

POLICY

BOARD OF EDUCATION OF ANNE ARUNDEL COUNTY

Related Entries: Policy 903

Responsible Office: ASSISTANT SUPERINTENDENT FOR STRATEGIC INITIATIVES

STUDENT SUSPENSION AND EXPULSION

A. PURPOSE

To establish policy that defines responsibilities of Anne Arundel County Public Schools staff and clarifies the rights of the student in the suspension or expulsion process.

B. ISSUE

Serious behavior or continued misconduct may result in the student's removal from school. The removal may range from an in-school suspension, short-term suspension (10 days or less), an extended suspension (more than 10 days), or expulsion (removal for a period of 18 weeks – 36 weeks).

C. POSITION

1. In an effort to modify student behaviors that disrupt the learning process, the principal and staff may use a variety of resources including:
 - a. the special abilities of local school personnel;
 - b. the assistance of parents or guardians;
 - c. the services of the Division of Pupil Services; and/or
 - d. psychological, health department, legal, and rehabilitative agencies of the county and the state.
2. When a student is referred to the office, at a minimum the student will have a conference with the administrator, and the administrator will take prompt and reasonable steps to notify the parent of the referral, any action that was taken by the administrator, and the possible consequences of future misconduct.
3. A student referred to the office for causing school disruptions will be subjected to disciplinary action in accordance with the Code of Student Conduct.
 - a. Disruptive behavior includes any behavior which interferes with the teaching

and learning process or interferes with the safe management of students in or about the school building or school property, or during any school-sponsored activity.

- b. It is recognized that a suspension will normally occur only after reasonable intervention strategies have been attempted following the Code of Student Conduct.
 - c. This section is not intended to limit the authority of the principal to suspend or request the expulsion of a student pursuant to state law or this policy.
4. Maryland Education Law provides that a principal may suspend for cause, for not more than 10 school days, any student in the school who is under the direction of the principal. The student or the student's parent or guardian promptly shall be given a conference with the principal and any other appropriate personnel during the suspension period.
5. Maryland Education Law provides that at the request of a principal, a Superintendent may suspend a student for more than 10 school days or may expel the student.
- a. If a principal finds that a suspension of more than 10 days or expulsion is warranted, the principal immediately shall report the matter in writing to the Superintendent.
 - b. The Superintendent, or designee, promptly shall make a thorough investigation of the matter.
 - c. If after the investigation, the Superintendent, or designee finds that a longer suspension or expulsion is warranted, a conference promptly shall be arranged with the student and the student's parent or guardian.
 - d. If after the conference, the Superintendent or designee finds that a longer suspension of more than 10 school days or expulsion is warranted, the student or the student's parent or guardian may:
 - i. appeal to the Board within 10 days after the determination;
 - ii. be heard before the Board designated committee; and
 - iii. bring counsel and witness to the hearing.
 - e. Unless a public hearing is requested by the parent or guardian of the student, a hearing shall be held out of the presence of all individuals except those whose presence is necessary or desirable.

- f. The appeal to the Board does not stay the decision of the Superintendent.
 - g. The decision of the Board is final.
6. Maryland State Board Bylaw (COMAR) provides that in those instances when the behavior of a student is disruptive and detrimental to the operation of the school, the student may be suspended or expelled in accordance with the procedures set forth in Section 7-305 of the *Maryland Education Article*. Before any case of suspension, including in-school and temporary, a student shall receive oral or written notice of the charges. If the student denies the charges, the student shall have the right to an explanation of the evidence supporting the charges and an opportunity to present the student's side of the story. A student whose presence in school poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process may be removed immediately from school, provided that the notice and hearing required by this subsection is provided as soon as possible.
- a. Temporary suspension is defined as exclusion of a student from school up to but not more than 10 school days by the principal, with notice to the parent or guardians that a conference will be necessary before the student may return. In these cases, the local school authorities, whose approval is required to continue the suspension or to make it permanent, shall be notified at once of the suspension and the offense.
 - b. In-school suspension is defined as exclusion within the school building of a student from the student's regular education program up to but not more than 10 school days for the disciplinary reasons by the school principal with notice to the parent or guardian.
7. Students with disabilities may be suspended or expelled according to procedures outlined in Administrative Regulation JD-RA.
8. Within guidelines established by State Board Bylaw and local Board regulations, a principal of a school will document offenses for which students are referred.
9. In order for a suspended or expelled student to be readmitted to school, the student and the parents or guardians of the student must follow procedures outlined Administrative Regulation JD-RA.

Policy history: Adopted 5/17/06.

Note previous Policy history: Replaces Policy 903; adopted 3/1/72 and revised 5/20/91, 6/19/96, and 8/4/04.