



## **Suspension and Expulsion Policy**

**Introduction.** Propel Charter Schools recognizes that exclusion from the educational program of the school, whether by suspension or expulsion, is the most severe sanction that can be imposed on a scholar and one that cannot be imposed without due process. The Propel Board of Trustees may, after a proper hearing, expel a scholar for such a time as it deems necessary or may permanently expel him/her.

### **Objective**

It is the objective of this policy to specify the procedures related to suspensions and expulsions. The types of offenses that may result in exclusions from school are specified in the Student Code of Conduct, other Board policies, and in scholar handbooks and administrative procedures that are communicated to scholars and parents.

### **Policy**

#### **Suspension (Exclusion from School)**

The Principal may suspend any scholar for disobedience or misconduct for a period of one (1) to ten (10) consecutive school days. The principal shall notify the parents or guardians of the scholar and the Superintendent/CEO in writing when the scholar is suspended and the reasons for such suspension.

No scholar 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 school official who holds the authority to reinstate him/her. Prior notice is not required where it is clear that the health, safety or welfare of the school community is threatened. Parents or guardians shall be notified immediately in writing when the scholar is suspended.

When a suspension exceeds three (3) school days, the scholar and parent(s)/guardian will be given the opportunity for an informal hearing with the designated school official. The scholar and parent(s)/guardian will be given sufficient notice of the time and place of the hearing. The school shall offer to hold the informal hearing within the first five (5) days of the suspension. At the hearing, the scholar and parent(s)/guardian shall have the right to question any witnesses present and to speak and produce witnesses on his or her own behalf. There is no right to counsel at an informal hearing.

Suspensions shall not be made to run consecutively beyond the ten (10) school day period. Scholars shall make up work and exams missed during suspension.

#### **Exclusion from Classes (In-School Suspension)**

Where determined by the principal to be appropriate, a scholar may receive an in-school suspension. A scholar may not receive an in-school suspension unless the scholar is informed of the reason for the suspension and is given the opportunity to respond before the suspension becomes effective.

The parent(s)/guardian shall be advised of the suspension action.

If the in-school suspension exceeds ten (10) consecutive school days, the scholar and her or his parent(so/guardian shall be offered an informal hearing with the principal prior to the eleventh school day.

Propel Schools shall provide for the education of the scholar during the period of in-school suspension.

### Expulsion

The Board of Trustees may either expel for a period exceeding ten (10) consecutive school days or may permanently expel from the school rolls any scholar whose misconduct and disobedience is such as to warrant this sanction, as determined by the Board of Trustees. The Board of Trustees may allow an expelled scholar to apply for readmission, and may impose conditions for such readmission.

### Due Process - Expulsion Hearings

A formal hearing shall be required in all expulsion actions. The formal hearing shall observe the following due process requirements

Notification of the charges in writing by certified mail to the scholar's parent/guardian.

1. At least three (3) days' notice of the time and place of the hearing, which notice shall include a copy of this policy, hearing procedures, and notice of the right to representation by legal counsel. A scholar may request the rescheduling of the hearing when s/he demonstrates good cause for an extension.
2. The hearing shall be private unless the scholar or parent/guardian requests a public hearing.
3. Representation by counsel at the parent's/guardian's expense and parent/guardian may attend the hearing.
4. Disclosure of the names of witnesses against the scholar and copies of their written statements or affidavits.
5. The right to request that witnesses against the scholar appear in person and answer questions or be cross-examined.
6. The right to testify and present witnesses on the scholar's behalf.
7. A written or audio record shall be kept of the hearing and a copy made available to the scholar at the scholar's expense, or at no charge if the scholar is indigent.
8. The hearing shall be held within fifteen (15) school days of the notice of charges, unless a delay is mutually agreed to by both parties or delay is necessary due to
  - a. The need for laboratory reports from law enforcement agencies.
  - b. The pendency of evaluations or other court or administrative proceedings based on a scholar invoking his/her rights under the Individuals with Disabilities Education Act (IDEA).
  - c. The condition or best interests of the victim in cases of juvenile or criminal court involving sexual assault or serious bodily injury.
9. Notice of a right to appeal the results of the hearing shall be provided to the scholar with the expulsion decision.

*Adjudication.* A written adjudication shall be issued after Propel Schools has acted to expel a scholar. The adjudication may include additional conditions or sanctions.

*Attendance/School Work During Suspension And Before Expulsion.* Scholars

serving an out-of-school suspension must make up missed exams and work and shall be permitted to complete assignments pursuant to established guidelines. Scholars who are facing an expulsion hearing must be placed in their normal classes if the formal hearing is not held within the ten-school day suspension. If it is not possible to hold the formal hearing within the first ten (10) school days, the school may exclude such a scholar from class for up to five (5) additional – fifteen (15) total – school days if, after an informal hearing, it is determined that the scholar's presence in his/her normal class would constitute a threat to the health, safety or welfare of others. Any further exclusion prior to a formal hearing may be only by mutual agreement. Such scholars shall be given alternative education, which may include home study.

*Attendance/School Work After Expulsion.* Scholars who are under seventeen (17) years of age are still subject to compulsory school attendance even though expelled and shall be provided an education.

The parent/guardian has the initial responsibility of providing the required education and shall, within thirty (30) days, submit written evidence to the school that the required education is being provided or that they are unable to do so. If the parent/guardian is unable to provide for the required education, the school shall, within ten (10) days of receipt of the parent's/guardian's notification, make provision for the scholar's education.

Propel Schools may provide an educational program to the scholar immediately upon expulsion and may waive the 30-day period, at its discretion.

*Students With Disabilities.* A scholar with a disability shall be provided educational services as required by state and federal laws and regulations and Propel Schools policies.

**Administration**

The Superintendent or his/her designee shall develop administrative procedures to implement this policy. The procedures will include

1. Publication of a Code of Conduct, in accordance with Propel Schools policy on scholar discipline.
2. Procedures that ensure due process when a scholar is being deprived of the right to attend school.
3. Procedures regarding scholar records that require that records of disciplinary suspension be maintained in accordance with Propel Schools policy on scholar records.
4. The name of a scholar who has been disciplined shall not become part of the agenda or minutes of a public meeting, nor part of any public record of the school. Such scholars may be designated by code.
5. Any scholar who has been expelled may apply for readmission to school upon such conditions as may be imposed by Propel Schools.

<b>Approved By</b>	<b>Date</b>
Dr. Tina Chekan	8/21/23
Board of Trustees	8/21/23