

STUDENT SUSPENSION/EXPULSION REGULATIONS

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

II. SUSPENSION AND EXPULSION: GENERALLY

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

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

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

III. GROUNDS FOR SUSPENSION AND EXPULSION

A. Grounds for Suspension

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

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

87
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:

- 192
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
197 2. The School Board may ask for opening statements from the principal or
198 principal's representative and the student or the student's parent(s)/guardian(s)
199 (or their representative) and, at the discretion of the School Board, may allow
200 closing statements.
- 201
202 3. The parties then present their evidence. Because the principal has the ultimate
203 burden of proof, the principal presents evidence first. Witnesses may be
204 questioned by School Board Members and by the parties (or their
205 representative). The School Board may, at its discretion, vary this procedure,
206 but it affords full opportunity to both parties for presentation of any material
207 or relevant evidence and affords the parties the right of cross examination
208 provided; however, the School Board may take the testimony of student
209 witnesses outside the presence of the student, the student's
210 parent(s)/guardian(s), and their representative if the School Board determines,
211 in its discretion, that such action is necessary to protect the student witness.
- 212
213 4. The parties will produce such additional evidence as the School Board may
214 deem necessary. The School Board is the judge of the relevancy and
215 materiality of the evidence.
- 216
217 5. Exhibits offered by the parties may be received in evidence by the School
218 Board and, when so received, are marked and made part of the record.
- 219
220 6. The School Board may, by majority vote, uphold, reject, or alter the
221 recommendations.
- 222
223 7. The School Board transmits its decision, including the reasons therefor, to the
224 student, the student's parent(s)/guardian(s), the principal, and Superintendent.

225 226 **V. READMISSION PROCESS FOR EXPELLED STUDENTS**

227
228 As directed by Policy JGD/JGE, the Superintendent has established the following process
229 and schedule pursuant to which expelled students may apply and reapply for readmission
230 to school.

231
232 Students who are expelled from the Alexandria City Public Schools and who are not
233 permitted during the expulsion to return to regular school attendance or to attend an
234 alternative education program, may petition for readmission to be effective one (1) year
235 after the date of the expulsion. The process for the readmission of any expelled student is
236 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
- 248 B. Within twenty-one (21) days of the receipt of a written petition for readmission, the
249 Department of Student Services, Alternative Programs and Equity will schedule a
250 hearing before the Executive Director of Student Services or designee. At the time of
251 the hearing, the student and/or parent(s)/guardian(s) must come prepared to explain
252 why the student should be readmitted to school, and how the school can be assured
253 that the student's behavior has improved and that there will be no recurrences of
254 inappropriate behavior. If any conditions for readmission had been imposed by the
255 School Board at the time of the student's expulsion, the hearing will review whether
256 all of those conditions have been achieved. The Executive Director of Student
257 Services or designee will issue a written decision within seven (7) days of the
258 hearing. The parent(s)/guardian(s) and/or student will receive a copy of the decision.
259
- 260 C. Parent(s)/guardian(s) and/or the student may appeal the decision of the Executive
261 Director of Student Services or designee to the School Board within five days of
262 receiving that decision. A copy of the Executive Director's or designee's decision, a
263 copy of the expulsion decision, and any other materials which have been submitted
264 concerning the expulsion, and petition for readmission will be provided to the Board.
265 The Board may, but need not, hold a further hearing. The Board issues its decision
266 within 21 days of convening to consider the appeal.
267
- 268 D. Where a petition for readmission is denied, a student (or if applicable, the student's
269 parent(s)/guardian(s)), may reapply on an annual basis in accordance with the above
270 schedule.
271

272 **VI. COMMUNICATION WITH PARENT(S)/GUARDIAN(S)**
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274 All incidents resulting in recommendations for suspension or expulsion are documented
275 by school administrators. All such required documentation is maintained by ACPS.
276 Incident reports and all communications to the student's parents/guardians will be in the
277 parents'/guardians' preferred language. In addition, ACPS will provide written
278 notification of a student's rights throughout the entirety of the disciplinary process to the
279 parents/guardians. This includes, but is not limited to, procedural steps and safeguards,
280 the right to appeal, and the right to legal representation. ACPS will also provide
281 parents/guardians with a list of pro bono legal resources.
282

283 Established: September 5, 1996

284 Revised: July 10, 1997

285 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

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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.

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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