 **No. 228**

 **SECTION: PUPILS**

**TITLE: SUSPENSION AND EXPULSION**

**MEDICAL ACADEMY ADOPTED: 10/8/13**

**CHARTER SCHOOL REVISED:**

 228. SUSPENSION AND EXPULSION

The Board 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 student in this school and one that cannot be imposed without due process. The Board may, after a proper hearing, temporarily or permanently expel him/her.

Suspension (Temporary Exclusion From School)

The administration may suspend any pupil for disobedience or misconduct for a period of one (1) to ten (10) consecutive school days.

No student may be suspended without notice of the reasons for which s/he is suspended and an opportunity to be heard in his/her own behalf before the school official who holds the authority to reinstate him/her.

When the suspension exceeds three (3) school days, the student and parent(s)/guardian will be given the opportunity for an informal hearing with the administrator.

In-School Suspension (Temporary Exclusion From Class)

No student may receive an in-school suspension without notice of the reason for which s/he is suspended and an opportunity to be heard prior to the time the suspension becomes effective. The parent(s)/guardian shall be informed of the suspension action taken by the school.

Should the in-school suspension exceed ten (10) consecutive school days, the student and his/her parent(s)/guardian shall be offered an informal hearing with the administrator. Such hearing shall take place prior to the eleventh day of the in-school suspension.

 Expulsion (Exclusion from School for More Than 10 Days)

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The Board may either expel for a period exceeding ten (10) school days or may permanently expel from the rolls of this school any students whose misconduct and disobedience is such as to warrant this sanction.

Final expulsion action must be taken by the Board following a formal hearing or waiver of hearing.

A student under seventeen (17) years of age who is expelled has forfeited his/her right to an education in this school but has not been excused from compliance with the compulsory attendance statute.

Parents or guardians who are unable to provide an alternative education program for their child shall submit a written statement within thirty (30) days that they are unable to do so.

If the parents cannot provide an alternative education program, the school may take action to ensure that the student will receive a proper education.

Hearings

Students expelled will be afforded a hearing as required by law.

Transfer Students

It is the policy of the school to give full faith and credit to the decision of another school entity suspending or expelling a student for disciplinary reasons. The school will honor unfinished suspensions or expulsions that were imposed by other school entities. In the case of a student who withdraws from another school entity in the face of an expulsion hearing where the school entity does not conclude the expulsion hearing, it is the policy of the school to give the student the opportunity for a hearing to determine whether an expulsion should be implemented.

No exceptions will be granted except in compelling and extraordinary circumstances. Any student affected by this policy shall, upon request and after providing satisfactory evidence of residence, have the opportunity for a hearing before the board. In the case of a student suspended or expelled from another school, the sole purposes of any such hearing shall be to address any questions concerning whether the student was suspended or expelled or the term of the suspension or expulsion, any compelling and extraordinary circumstances, and any questions concerning the student’s residence. The hearing is not for the purpose of retrying guilt or innocence of the charges on which the student was suspended or expelled. In the case of a student who withdraws from another school entity in the face of an expulsion hearing where the school entity does not conclude the expulsion hearing, the purpose of the hearing will be to determine guilt or innocence of the charges, whether an expulsion should be implemented, the terms of any expulsion, and any questions concerning the student’s residence.

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References:

School Code1318

PA Code Title 22 Sec. 12.6, 12.7, 12.8, 12.1, 12.3

PA Statute 42 Pa. C.S. Sec. 6301to 6308