

REGULATION

UNION COUNTY
EDUCATIONAL
SERVICES COMMISSION
PUPILS

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Suspension Procedures

**THIS REGULATION 5610 REPLACES EXISTING REGULATION 5610 IN ITS
ENTIRETY**

R 5610 SUSPENSION PROCEDURES

A. Short-Term Suspensions

- 1. In each instance of a short-term suspension, the Principal or designee, shall assure the rights of a student suspended for one, but not more than ten consecutive school days by providing for the following:**
 - a. As soon as practicable, oral or written notice of charges to the student.**
 - (1) When charges are denied, an explanation of the evidence forming the basis of the charges also shall be provided.**
 - b. Prior to the suspension, an informal hearing during which the student is given the opportunity to present his or her version of the events regarding his or her actions leading to the short-term suspension and is provided notice of the school district's actions taken pursuant to N.J.A.C. 6A:16-7.1(c)2 and 5.**
 - (1) The informal hearing shall be conducted by a school administrator or designee;**
 - (2) To the extent that a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the educational process, the student may be immediately removed from the student's educational program and the informal hearing shall be held as soon as practical after the suspension;**
 - (3) The informal hearing should take place even when a school staff member has witnessed the conduct forming the basis of the charge; and**
 - (4) The informal hearing and the notice given may take place at the same time.**
 - c. Oral or written notification to the student's parent of the student's removal from the student's educational program prior to the end of**

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the school day on which the Principal decides to suspend the student. The notification shall include an explanation of:

- (1) The specific charges;
 - (2) The facts on which the charges are based;
 - (3) The provision(s) of the code of student conduct the student is accused of violating;
 - (4) The student's due process rights, pursuant to N.J.A.C. 6A:16-7.1(c)3 and N.J.A.C. 6A:16-7.2; and
 - (5) The terms and conditions of the suspension.
- d. Appropriate supervision of the student while waiting for the student's parent to remove the student from school during the school day; and
- e. Academic instruction, either in school or out of school, that addresses the New Jersey Student Learning Standards.
- (1) The student's academic instruction shall be provided within five school days of the suspension.
 - (2) At the completion of a short-term suspension, the Board of Education shall return a general education student to the general education program for which he or she was suspended.
 - (3) The academic instruction provided to a student with a disability shall be provided consistent with N.J.A.C. 6A:14.
2. The Principal suspending the student shall immediately report the suspension to the Superintendent, who shall report it to the Board of Education at its next regular meeting, pursuant to N.J.S.A. 18A:37-4.
 3. An appeal of the Board's decision affecting the general education student's educational program shall be made to the Commissioner, in accordance with N.J.S.A. 18A:37-2.4 and N.J.A.C. 6A:3-1.3 through 1.17.
 4. For a student with a disability, the provisions set forth in N.J.A.C. 6A:16-7.2 shall be provided in addition to all procedural protections set forth in N.J.A.C. 6A:14.

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B. Long-Term Suspensions

Long-term suspensions shall not be utilized. Instead, the Commission suspends a student pending an administrative hearing to determine if disenrollment is warranted. Such hearing shall be convened within ten days with the sending district and parents. If the student is disenrolled, he/she is returned to the sending district for alternate educational programs. If the student is not disenrolled, he/she returns to the Commission's educational program.

Adopted: January 6, 2016

Revised: