

1 STUDENT SUSPENSION/EXPULSION REGULATIONS

2 I. GOVERNING POLICY: JGD/JGE: *STUDENT SUSPENSION/EXPULSION*

3 II. SUSPENSION AND EXPULSION: GENERALLY

4
5 The Alexandria City School Board encourages alternatives to suspension whenever
6 possible, and provides support services to address behaviors that could lead to
7 suspension. Alexandria City Public Schools (ACPS) utilizes a Multi-Tiered System of
8 Supports (MTSS) for Positive Behavioral Interventions and Supports (PBIS), including
9 the use of restorative practices. However, there are times when the severity of an
10 infraction warrants a suspension or expulsion to preserve the safety of students and staff.
11 Additional information on MTSS, including tiered consequences, is available in Policy
12 JGD/JGE, as well as Policy JFC: *Student Conduct*, and the ACPS Student Code of
13 Conduct.

14 As outlined in Policy JFC: *Student Conduct* and the ACPS Student Code of Conduct,
15 ACPS uses VDOE's Student Behavior and Administrative Response (SBAR) system of
16 student behavior categories, designed to recognize the impact student behavior has on the
17 school environment and to form a framework for identifying behaviors that may
18 negatively impact that environment. SBAR categories work with leveled, administrative
19 and instructional interventions and disciplinary responses to facilitate the equitable,
20 responsive application of standards of student conduct. In addition, the SBAR system
21 encourages differentiated responses to behavior for elementary students and secondary
22 students. As discussed in further detail in the ACPS Student Code of Conduct, the SBAR
23 categories are:

- 24 • Behaviors that Impede Academic Progress (BAP)
- 25 • Behaviors Related to School Operations (BSO)
- 26 • Relationship Behaviors (RB)
- 27 • Behaviors that Present a Safety Concern (BSC):
- 28 • Behaviors that Endanger Self or Others (BESO)
- 29 • Persistently Dangerous Behaviors (PDB)

30 III. GROUNDS FOR SUSPENSION AND EXPULSION

31 A. Grounds for Suspension

32 Examples of violations found in the Student Code of Conduct and School Board
33 policies that **may be grounds for** suspension include, but are not limited to:

- 34 • Arson
- 35 • Bullying, threats or intimidation, including cyberbullying
- 36 • Assault and battery/fighting
- 37 • Disruptive conduct/behavior
- 38 • Profane or abusive language

- 46 • Gambling
47 • Use, possession, or distribution of alcohol or other drugs or restricted substances,
48 including tobacco products (as defined in Policy JFCF/JFCI: *Alcohol and Other*
49 *Drugs (AOD) in Schools*)
50 • Vandalism
51 • Defiance of the authority of school personnel
52 • Weapon possession
53 • Theft
54 • Vandalism
55 • Violation of bus regulations
56 • Trespass
57 • Gang activity (as defined in Policy JFCE: *Gang Activity or Association*)
58 • Sexual assault
59 • Sexual harassment

60
61 Conduct reported to the Superintendent or designee by local law enforcement
62 authorities when the offense would be a felony if committed by an adult, or as
63 otherwise required by law to be reported, as outlined in Policy JGD/JGE.

64
65 B. Grounds for Expulsion

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67 Examples of violations found in the Student Code of Conduct and School Board
68 policies that **may be grounds for expulsion** include, but are not limited to:

- 69
70 • Arson
71 • Bullying, threats or intimidation, including cyberbullying
72 • Assault and battery/fighting
73 • Use, possession, or distribution of alcohol or other drugs, or restricted substances,
74 including tobacco products (as defined in Policy JFCF/JFCI: *Alcohol and Other*
75 *Drugs (AOD) in Schools*)
76 • Weapon possession
77 • Gang activity (as defined in Policy JFCE: *Gang Activity or Association*)
78 • Sexual assault
79 • Sexual harassment
80 • Conduct reported to the Superintendent or designee by local law enforcement
81 authorities when the offense would be a felony if committed by an adult, or as
82 otherwise required by law to be reported, as outlined in Policy JGD/JGE.

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84 **IV. SUSPENSION AND EXPULSION APPEALS PROCESS**

85
86 A. Short-Term Suspension: Appeals

88 **The final decision regarding any appeal of a suspension for 10 days or less is
89 made by the Superintendent or designee, and may not be appealed to the
90 School Board.**

- 91
92 1. A notice of short-term suspension may be appealed directly to the school
93 administrator who suspended the student. The letter of appeal must be mailed,

94 emailed or delivered to the school administration within 24 hours of the first
95 notification of the student's suspension, which is most often a phone call from
96 a school administrator, followed by a letter.
97

