negative effect. With this in mind, in instances where full suspension or expulsion is warranted student reassignment to the district's Alternative School may take place.

Pol. 132-R

Such reassignment shall be made only by the principal and/or the assistant principal, with the length of time to correspond with School Board regulations.

Informal Hearings

Title 22
Sec. 12.6
(b) (iv)

Students suspended for a period of time longer than three (3) days shall be afforded an informal hearing. Delay of such hearing shall not operate to delay return to school.

At this hearing all witnesses pertaining to the case must be presented for proper interrogation of those parties present.

School officials have the right to limit attendance at the informal hearing to only the parent or guardian and the student.



Formal Hearings

Title 22
Sec. 12.6
(2) (c)

Each suspended student involved in a formal hearing shall be restored to a regular educational program pending the outcome of the hearing, except when, in the opinion of the Superintendent, the presence of the student in school poses such a danger to him/herself or others as to warrant continued absence.

Title 22
Sec. 12.8
(1)

The formal hearing shall observe the due process requirements of 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.

4. Delegation of Responsibility

Title 22
Sec. 12.3

The Superintendent shall develop rules and regulations to implement this policy which shall include the publication of standards in accordance with Board policy on student discipline and procedures that ensure due process in the deprivation of a student's right to attend school and comport with this policy.

Title 22
Sec. 12.6
(e) (2)

The student under 17 years of age who is expelled has forfeited his/her right to an education in the schools of this district, but has not been excused from compliance with the compulsory attendance statutes.

Title 22
Sec. 12.6
(e) (2)

Parents or guardians who are unable to provide an education for their child shall submit a written statement within thirty (30) days that they are unable to do so. The district shall then make provisions for the student's education. If thirty (30) days pass without satisfactory evidence that the required education is being provided to the student, the district shall recontact the parent and make provisions for the student's education.

Title 22
Sec. 12.1
12.6
12.8

If the approved educational program is not complied with, the school district may take action to ensure that the student will receive a proper education.



1 School Code
2 1318
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4 PA Code
5 Title 22
6 Sec. 12.6,
7 12.7, 12.8,
8 12.1, 12.3
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10 PA Statute
11 42 Pa. C.S.
12 Sec. 6301
13 to 6308
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