JKD Suspension of Students

Issued 7/03 Draft/19

Purpose: To establish the basic structure for the suspension of students.

It is the policy of this board to provide due process of law to students, parents/guardians and school personnel through procedures for the suspension or expulsion of students that are consistent with federal law, state law and regulation and local policy.

According to state law, the board may suspend a student from school for commission of any crime, gross immorality, gross misbehavior, persistent disobedience, or for violation of written rules and regulations established by the district board of trustees, a county board or the state board of education. The board may also suspend a student when the presence of the student is detrimental to the best interest of the school.

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. A student may be suspended for any reasons listed in the code of conduct, policy JICDA and administrative rule JICDA-R, for up to ten school days for any one offense.

Out-of-school suspension means the student cannot attend school or be on the school grounds, cannot attend any school-sponsored activity, cannot attend any program at the school in the daytime or at night, and cannot ride a school bus.

The board delegates the power of suspension to the principal or his/her designee.

The board uses the word suspension in this policy to mean either suspension from school or in-school suspension as determined by the principal. Out-of-school suspension means the student cannot attend school or be on the school grounds, cannot attend any school-sponsored activity, cannot attend any program at the school in the daytime or at night, and cannot ride a school bus.

Review of suspensions will be discretionary with the board. However, the board must review a suspension that occurs within the last ten days of the school year which would make a student ineligible to receive credit for the school year.

Whenever a student who is classified as disabled commits a suspendable offense, the principal or his/her designee will confer with the coordinator for special programs 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.

When a student is suspended, the parent/guardian of the pupil will be notified, in writing, of the reasons for such suspension and of a time and place when the administrator who
initiated the suspension is available for a conference with the parent/guardian. The conference will be set within three days of the date of the suspension.

Suspensions may be appealed as follows.

To the principal if the decision to suspend was initially made by a school level administrator other than the principal.

To the district hearing officer if the decision to suspend was initially made by the building principal. In those cases where the appeal was held by the principal, the student may, if he/she chooses, petition the hearing officer for a second appeal conference. Any such petition must be in writing and served on the hearing officer within two school days of the student’s receipt of the decision of the principal. The petition must state the specific basis upon which the student is requesting a second appeal. Whenever the hearing officer receives such a petition, he/she will review the suspension and the appeal, and determine whether to conduct a second appeal conference. Within two days of receipt of the petition, the hearing officer will respond, in writing, noting whether or not a second appeal will be conducted. If there is a second appeal hearing, the student and his/her parent/guardian will inform the hearing officer of their position regarding what has occurred. Following the hearing, if deemed necessary, the hearing officer may collect additional information from staff members, students or others. The hearing officer will provide a written decision on the appeal within two school days following the hearing. The decision of the hearing officer ends the appeals process for suspensions.

Students who are suspended for the third time and each time thereafter in any one school year must be recommended by the school administration to the district hearing officer for review and possible expulsion.

Suspension from school is a possible consequence for Level II (Disruptive Conduct) and Level III (Criminal Conduct) offenses. Students who are suspended may be recommended by the school administration to the district hearing officer for review and possible expulsion. Generally, a student may be recommended for expulsion for a third Level II offense and for any Level III offense.

Identified disabled students with disabilities who are suspended for the third time in any one school year must be referred to the director of special services to determine the appropriateness of the student’s placement.

A periodic report of all suspensions will be submitted to the superintendent or his/her designee.

Adopted 8/27/96; Revised 7/1/03,
Legal references:
S.C. Code, 1976, as amended:
Section 59-19-90(3) - Gives district trustees authority to prescribe rules of pupil conduct, including provisions for suspension or dismissal of those failing to comply with such rules.
Section 59-63-210, et seq. - Grounds for suspension, expulsion or transfer.
Section 59-63-240 - Expulsion hearings—times, procedures, legal rights appeals.