- 98 2. If the appeal is denied by the administrator who suspended the student, it may
99 then be appealed in writing to the principal. The appeal letter must be mailed,
100 emailed or delivered to the school within two (2) school days of the day the
101 administrator's (who suspended the student) response was received.
102
- 103 3. If the appeal is denied by the principal, it may then be appealed directly to the
104 Executive Director of Student Services within three (3) school days of the day
105 the principal's response was received.
106
- 107 4. If the appeal is denied by the Executive Director of Student Services, a final
108 appeal may be submitted to the Office of the Superintendent within five (5)
109 school days of the day the response from the Executive Director of Student
110 Services was received. A written letter of appeal must be submitted to the:
111

112 Office of the Superintendent
113 Attn: Superintendent's Designee for Suspension Appeals
114 Alexandria City Public Schools
115 1340 Braddock Place, 6th Floor
116 Alexandria, Virginia 22314
117

118 The Superintendent or designee promptly reviews the action taken by the
119 principal or assistant principal upon a petition for review by any party in
120 interest, and confirms or disapproves the suspension based on an examination
121 of the record of the student's behavior.
122

123 The parent/guardian is notified that the final decision regarding such an appeal
124 is made by the Superintendent or designee, and may not be appealed to the
125 School Board.
126

127 B. Long-Term Suspension: Appeals
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129 **The final decision regarding any appeal of a suspension for more than 10
130 days is made by the School Board.**
131

132 In the case of a suspension for more than ten days, the student and the student's
133 parent(s)/ guardian(s), may appeal the decision of the Superintendent or designee
134 to the full School Board within five (5) business days of receipt of the
135 Superintendent's or designee's decision. The appeal is decided by the School
136 Board within 30 days of its receipt.
137

138 The procedure for an appeal hearing before the School Board regarding long-term
139 suspensions is as follows:
140

- 141 1. The School Board determines the propriety of attendance at the hearing of

142 persons not having a direct interest in the hearing. The hearing is private
143 unless otherwise specified by the School Board.

- 144
- 145 2. The School Board may ask for opening statements from the principal or
146 principal's representative and the student or the student's parent(s)/guardian(s)
147 (or their representative) and, at the discretion of the School Board, may allow
148 closing statements.
- 149
- 150 3. The parties then present their evidence. Because the principal has the ultimate
151 burden of proof, the principal presents evidence first. Witnesses may be
152 questioned by School Board Members and by the parties (or their
153 representative). The School Board may, at its discretion, vary this procedure,
154 but it affords full opportunity to both parties for presentation of any material
155 or relevant evidence and affords the parties the right of cross examination
156 provided; however, the School Board may take the testimony of student
157 witnesses outside the presence of the student, the student's
158 parent(s)/guardian(s), and their representative if the School Board determines,
159 in its discretion, that such action is necessary to protect the student witness.
- 160
- 161 4. The parties will produce such additional evidence as the School Board may
162 deem necessary. The School Board is the judge of the relevancy and
163 materiality of the evidence.
- 164
- 165 5. Exhibits offered by the parties may be received in evidence by the School
166 Board and, when so received, are marked and made part of the record.
- 167
- 168 6. The School Board may, by majority vote, uphold, reject, or alter the
169 recommendations. Alteration, however, will not result in a suspension of
170 increased duration.
- 171
- 172 7. The School Board transmits its decision, including the reasons therefor, to the
173 student, the student's parent(s)/guardian(s), the principal, and Superintendent.
- 174

175 C. Expulsion: Appeals

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177 **The final decision regarding any appeal of an expulsion is made by the**
178 **School Board.**

179

180 Students may be expelled from attendance at school after written notice to the
181 student and the student's parent/guardian of the proposed action and reasons
182 therefore and of the right to a hearing before the School Board. The notice of
183 expulsion may be appealed to the full School Board within five (5) business days
184 of receipt of the notice. The appeal is decided by the School Board within 30 days
185 of its receipt.

186

187 Regardless of whether the student exercises the right to an appeal hearing, the
188 School Board confirms or disapproves of the proposed expulsion.

189

190 The procedure for an appeal hearing before the School Board regarding
191 expulsions is as follows:

- 193 1. The School Board determines the propriety of attendance at the hearing of
194 persons not having a direct interest in the hearing. The hearing is private
195 unless otherwise specified by the School Board.
- 196 2. The School Board may ask for opening statements from the principal or
197 principal's representative and the student or the student's parent(s)/guardian(s)
198 (or their representative) and, at the discretion of the School Board, may allow
200 closing statements.
- 201 3. The parties then present their evidence. Because the principal has the ultimate
202 burden of proof, the principal presents evidence first. Witnesses may be
203 questioned by School Board Members and by the parties (or their
204 representative). The School Board may, at its discretion, vary this procedure,
205 but it affords full opportunity to both parties for presentation of any material
206 or relevant evidence and affords the parties the right of cross examination
207 provided; however, the School Board may take the testimony of student
208 witnesses outside the presence of the student, the student's
209 parent(s)/guardian(s), and their representative if the School Board determines,
210 in its discretion, that such action is necessary to protect the student witness.
- 211 4. The parties will produce such additional evidence as the School Board may
212 deem necessary. The School Board is the judge of the relevancy and
213 materiality of the evidence.
- 214 5. Exhibits offered by the parties may be received in evidence by the School
215 Board and, when so received, are marked and made part of the record.
- 216 6. The School Board may, by majority vote, uphold, reject, or alter the
217 recommendations.
- 218 7. The School Board transmits its decision, including the reasons therefor, to the
219 student, the student's parent(s)/guardian(s), the principal, and Superintendent.

