

# CARBON CAREER & TECHNICAL INSTITUTE

SECTION: PUPILS

TITLE: SUSPENSION AND EXPULSION

ADOPTED: September 15, 2005

REVISED: March 15, 2007

## 233. SUSPENSION AND EXPULSION

### 1. Purpose

The Joint Operating Committee 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 and one that cannot be imposed without due process.

### 2. Authority SC 1318, 1850.1 Title 22 Sec. 12.6, 12.8

The Joint Operating Committee may, after a proper hearing, suspend a student for such time as it deems necessary or may permanently expel a student.

### 3. Guidelines

#### Exclusion From School - Suspension

#### SC 1318 Title 22 Sec. 12.6

The building principal may suspend any student out-of-school for disobedience or misconduct for a period of one (1) to ten (10) consecutive school days and shall report the suspension to the Administrative Director and sending school as soon as possible.

Out-of-school suspension of a student, resulting from circumstances within either jurisdiction, shall run concurrently at each.

No student 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 the student. Prior notice is not required where it is clear that the health, safety or welfare of the school population is threatened. The parents/guardians and Administrative Director shall be notified immediately in writing when a student is suspended out-of-school.

When the out-of-school suspension exceeds three (3) school days, the student and parent/guardian will be given the opportunity for an informal hearing with the designated school official. Such hearing shall take place as soon as possible after the suspension, and the school shall offer to hold it within the first five (5) days of the suspension.



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<p>Pol. 113.1</p> <p>2 Pa. C.S.A. Sec. 101 et seq</p> <p>Title 22 Sec. 12.6, 12.8</p> <p>Title 22 Sec. 12.8</p>	<p><u>Students With Disabilities</u></p> <p>When a student with an Individualized Education Program faces suspension or expulsion, the school shall ensure that it complies with all applicable state and federal laws and regulations and Joint Operating Committee policies.</p> <p><u>Expulsion Hearings</u></p> <p>A formal hearing shall be required in all expulsion actions.</p> <p>The Joint Operating Committee requires that each hearing shall be closed to the public unless the student and/or the parent/guardian requests a public hearing.</p> <p>A formal hearing shall not be unreasonably delayed. If it is not possible to hold a formal hearing within the suspension period, the student shall be placed in his/her normal class, after an informal hearing, unless it is determined that the student would constitute a threat to the health, safety, morals or welfare of others.</p> <p>The formal hearing shall observe the due process requirements of:</p> <ol style="list-style-type: none"><li>1. Notification of the charges in writing by certified mail to the student's parents/guardians.</li><li>2. Sufficient notice of the time and place of the hearing.</li><li>3. The hearing shall be private unless the student or parent/guardian requests a public hearing.</li><li>4. The right to representation by counsel.</li><li>5. Disclosure of the names of witnesses and copies of written statements or affidavits of witnesses.</li><li>6. The right to request such witnesses appear in person and answer questions or be cross-examined.</li><li>7. The right to testify and present witnesses on the student's behalf.</li><li>8. The hearing shall be held with all reasonable speed.</li><li>9. Recording of the proceedings by stenographer or tape recorder.</li><li>10. A copy of the transcript available at the student's expense.</li></ol>
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Adjudication

2 Pa. C.S.A.  
Sec. 101

A written adjudication shall be issued after the Joint Operating Committee has acted to expel a student. The adjudication may include additional conditions or sanctions.

4. Delegation of  
Responsibility

The Administrative Director or designee shall develop rules and regulations to implement this policy which include:

Pol. 218

1. Publication of a Code of Student Conduct, in accordance with Joint Operating Committee policy on student discipline.
2. Procedures that ensure due process when depriving a student the right to attend school.

Pol. 216

3. Regulations regarding student records which require that records of disciplinary suspension be maintained in accordance with Joint Operating Committee policy on student records.
4. The name of a student 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 Joint Operating Committee; but such students may be designated by code.
5. Any student who has been expelled may apply for readmission to school upon such conditions as may be imposed by the Joint Operating Committee.

References:

Local Agency Law – 2 Pa. C.S.A. Sec. 101 et seq

School Code – 24 P.S. Sec. 1318, 1850.1

State Board of Education Regulations – 22 PA Code Sec. 12.3, 12.6, 12.7, 12.8

Joint Operating Committee Policy – 113.1, 216, 218