Policy 8350: Student Suspension, Expulsion, and Reinstatement

Approved: *June 29, 2009*
Revised: *May 19, 2014; August 21, 2017; December 3, 2018; July 29, 2024*
Adopted: *July 29, 2024*

LEGAL REF: MCL 380.1309; 380.1310; 380.1311, OAG, 1985-1986, No 6271, p 13 (February 7, 1985)

Board Policies & Rules: *Section 8000: Students*

It is the obligation of the District to maintain a safe and orderly learning environment and ensure that scholars reap the benefits of an education. In instances when a scholar's behavior is impeding education, the Superintendent may suspend only after interventions have been explored and documented, either for a short-term or long-term, or may make a recommendation regarding the permanent expulsion of a scholar guilty of any of the following:

- Willful violation and/or persistent disobedience of any published regulation for scholar conduct authorized, adopted or approved by the Board or as outlined in the Student Handbook;
- Willful misconduct which substantially disrupts, impedes, or interferes with the operation of any school;
- Willful misconduct which substantially impinges upon or invades the rights of others; or
- Disobedience of an order by a teacher, police officer, school security officer or other school authority, when such disobedience can reasonably be anticipated to result in disorder, disruption or interference with the operation of any school or substantial and material impingement upon or invasion of the rights of others.

The District will implement interventions and utilize alternatives to suspension when possible to ensure that discipline measures are corrective and not purely punitive. Before suspending or expelling a scholar, the superintendent, principal or designee, or hearing officer will consider the following factors:

- The scholar's age;
- The scholar's disciplinary history;
- Whether the scholar has a disability;
- The seriousness of the violation or behavior committed;
- Whether restorative practices will be used to address the violation or behavior committed by the scholar; and
- Whether a lesser intervention would properly address the violation or behavior committed by the scholar.

Suspension

The Board authorizes the Superintendent to suspend or expel a scholar for up to 180 school days without Board action or approval. A suspension may be for a "short-term" of up to ten school days, or for a "longer-term," exceeding ten school days up to 59 school days. Should a suspension be imposed for a number of days exceeding the remaining days in a semester, the days remaining on the suspension will commence with the beginning of the next semester unless otherwise determined by the Superintendent.

A short-term suspension may be imposed immediately upon a scholar without first affording the scholar or the parent(s)/guardian(s) a hearing if the presence of the scholar endangers other persons or property or substantially disrupts the operation of the school.

A long-term suspension will not be imposed upon a scholar unless the scholar has first been suspended for a short-term and not until an opportunity for a formal hearing on the suspension has been afforded the scholar.

Expulsion

No scholar may be permanently expelled from the District until an opportunity for a formal discipline hearing has been afforded to the scholar. Scholars of the age of seven or under may not be expelled without prior approval from the Board. Expulsion also means as any out of school suspension of 60 to 180 school days.

Appeals Process

The District will provide an appeals process as outlined in the Rules (see 8350R).

Suspensions by Teachers

Class, Subject, or Activity Suspensions: A teacher is authorized to immediately remove and suspend a scholar from a class, subject, or activity when the scholar's behavior is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to teach the class, subject, or activity effectively, or the scholar's behavior interferes with the ability of other scholars to learn.

Any scholar suspended pursuant to this policy will not be allowed to return to the class, subject, or activity from which he or she was suspended from or participate in after-school extracurricular activities until the passage of one full school day from the time of the scholar's infraction unless otherwise permitted by the Principal. Scholars attending separate class periods throughout the school day will be permitted during the term of the suspension to attend other classes taught by other teachers only when the scholar's conduct does not rise to the level of requiring a multiple-day suspension or expulsion in accordance with Board Policy and the school's Student Code of Conduct. Any scholar suspended from the same class, subject, or activity for four or more cumulative days during the school year will be provided an intervention and a consultation with the teacher and/or building staff.

Application to Scholars with Disabilities

This policy will be applied in a manner consistent with the rights secured under federal and state law to scholars who are determined to be eligible for special education programs and services.

Implementation

The Superintendent will develop detailed written rules to implement this policy in compliance with state law requirements. They will ensure uniform and consistent application of the policy and will report to the Board as required on its effectiveness.

The rules will include safeguards for the dismissal of scholars suspended for more than ten cumulative days, procedures for reporting violations of this policy to appropriate members of the District's administration, and procedures for calling an immediate conference with parent(s)/guardian(s) subsequent to the scholar's suspension.

Hearing Officer

The Board may appoint one or more hearing officers for purposes of hearing appeals made in cases of long-term suspensions. The hearing officer will be an employee of the District.

Written Notices

All required written notices will be mailed to the residence of the parent(s)/ guardian(s) at the address on file in the school records of the scholar. In addition, other forms of notice will be used as often as possible.

Reinstatement

The parent(s)/guardian(s) of a permanently expelled scholar, or an emancipated permanently expelled scholar, may petition the Board for reinstatement. The Board will provide all due process rights to reinstatement as outlined in state law and in the rules accompanying this policy. These rules will also be outlined in the scholar handbook.

