STUDENT SUSPENSIONS

Prior to suspending a student out of school, the principal will refer to the current Behavior Response Plan to determine what action is to be taken. The current Behavior Response Plan will indicate the length of the suspension, whether the police must be notified and the appeal procedure

The Behavior Response Plan of the District shall be consistent with the due process rights of students and will provide proper guidelines for fair and consistent treatment of students, including eligibility for continuation of education services in an alternative setting or through the use of an alternative delivery method.

Pre-Suspension Conferences

- When a student violates a school rule or regulation, the principal or designee will conduct an informal conference with the student.
- At the conference, the principal or designee will read the rule or regulation the student is charged with having violated and will discuss the conduct of the student that is an apparent violation of the rule or regulation.
- The student will be asked whether the rule or regulation is understood and be given a full opportunity to explain and discuss the conduct in question.
- Before a student is suspended, the principal or designee shall consider and apply, if appropriate, alternative in-school placement options, such as placement in an alternative school setting, reassignment to another classroom, or in-school detention.
- If it is concluded a suspension is appropriate, the student will be advised of the suspension and length of suspension.
- The principal or designee will immediately notify the student's parent/guardian by phone, if possible, and in writing that the student is being suspended from school by the principal. Elementary and middle school students will not be dismissed before the end of the school day without advanced notice to the parent/guardian.

Immediate Suspension without a Pre-Suspension Conference

- A student may be suspended without a pre-Suspension conference as required by this regulation only in situations where the conduct of the student reasonably indicates to the principal the continued presence of the student in the building will constitute a danger to the health or safety of the students, faculty, staff or school property, or a continued disruption of the educational process.
- In such cases, a suspension conference with the student and the parent/guardian will be scheduled as soon as possible after the student has been removed from the building.

Conference with Parents and Right to Appeal

- The principal or designee will seek to hold a conference with the parent/guardian as quickly as possible after the suspension has been imposed. The parent/guardian should be advised of the right to a conference with the principal or designee at the time the parent/guardian is notified that a suspension has been imposed. The conference will be held during the regular school hours, Monday through Friday, with consideration given to the hours of working parents/guardians whenever possible.
- At the conference, the principal or designee will read the rule or regulation the student is charged with having violated and will briefly outline the conduct on the part of the student. The parent/guardian should be asked by the principal or designee if the parent/guardian understands the rule and the charges against the student.
- At the conclusion of the conference, the principal or designee will state whether the suspension will be terminated or modified. If the suspension is for ten days or less, the principal or designee will inform the parent/guardian of the right to appeal the suspension to the Site Suspension Review Committee (SSRC) composed of administrators and/or teachers, with no further appeal/review rights. If the suspension is for more than ten days, the parent/guardian will be advised of the right to have the suspension reviewed by the SSRC, and the Superintendent or designee, and a Hearing Officer whose decision is final. The decision to change the out-of-school suspension to an alternative school placement is not appealable.

Limits on Suspensions

- The length of suspension may not exceed the present semester and one additional semester, except that students found in possession of a firearm while on school property, in a school bus, or other vehicle used for the transportation of students or teachers, shall be suspended for a period of at least one calendar year.
- Suspensions should have a definite commencement and ending date; indefinite suspensions are not permitted. It is recommended that extended suspensions be imposed only in aggravated situations.
- Suspensions should be consistent. One student should not be suspended for a few days and another student suspended an extended period for the same or similar offense. However, the principal or the designated staff member may take previous conduct and previous suspensions of the student into consideration.
- The student may be advised the suspension may be terminated at an earlier date if the student performs some remedial act.

Records and Reports

- The principal or designated staff member will keep written records of each suspension conference containing the date of the conference, the names of the persons present, and the time and duration of the conference.

- Each suspension and appeal procedure will be reported on the Notice of Student Suspension to the parent/guardian and appropriate offices at the Education Service Center.

Continuation of Educational Programs and Services

- Students suspended for five days or less shall not be provided an education plan.
- Students suspended for possession of a dangerous weapon or a controlled dangerous substance shall not be provided an education plan.
- Students suspended for more than five days may continue educational programs and services in an alternative setting.
- An educational plan shall address academic credit in the core units of English, mathematics, science, social studies.
- Education services for special education students must be provided in accordance with the student's Individualized Education Plan (IEP).
- Copies of educational plans shall be provided to parents/guardians**.**

Participation in Extracurricular Activities

Participation in the extracurricular activities of the school is a privilege and not a right. Accordingly, when a student's behavior results in a determination by the principal of an out-of-school suspension, the student immediately, notwithstanding the filing of an appeal, forfeits the privilege of participating in all extracurricular activities of the school. In addition, when a principal determines to impose alternative in-school disciplinary or other correctional measures against a student, then the student will not be permitted to participate in any extracurricular activities offered by the school during the term of the discipline unless, in the sole judgment of the principal, such participation is appropriate given the nature of the offense committed by the student.

