Students

Suspension Procedures

In-School 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. An attempted phone call to the student's parent(s)/guardian(s).
4. A written notice of the suspension to the parent(s)/guardian(s) and the student, which shall:
    a. Provide notice to the parent(s)/guardian(s) 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:

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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.

d) Of what, if any, appropriate and available support services will be provided to the student during the length of his or her suspension, as determined by the Superintendent or designee.

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. Upon request of the parent(s)/guardian(s), a review of the suspension shall be conducted by the Board or a hearing officer appointed by the Board.

a. At the review, the student and his or her parent(s)/guardian(s) may appear with a representative of their choice and at their expense, be accompanied by a support person of their choice and at their expense, disclose any factor to be considered in mitigation (including the student's status as a parent, expectant parent, or victim of domestic or sexual violence as defined in 105 ILCS 5/26A), and discuss the suspension with the Board or its hearing office. Any representative and support person must comply with hearing rules and may be prohibited from further participation if they violate the rules or engage in behavior or advocacy that harasses, abuses, or intimidates either party, a witness, or anyone else in attendance at the hearing.

b. If the review involves allegations of sexual violence by the student, neither the student nor the student's representative shall directly question nor have direct contact with the alleged victim. The student or the student's representative may, at the discretion of the Board or its hearing officer, suggest questions to be posed by the Board or its hearing officer to the alleged victim.

c. Whenever there is evidence that mental illness may be the cause for the suspension, the Superintendent or designee shall invite a representative from a local mental health agency to consult with the Board.

d. 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.

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LEGAL REF.: Goss v. Lopez, 419 U.S. 565 (1975).
105 ILCS 5/10-20.14, 5/10-22.6.
23 Ill.Admin.Code §1.280.

CROSS REF.: 5:100 (Staff Development Program), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:220 (Bus Conduct)

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