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Additional text is suggested by JCPS staff

Highlighted text incorporates suggestions from Board Policy Committee

STUDENTS

09.434

Suspension

WHO MAY SUSPEND

In accordance with KRS 158.150, the Principal, Assistant Principal, or ~~Associate Principal Head Teacher~~ may suspend a pupil for violations using the procedures set forth in the Student Support and Behavior Intervention Handbook ~~of the Code of Aeeceptable Behavior and Discipline. The pupil may be suspended up to a maximum of five (5) days per incident. A Central Office administrator may extend the suspension up to a maximum of twenty (20) days per incident.~~

~~A pupil may not be suspended for more than a total of twenty (20) days per incident.~~

Suspension of primary school students shall be considered only in exceptional cases where there are safety issues for the child or others, as determined by the Superintendent/designee.

PRIOR DUE PROCESS REQUIRED

A pupil shall not be suspended until due process procedures have been provided as ~~established in the Student Support and Behavior Intervention Handbook in conformity with described in~~ KRS 158.150 and Board Policy 09.431(09.431)¹, unless immediate suspension is essential to protect persons or property or to avoid disruption of the educational process.

A suspension of one to ten (1-10) school days requires ~~due process, in which a student is given oral or written notice of the charge against them; is given the opportunity to present their own version of the facts concerning the charges; and is given the opportunity to appeal the decision a due process consultation an informal hearing in which the student is told of the charge against him or her, is given a chance to present his or her perspective regarding the incident, and is given the right to appeal the decision.~~ If a student is believed to be a danger to him- or herself or to others, he or she may be suspended ~~first-first and be provided a due process consultation at a later time timeand an informal hearing will be scheduled afterwards (within three school days).~~

A long-term, ~~Central Office~~ suspension of 11 to 20 school days requires a formal hearing unless such a hearing is waived by: ~~the parent/guardian.~~

1. A student's parent or guardian;
2. A student who is eighteen (18) years of age or older; or
3. A student is under the age of eighteen and is an emancipated youth legally free from the care, custody, and control of a parent/guardian.

Procedures for a formal hearing are in the Student Behavior Support and Intervention Handbook.

WRITTEN NOTIFICATION AND DOCUMENTATION~~REPORT~~ REQUIRED

Within one (1) ~~day-day of a suspensionof the informal hearing,~~ the suspending administrator shall send written notification~~report in writing~~¹ ~~immediately to the Superintendent and~~ to the parent/guardian the decision to suspend the student. The written report shall include the reason for suspension, the length of time of the suspension, and the conditions for reinstatement. Every suspension shall be documented by the suspending administrator in accordance with procedures established by the District.

Suspension

RESTRICTIONS

A student on suspension cannot enter the school or go on any District school grounds unless arrangements to do so are made with an administrator. A student cannot attend any day or night school- or District-sponsored function or ride a District bus. Any violation of these conditions will result in further disciplinary action.

Procedures for parents/guardians/student to appeal a suspension and/or a related alternative assignment ~~placement~~ shall be ~~set~~ set forth in the Student Behavior Support and Intervention Handbook ~~out in the local code of acceptable behavior and discipline.~~

STUDENTS WITH DISABILITIES

In cases which involve students with disabilities, the procedures mandated by federal and state law for students with disabilities shall be followed.² ~~Exceptional Child Education students, students identified under Section 504 of the Rehabilitation Act of 1973, and students who are being assessed for suspected disabilities have additional rights guaranteed under federal and state law. The Student Support and Behavior Intervention Handbook shall include specific procedures to ensure those rights are protected.~~

REFERENCES:

¹KRS 158.150

²20 U.S.C. Sections § 1400 et seq; 707 Chapter 1; *Honig v. Doe*, 108 S.Ct. 592(1988)

OAG 77-419; OAG 77-427; OAG 77-547

OAG 78-392; OAG 78-673

Goss v. Lopez, 419 US 565 (1975)

707 KAR 1:340

RELATED POLICIES:

09.43

09.431