

A. W. BEATTIE CAREER CENTER

SECTION: PUPILS
 TITLE: SUSPENSION AND EXPULSION
 ADOPTED: May 27, 1999
 FIRST READING: August 18, 2016
 REVISED & APPROVED: September 22, 2016

<p>1. Purpose Title 22 Sec. 12.6 SC 1318</p> <p>2. Authority SC 1318 1850.1 Title 22 Sec. 12.6, 12.8</p> <p>3. Guidelines Title 22 Sec. 12.6</p>	<p style="text-align: center;">233. SUSPENSION AND EXPULSION</p> <p>The Joint Operating Committee recognizes that exclusion from the educational program of the Career Center by suspension or expulsion, is the most severe sanction that can be imposed on a student in this Career Center and one that cannot be imposed without due process.</p> <p>The administration or Joint Operating Committee may, after a proper hearing, suspend a student for such time as it deems necessary or may permanently reassign a student to his/her home school district.</p> <p><u>Exclusion From the A. W. Beattie Career Center</u></p> <p>The Principal/Assistant Director may suspend any student for disobedience or misconduct for a period of one (1) to ten (10) consecutive school days, as set forth in the Code of Student Conduct and shall report the suspension to the Executive Director as soon as possible.</p> <p>No student may be suspended without notice of the reasons for which s/he is suspended and an opportunity to be heard on his/her own behalf before the Career Center official who holds the authority to reinstate him/her. The Parent/guardian shall be notified immediately in writing when a student is suspended.</p> <p>When the suspension exceeds (3) school days, the student and parent/guardian will be given the opportunity for an informal hearing with the designated Career Center official. Such hearing shall take place as soon as possible after the suspension. If it is determined after an informal hearing that a student's presence in his normal class would constitute a threat to the health, safety or welfare of others and it is not possible to hold a formal hearing within the period of a suspension, the student may be excluded from school for more than 10 school days.</p> <p>A student may not be excluded from school for longer than 15 school days without a formal hearing unless agreed upon by the Joint Operating Committee and the parent/guardian.</p>
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Informal hearings under this provision shall be conducted by the Principal/Executive Director. Following the informal hearing a student may be suspended up to ten (10) school days.

Exclusion From Class - In-School Suspension

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/guardian shall be informed of the suspension action taken by the Career Center.

Title 22
Sec. 12.7

Should the in-school suspension exceed then (10) consecutive school days, the student and his/her parent/guardian shall be offered an informal hearing with the designated building administrator. Such hearing shall take place prior to the eleventh day of the in-school suspension.

Reassignment

SC 1318
Title 22
Sec. 12.6, 12.8

2 Pa. C.S.A.
Sec. 101

Reassignment is exclusion from the school by the Joint Operating Committee for a period exceeding ten (10) school days. The Joint Operating Committee may permanently reassign from the Career Center rolls any student whose misconduct and disobedience warrants this sanction. No student shall be reassigned without an opportunity or a formal hearing before the Joint Operating Committee, a duly authorized committee of the Joint Operating Committee, or by a qualified hearing examiner appointed by the Joint Operating Committee and upon action taken by the Joint Operating Committee after the hearing.

A formal hearing shall be required in all reassignment actions.

A written adjudication shall be issued after the Joint Operating Committee has acted to reassign a student. The adjudication may include additional conditions or sanctions.

The parent/guardian and Administration may agree to the terms of a reassignment by way of a formal written Discipline Agreement in lieu of a formal hearing. The Discipline Agreement shall be presented for consideration by the Joint Operating Committee.

Hearings

A student 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 the Career Center.

2 Pa. C.S.A.
Sec. 101 et. Seq.

The Joint Operating Committee prefers that the formal hearing shall be closed to the public. If the student and/or his/her parents wish, the hearing may be held publicly.

Title 22
Sec. 12.6, 12.8

Each suspended student involved in a formal hearing shall be restored to a regular educational program pending the outcome of the hearing.

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; sufficient 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; disclosure of the names of witnesses and copies of written statements or affidavits of witnesses; the right to request such witnesses appear in person and answer questions or be cross-examined; the right to testify and present witnesses on the student's behalf; the hearing shall be held with all reasonable speed; recording of the proceedings; a copy of the transcript at the student's expense.

Attendance Requirements

Title 22
Sec 12.6 (e)

The student under seventeen (17) years of age who is reassigned has forfeited his/her right to an education in the school, but s/he has not been excused from compliance with the compulsory attendance statute applicable to the home school.

Students with Disabilities

Title 22
Sec. 12.4
12.6 (a)

When a student with an Individualized Education Plan faces suspension or reassignment, the Career Center shall ensure that it complies with all applicable state and federal laws and regulations and Joint Operating Committee Policies.

The Executive Director shall develop rules and regulations to implement this policy which include:

2. Delegation of
Responsibility

1. Publication of a Student Code of Conduct.
2. Procedures that ensure due process when depriving a student the right to attend the Career Center.
3. The name of a student whose conduct has been disciplined shall not become part of the agenda or minutes of a public meeting, not part of any public record of the Joint Operating Committee; but such student may be designated by number or code.

References:

Local Agency Law - 2 Pa. C.S.A. Sec. 101 et seq

School Code - 24 P.S. Sec 1318

State Board of Education Regulations - 22 PA Code Section 12.3, 12.4, 12.6, 12.8