

Centre Learning Community Charter School

SECTION: PUPILS

TITLE: SUSPENSION AND EXPULSION

ADOPTED: June 21, 2012

REVISED:

224. SUSPENSION AND EXPULSION

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 the Centre Learning Community Charter School and one that cannot be imposed without due process.

Exclusion from school may take the form of suspension or expulsion. Suspension is exclusion from school for a period of from 1 to 10 consecutive schools days. Expulsion is exclusion from school for a period exceeding 10 consecutive school days.

Out of School Suspension (Exclusion From School)

The CEO or full-time teaching staff may suspend any pupil for disobedience or misconduct and shall report the suspension to the parents and the Staff in writing immediately.

No student may be suspended 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. Prior notice need not be given when it is clear that the health, safety, or welfare of the school community is threatened..

Should the suspension exceed three (3) consecutive school days, the student and his/her parent(s)/guardian shall be offered a suspension hearing with the designated school official.

Students shall have the responsibility to make up exams and work missed while being disciplined by suspension and shall be permitted to complete these assignments within guidelines established by the Board.

In-School Suspension (Exclusion From Class)

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(s)/guardian shall be informed of the suspension action taken by the school.

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Should the in-school suspension exceed ten (10) consecutive school days, the student and his/her parent(s)/guardian shall be offered a suspension hearing with the designated school official. Such hearing shall take place prior to the eleventh day of the in-school suspension.

Centre Learning Community Charter School has the responsibility to make some provision for the student's education during the period of the in-school suspension.

Expulsion

The Board may permanently expel from the rolls of the Centre Learning Community Charter School any student whose misconduct and disobedience is such as to warrant this sanction. Student expulsion requires a majority vote of the Board. No student shall be expelled without an opportunity for a prior expulsion hearing.

A student under seventeen (17) years of age who is expelled has forfeited his/her right to an education at Centre Learning Community Charter School, but has not been excused from compliance with the compulsory attendance statute.

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 Centre Learning Community Charter School 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 Centre Learning Community Charter School shall re-contact the parent and make provisions for the student's education.

If the approved educational program is not complied with, Centre Learning Community Charter School may take action to ensure that the student will receive a proper education.

Suspension Hearing (Informal hearing)

Students who receive an out of school suspension for a period of time longer than three (3) days but not longer than ten (10) days, and students who receive an in-school suspension for a period of time longer than ten (10) days, shall be afforded a suspension hearing. Delay of such hearing shall not operate to delay return to school.
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The purpose of the suspension hearing is to enable the student to meet with the appropriate school official to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended.

- a. The suspension hearing is meant to encourage the student's parents or guardian to meet with the student's teacher(s) to discuss ways by which future offenses can be avoided.

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- b. The following due process requirements are to be observed in regard to the suspension hearing:
1. Notification of the reasons for the suspension shall be given in writing to the parents or guardian and to the student.
 2. Sufficient notice of the time and place of the suspension hearing shall be given.
 3. A student has the right to question any witnesses present at the hearing.
 4. A student has the right to speak and produce witnesses on his/her own behalf.
 5. The Centre Learning Community Charter School shall offer to hold the suspension hearing within the first five (5) days of the suspension.

The Board requires that each hearing shall be closed to the public except that should the student and/or a parent/guardian likely to be affected by its outcome agree, the hearing may be held publicly.

Expulsion Hearings (formal hearings)

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

A student expelled during examinations or near the end of the school year or at any other period of time critical to his/her educational future may request an immediate hearing.

The expulsion hearing shall be held before the Board, an authorized committee of the Board, or a qualified hearing examiner appointed by the Board. A majority vote of the Board is required to expel a student.

The expulsion hearing shall observe the following due process requirements: notification of the charges in writing, by certified mail, to the student and the student's parents or guardian; at least 3 days' notice of the time and place of the hearing; the hearing shall be private unless the student or parent/guardian requests a public hearing; the student shall have the right to representation by counsel, the right to disclosure of the names of witnesses and the testimony

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they have made, and the right to have the witnesses appear in person and be cross-examined; the student shall have the right to testify and present witnesses on the student's behalf; the hearing shall be held within 15 school days of the notification of charges (unless the parties mutually agree to a delay, or the proceedings are delayed for reasons set forth in 22 Pa. Code § 12.08(9) (2012); recordation of the proceedings and a copy of the transcript at the student's expense.

The student shall be provided with notice of the right to appeal. Where the student disagrees with the results of the hearing, recourse is available in the appropriate court of the Commonwealth. If it is alleged that a constitutional issue is involved, the student may file a claim for relief in the appropriate federal district court.

Suspension or expulsion from District provided student transportation.

The suspension or expulsion from a district provided student transportation is at the discretion of the providing school district in consultation with CLC, and the CLC Bus Behavior Policy as stated in the CLC Parent Handbook.