220 **V. READMISSION PROCESS FOR EXPELLED STUDENTS**

221 As directed by Policy JGD/JGE, the Superintendent has established the following process
222 and schedule pursuant to which expelled students may apply and reapply for readmission
223 to school.

224 Students who are expelled from the Alexandria City Public Schools and who are not
225 permitted during the expulsion to return to regular school attendance or to attend an
226 alternative education program, may petition for readmission to be effective one (1) year
227 after the date of the expulsion. The process for the readmission of any expelled student is
228 as follows:

- 238 A. In order to ensure that a student has an opportunity for timely readmission to school, a
239 petition for readmission must be filed not earlier than nine (9) months, and not later
240 than ten (10) months from the date of the School Board's decision letter expelling the
241 student. Failure to file a petition for readmission in a timely manner may result in a
242 delayed decision on the petition. Petitions must be in writing and must be filed with
243 the ACPS Department of Student Services, Alternative Programs and Equity. Any
244 student aged eighteen (18) or older must file a petition on their own behalf. If the
245 student is under the age of eighteen (18), the parent(s)/guardian(s) may act on the
246 student's behalf;
- 247 B. Within twenty-one (21) days of the receipt of a written petition for readmission, the
248 Department of Student Services, Alternative Programs and Equity will schedule a
249 hearing before the Executive Director of Student Services or designee. At the time of
250 the hearing, the student and/or parent(s)/guardian(s) must come prepared to explain
251 why the student should be readmitted to school, and how the school can be assured
252 that the student's behavior has improved and that there will be no recurrences of
253 inappropriate behavior. If any conditions for readmission had been imposed by the
254 School Board at the time of the student's expulsion, the hearing will review whether
255 all of those conditions have been achieved. The Executive Director of Student
256 Services or designee will issue a written decision within seven (7) days of the
257 hearing. The parent(s)/guardian(s) and/or student will receive a copy of the decision.
- 258 C. Parent(s)/guardian(s) and/or the student may appeal the decision of the Executive
259 Director of Student Services or designee to the School Board within five days of
260 receiving that decision. A copy of the Executive Director's or designee's decision, a
261 copy of the expulsion decision, and any other materials which have been submitted
262 concerning the expulsion, and petition for readmission will be provided to the Board.
263 The Board may, but need not, hold a further hearing. The Board issues its decision
264 within 21 days of convening to consider the appeal.
- 265 D. Where a petition for readmission is denied, a student (or if applicable, the student's
266 parent(s)/guardian(s)), may reapply on an annual basis in accordance with the above
267 schedule.

272 **VI. COMMUNICATION WITH PARENT(S)/GUARDIAN(S)**

273 All incidents resulting in recommendations for suspension or expulsion are documented
274 by school administrators. All such required documentation is maintained by ACPS.
275 Incident reports and all communications to the student's parents/guardians will be in the
276 parents'/guardians' preferred language. In addition, ACPS will provide written
277 notification of a student's rights throughout the entirety of the disciplinary process to the
278 parents/guardians. This includes, but is not limited to, procedural steps and safeguards,
279 the right to appeal, and the right to legal representation. ACPS will also provide
280 parents/guardians with a list of pro bono legal resources.

281 Established: September 5, 1996

282 Revised: July 10, 1997

283 Revised: June 18, 1998

286 Revised: July 12, 2001
287 Revised: July 1, 2005
288 Revised: June 15, 2006
289 Revised: December 19, 2013
290 Revised: December 18, 2014
291 Revised: June 11, 2015
292 Revised: October 25, 2018
293 Revised: December 16, 2021
294

295 Legal Refs: 20 U.S.C. § 7151.

296

297 Code of Virginia, 1950, as amended, §§ 15.2-915.4, 16.1-260, 18.2-119,
298 18.2-308.1, 18.2-308.7, 18.2-308.8.2:2, 22.1-200.1, 22.1-254, 22.1-276.01,
299 22.1-276.2, 22.1-277, 22.1-277.04, 22.1-277.05, 22.1-277.06, 22.1-277.07,
300 22.1-277.07:1, 22.1-277.08, 22.1-277.2, 22.1-277.2:1, 22.1-279.3:1.

301

302 8 VAC 20-560-10.

303

304 Cross Refs.: GBEB Staff Weapons in School
305 IGBH Alternative School Programs
306 JEC School Admission
307 JFC Student Conduct
308 JFC-R Standards of Student Conduct
309 JFCD Weapons in School
310 JGD/JGE Student Suspension/Expulsion
311 JGDA Disciplining Students with Disabilities
312 JGDB Discipline of Students with Disabilities for Infliction of
313 Serious Bodily Injury