"Extracurricular activities" include, but are not limited to, all school sponsored teams, clubs, organizations, ceremonies, student government, band, athletics and all other school sponsored activities and organizations.

Creation of Suspension Review Committee

- The principal of each school will establish a Site Suspension Review Committee (SSRC).
- The membership of the SSRC will consist of at least four building teachers and/or administrators, or both.
- The principal or designated staff member will designate at least one alternate for each member, since no person involved in the suspension will act as a member of the SSRC.
- The function of the SSRC will be to review suspension actions of the principal or designated staff member upon a request for such review by a parent/guardian.
- The SSRC will designate one of its members as chairperson and one as secretary. (The principal or designated staff member may designate an office clerk or secretary as a nonvoting member to take notes.)

Suspension Review Hearing

- Upon being notified the parent/guardian desires to have a suspension decision reviewed by the SSRC, the principal or designated staff member will notify the student and parent/guardian at least 24 hours in advance of the time and place for the review hearing
- If no appeal is requested within five days from the date of suspension, the suspension will stand.
- The hearing will be held promptly and in any event not more than 48 hours (exclusive of Saturdays, Sundays and holidays) after the principal or designated staff member is notified that the parent/guardian desires a review of the suspension decision. The hearing will be held during regular school hours, Monday through Friday, with consideration given to the hours of working parents/guardians whenever possible.
- The hearing before the SSRC will be conducted on an informal basis. The student and parent/guardian will have a right to attend but the use of an attorney at this level is discouraged.
- At the hearing, the chairperson will read the rule or regulation the student is charged with violating and ask the student and parent/guardian if they understand the regulation. The chairperson will outline the student's conduct causing the suspension.
- The principal or designated staff member and other staff members involved in the case will be requested to present information relative to the suspension. The student and parent/guardian will be given a full opportunity to present the student's side of the matter.
- The student and the student's parent/guardian will have the opportunity to hear and question those persons having charged the student with a violation of the rule or regulation. (This refers to school staff only)
- The hearing before the SSRC will be based on the following criteria:

  Is the student guilty of a violation?
  Is the penalty in keeping with the severity of the infraction?

- If the suspension is for ten days or less, the decision of the SSRC is final. If the suspension is for eleven days or longer, the parents/guardians will be notified of their right to appeal the decision of the SSRC to the Superintendent or designee. The principal may also appeal an adverse decision of the SSRC to the Superintendent or designee.
- Written minutes will be made of each hearing and a written report of the hearing filed with the Superintendent or designee. The principal or designated staff member also will notify the parents/guardians of the results of the SSRC hearing in writing as soon as possible.

Right of Appeal to the Superintendent or Designee

If the suspension is for 11 days or more, a parent/guardian, student, or principal may appeal the suspension decision of the SSRC to the Superintendent or designee.

Method of Appeal to the Superintendent or Designee

- The appeal may be requested in writing to the Clerk of the Board of Education.
- The Superintendent or designee will set the hearing date, time and place of the hearing which will be conducted as required by law.
- If an appeal is not received within five days after the SSRC decision is made, the SSRC decision will be final.
- For Special Services Students, see: Special Education and Suspension for Students with Disabilities

Right of Further Appeal to a Hearing Officer

In accordance with applicable provisions of Oklahoma law, district boards of education are authorized to appoint Hearing Officers to conduct certain hearings for out-of-school student suspensions and render final decisions. Accordingly, the Tulsa Public Schools Board of Education will utilize a Hearing Officer to hear cases of students suspended out-of-school for eleven days or longer.

Method of Appeal to a Hearing Officer

- A written request from the student's parent/guardian must be made to the Clerk of the Board of Education within five days of the decision.
- Hearing Officers will be drawn from a list of retired judges, attorneys and others with previous experience in dealing with like matters.
- The Hearing Officer will be assigned to a case on a drawing by lot basis. If the person whose name is drawn is not available or for some other reason cannot or will not hear the case, another name will be drawn by lot until a Hearing Officer is selected who is available and willing to hear the case.
- The Safe Schools Coordinator in the presence of at least one central office administrator shall make the drawing.
- The Safe Schools Coordinator shall be responsible for contacting the Hearing Officer as to the selection.
- The Safe Schools Coordinator will maintain a list of Hearing Officers and training for those individuals will be conducted, as required, by the School Board attorney. Hearing Officers will be paid at a rate established by the District.
- The decision of the Hearing Officer will be final and may not be appealed.

Attendance at School Pending Appeal Hearing

- Pending the appeal hearing before the SSRC, Superintendent or designee, or a Hearing Officer, the student will have the right to attend school under such "In-School Intervention" restrictions as the principal deems proper. The exception at the discretion of the principal, is the student may be prohibited from attending school pending the appeal hearing if in the judgment of the principal, the conduct for which the student was suspended reasonably indicates continued attendance by the student pending the appeal hearing would be dangerous to other students, staff or school property and interfere with the educational process at school.