

Policy

SUSPENSION OF STUDENTS

Code JKD Adopted 10/20/1988 Latest Review: 8/15/2024 Latest Revision: 8/15/2024

The board acknowledges that serious breaches of acceptable standards of behavior may result in suspension from school in accordance with applicable state and federal law and regulation and district policy. The district will provide due process of law to students whose misconduct may result in suspension and to their parents/legal guardians.

Suspension is the exclusion of a student from school and school activities for a period of time not to exceed 10 school days for any one offense or 30 days in any one school year. For purposes of this policy, suspension may mean either suspension from school or in-school suspension.

A student suspended from school may only enter the school or school grounds for a prearranged conference with the principal.

The district may provide educational services in an alternative education setting or virtually to a student suspended under this policy.

Delegation of Authority

In accordance with state law, the board may suspend a student from school for commission of any crime, gross misbehavior, persistent disobedience, or for violation of rules and regulations. The board may also suspend a student when the presence of the student is detrimental to the best interest of the school. The board delegates this power of suspension to the school principal or his/her designee.

Board Review of a Suspension

Board review of suspensions is discretionary. However, the board will review a suspension that occurs within the last 10 days of the school year which would make a student ineligible to receive credit for the school year unless the presence of the student constitutes an actual threat to a class or a school or a hearing is granted within 24 hours of the suspension.

Suspension of Students with Disabilities

Whenever a student with disabilities commits a suspendable offense, the principal or his/her designee will confer with the *(insert job title of the individual who coordinates the district's special education program)* before initiating suspension procedures which would result in a suspension in excess of 10 consecutive days or a pattern of cumulative suspensions which constitute a change in placement in accordance with policy JICDA, *Code of Conduct*.

In-School Suspension

Schools may provide in-school suspension as an alternative to traditional suspension. The main objectives for this program are to keep students in school and to give suspended students the opportunity to maintain their academic work on a daily basis.

Adopted 10/20/88; Revised 5/23/91, 8/19/93, 5/16/02, 3/15/12, 7/16/15, 8/15/24

Legal References:

A. S.C. Code of Laws, 1976, as amended:

1. Section 59-19-90(3) - Authority of board to regulate student conduct.
2. Section 59-63-210, *et seq.* - Grounds for suspension, expulsion, or transfer.

Florence County School District 3
Administrative Rule
for

JKD - SUSPENSION OF STUDENTS

Revised 8/15/2024

The board has conferred authority on the school principal to suspend a student from a teacher's class or from school and school activities for a period of time not to exceed 10 school days for any one offense or 30 days in any one school year.

Principals should consider the following factors in determining the appropriateness of suspending a student:

- the student's age
- the student's disciplinary history and previous interventions
- the student's eligibility as a student with a disability
- the seriousness of the violation committed by the student, including any aggravating or mitigating circumstances
- the threat posed to any student or staff as a result of the student's conduct
- the likelihood that a lesser intervention would effectively address the violation

Procedure for Suspension

The following procedures will be followed for all suspensions unless the student is suspended pending an expulsion proceeding, in which case the expulsion procedures outlined in policy JKE, *Expulsion of Students*, will apply. The principal will send a report of all suspensions to the superintendent.

Informal hearing/ meeting

At the time a principal has determined that suspension may be warranted, the principal will have a conference with the student. During this conference, the principal will notify the student of the charges against him/her. If the student denies the charges, the principal will offer the student an explanation of the evidence and an opportunity to present his/her version of events. The principal will keep a record of this informal hearing and parent contact must be made.

Notice

On the day of suspension, the principal will provide to the student and send, by regular mail or hand deliver to the parent/ guardian, written notice of the suspension to the student's parent/legal guardian. The notice will state the reason(s) for the action taken, the effective dates of suspension, the parent/legal guardian's right to a conference with the principal, and a proposed time and place for the conference. This written notice will also advise the parent/legal guardian of his/her right to appeal an unfavorable decision to the superintendent.

In the event the principal receives no response to the letter within 48 hours, he/she will send a copy of the original letter to the parent/legal guardian by certified mail.

Parent conference

At the parental conference, the principal will discuss the charges and suspension with the student and the parent/legal guardian. He/she will also discuss the proposed remedy and any follow-up procedures deemed desirable.

Florence County School District 3

Appeal to the superintendent

The principal will advise the parent/legal guardian of the right to appeal the principal's decision to the superintendent or his/her designee. The parent/legal guardian must give notice of his/her intent to appeal to the principal within three school days of the parent conference. The principal will promptly, upon receipt of such notice, contact the superintendent's office and schedule a date for the appeal.

The superintendent or his/her designee will schedule a conference upon request with any parent/legal guardian requesting appeal of a suspension. The superintendent may vacate or revise the principal's suspension action if he/she believes such action to be inadvisable.

The superintendent will inform the parent/legal guardian at the time of the conference, or within 24 hours after the conference, of his/her decision. Written notice of the decision and notice that the parent/legal guardian may petition the board for a review of the decision, will also be provided to the parent/legal guardian by regular mail. The parent/legal guardian must give notice of his/her desire for the board to review the superintendent's decision within three school days of the parent conference.

Appeal to the board

Board review of a student suspension is discretionary. The superintendent will inform the board of a parent/legal guardian's desire for review of a suspension. During the next board meeting for which sufficient public notice can be provided in accordance with the South Carolina Freedom of Information Act, the board will make a determination as to whether it will review the suspension.

In accordance with state law, the board will automatically hear suspensions occurring within the last 10 days of the school year which would make a student ineligible to receive credit for the school year unless the presence of the student constitutes an actual threat to a class or a school.

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