

Students

This policy becomes effective and replaces the policy on *Suspension Procedures* on the first student attendance day of the 2016-17 school year.

Suspension Procedures

The resident district of a student enrolled in a SEDOL program has the legal jurisdiction in matters of student suspension. Gross disobedience or misconduct by students in SEDOL programs may result in a recommendation to the student's district of residence that he/she be suspended.

In-School Suspension

At the first indication of a need to suspend a student, the teacher shall immediately contact the supervisor of the sector/program. The supervisor then contacts the district of residence designated administrator or alternate designee for permission to suspend. If the designated district administrator or alternate cannot be reached in a timely basis, a SEDOL central office administrator will make the determination on behalf of the district of residence. The SEDOL supervisor then follows up with a notification letter to the parents/guardian indicating the reason for suspension and indicating a contact at the student's district of residence regarding hearing rights and procedures. The SEDOL supervisor will also follow up with the district administrator regarding the reason for the suspension.

The Superintendent or designee is authorized to maintain an in-school suspension program. The program shall include, at a minimum, each of the following:

1. Before assigning a student to in-school suspension, the charges will be explained and the student will be given an opportunity to respond to the charges.
2. Students are supervised by licensed school personnel.
3. Students are given the opportunity to complete classroom work during the in-school suspension for equivalent academic credit.

Out-of-School Suspension

The Superintendent or designee shall implement suspension procedures that provide, at a minimum, for each of the following:

1. A conference during which the charges will be explained and the student will be given an opportunity to respond to the charges before he or she may be suspended.
2. A pre-suspension conference is not required, and the student can be immediately suspended when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such cases, the notice and conference shall follow as soon as practicable.
3. Any attempted phone call to the student's parent/guardian.
4. A written notice of the suspension to the parent/guardian and the student, which shall:
 - a. Provide notice to the parent/guardian of their child's right to a review of the suspension;
 - b. Include information about an opportunity to make up work missed during the suspension for equivalent academic credit;
 - c. Detail the specific act of gross disobedience or misconduct resulting in the decision to suspend;

- d. Provide rationale or an explanation of how the chosen number of suspension days will address the threat or disruption posed by the student or his or her act of gross disobedience or misconduct; and
- e. Depending upon the length of the out-of-school suspension, include the following applicable information:
 - i. For a suspension of 3 school days or less, an explanation that the student's continuing presence in school would either pose:
 - a) A threat to school safety, or
 - b) A disruption to other students' learning opportunities.
 - ii. For a suspension of 4 or more school days, an explanation:
 - a) That other appropriate and available behavioral and disciplinary interventions have been exhausted.
 - b) As to whether school officials attempted other interventions or determined that no other interventions were available for the student, and
 - c) That the student's continuing presence in school would either:
 - i) Pose a threat to the safety of other students, staff, or members of the school community, or
 - ii) Substantially disrupt, impede, or interfere with the operation of the school.
 - iii. For a suspension of 5 or more school days, the information listed in section 4.e.ii., above, along with documentation by the Superintendent or designee determining what, if any, appropriate and available support services will be provided to the student during the length of his or her suspension.
- 5. A summary of the notice, including the reason for the suspension and the suspension length, must be given to the Board by the Superintendent or designee.
- 6. The first time a student is removed for more than 10 cumulative days during the school year, the District shall, no later than 10 school days after the decision to suspend a student is made, convene an IEP meeting to review and, if appropriate, modify the student's behavior intervention plan, as necessary, to address the student's behavior. If no behavior intervention plan is in place, the IEP team shall develop a plan for a functional behavioral assessment that must be used to develop a behavior intervention plan. In addition, the supervisor shall determine whether a change in placement has occurred necessitating a determination by the IEP team as to whether the student's conduct was a manifestation of the student's disability. In making this determination the supervisor shall consider (1) whether the child's behavior is substantially similar to the child's behavior in previous incidents resulting in suspensions and (2) the length of each removal, the total days of suspension and the proximity of the suspensions to one another.
- 7. For all subsequent removals of the student that do not constitute a change in placement, the IEP team members must review the behavior intervention plan and its implementation. If any team member indicates that the plan may need to be modified, the IEP team must be convened to review the plan and revise it, if appropriate. In addition, the supervisor must determine, consistent with the criteria in Paragraph 2 whether a change in placement has occurred necessitating an IEP meeting to conduct a manifestation determination review.
- 8. For all removals that exceed 10 cumulative days during one school year, the District shall provide services to the student. School personnel, in conjunction with the student's teacher,

shall determine the services to be provided. Such services must be designed to enable the student to progress in the general curriculum and IEP goals.

9. Upon request of the parent/guardian, a review of the suspension shall be conducted by the district of residence Board or a hearing officer appointed by that Board. At the review, the student's parent/guardian may appear and discuss the suspension with the Board or its hearing officer and may be represented by counsel. Whenever there is evidence that mental illness may be the cause for the suspension, the district of residence shall invite a representative from the Department of Human Services to consult with the Board. After presentation of the evidence or receipt of the hearing officer's report, the Board shall take such action as it finds appropriate. If the suspension is upheld, the Board's written suspension decision shall specifically detail items (a) and (e) in number 4, above.

LEGAL REF.: 105 ILCS 5/10-22.6.
Goss v. Lopez, 95 S.Ct. 729 (1975).
Sieck v. Oak Park River-Forest High School, 807 F.Supp. 73 (N.D. Ill., E.D., 1992).

CROSS REF.: 5:100 (Staff Development), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities)

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