

The Principal of a school may suspend any pupil for any violation of the Student Code of Conduct and/or state criminal law occurring at or disrupting school or a school function.

I. SUMMARY SUSPENSION

If the Principal witnesses any serious student misconduct and immediate removal of the student(s) is necessary to restore order or to protect persons on the school grounds, the Principal may, after hearing from the student, suspend the student immediately for not more than 10 school days.

Once a Principal has decided to suspend a student, he/she will follow the procedures described below for sending a student home during the school day.

II. SHORT-TERM SUSPENSION

A short-term suspension is a denial to a student of the right to attend school and to take part in any school function for any period of time but not longer than 10 school days. The principal may invoke a short-term suspension after conducting a (Level I) investigation that will at a minimum consist of a formal or informal interview with the student wherein the principal will explain the nature of the offense and give the student an opportunity to respond.

III. SENDING A SUSPENDED STUDENT HOME DURING THE SCHOOL DAY

When a student is suspended, the Principal will attempt to reach the student's parents or legal guardian (hereinafter the term parent(s) including legal guardian) to inform them of the school's action and to request that they come to the school for their child. If the parents are unable to come for their child, or if the Principal cannot reach the parents, the student must remain on school property until the close of the school student day (except that a high school student may be sent home if there is a parent at home).

Notwithstanding the above requirement that a suspended student be released only to a parent, the Principal may order a students to leave the school premises immediately when he/she is faced with mass violations to school rules, and it is not possible to keep a student on school grounds and restore order to protect people on the school grounds. Even in this case, distance to home and the age and sex of the individual student may require keeping him/her until the parents can be contacted.

IV. INFORMING THE PARENTS IN CASES OF SHORT-TERM SUSPENSION

When a student is suspended, the Principal will:

1. Send a statement to the parents fully describing the misconduct, stating the rule violated, and stating the Principal's reasons for action;

2. Make every effort to confer with parents before or at the time of the students return to the school;
3. Secure written statements and keep on file all documents and relevant information received about the misconduct.

V. IN-SCHOOL SUSPENSION PROGRAM

The In-School Suspension (ISS) program is designed to provide a student with a school-based consequence rather than to suspend them out of school. A student assigned to ISS will be afforded appropriate due process. The program is designed to isolate a student from the regularly assigned classrooms and activities of the school until he/she demonstrates sufficient adjustment to warrant returning to his/her previously assigned classes. The program allows the student to continue progress relative to classroom assignments.

When a student is assigned to the ISS program, the Principal/designee will attempt to reach the student's parents or legal guardian to inform them of the school's action. A letter will be sent to the parents stating the rule violated, the period of suspension and the rules of the ISS Program.

The two types of ISS programs provided for students are:

- ISS - this program is housed in the regularly assigned school.
- Alternative School – this placement is specifically organized to house students suspended for five days.

VI. SUSPENSION OR EXPULSION OF STUDENTS WITH DISABILITIES

Students with Disabilities (SWD) served with an Individualized Education Plan (IEP) or a 504 plan must be afforded a meeting to determine if the misconduct is related to or caused by the diagnosed disability or the School District's failure to follow the student's IEP. If it is concluded that the misconduct is the result of a diagnosed disability, or the School District's failure to follow the IEP, the student may not receive further consequences. If it is determined that the misconduct is not directly related to the diagnosed disability, the student then is subject to discipline, however, under no circumstances can special educational services be discontinued altogether for a student served under the Individuals with Disabilities in Education Act (IDEA).

VII. LONG-TERM SUSPENSION/EXPULSION

Where the suspension/expulsion is for a period in excess of 10 days or where outright expulsion is involved, either for the remainder of the school year or longer, the student must be afforded (Level II) due process rights of notice and hearing. Level II due process

procedures are more formal than those involving a suspension for 10 days or less. In the case of long-term suspension/expulsion, due process will include those procedures required by O.C.G.A. § 20-2-754, as amended.

VIII. SCHEDULING THE HEARING

In accordance with state law, due process hearings must generally occur within 10 school days of a student's short-term suspension from school. This time period may be extended upon the parent's or adult student's written request or to conclude complicated investigations. In order to postpone a hearing based upon the parent's or adult student's request, the parent must agree, in writing, to waive the scheduling requirement and keep the student out of school until the hearing can be rescheduled. If the hearing is postponed as a result of the school's request or because the student is served by an IEP or 504 plan, the student will be allowed to return to ISS or school-based alternative school pending the rescheduled hearing. In some cases, a student may be returned to school prior to a hearing as a result of their IEP or 504 plan.

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Cherokee County Board of Education