

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: June 10, 2003

TO: **BOARD OF EDUCATION**

FROM: **Dr. J. Hairston, Superintendent**

SUBJECT: Policy 5560

ORIGINATOR: Christine M. Johns, Deputy Superintendent of Curriculum and Instruction

RESOURCE PERSON(S): Robert J. Kemmery, Executive Director of Student Support Services
Dale Rauenzahn, Director of Student Support Services

RECOMMENDATION

That the Board of Education approves Policy 5560

RJK/ds

STUDENTS: Conduct

Suspension or Expulsion

1. Definitions

Within the Baltimore County PUBLIC SCHOOLS (BCPS) [school system], the following types of suspensions and expulsions are utilized:

A. Short-term Suspension

Temporary suspension of a student by the principal for a period not to exceed ten (10) school days

B. Long-term Suspension

Long-term suspension of a student for more than ten (10) school days and less than [one quarter] 45 SCHOOL DAYS imposed by the [s]Superintendent or the designee after reviewing the school suspension—All cases of long-term suspension are subject to review for readmission to the day school program

C. Expulsion

Expulsion is the required withdrawal [for more than one quarter] from the day school program of a student of any age, by direction of the [s]Superintendent or the designee, upon review of the suspension from school. All cases of expulsion are subject to review for readmission to the day school program.

Use of the suspension or the expulsion process IN BCPS is an administrative responsibility sanctioned by State law and by policies of the Board of Education as a measure to be used in the discipline of students. Principals have full authority to use [temporary or] short-term suspension in a judicious manner, i.e., where the procedure fits the offense and the offender and is not unreasonable, excessive, or malicious. Complete records must be available to justify each suspension.

To provide an environment in which all students may achieve their potential, the maintenance of acceptable standards of conduct is required. The judicious use of suspension may be a contributing factor in providing a positive learning atmosphere within the total school environment. Generally, the suspension of a student should not be implemented until all appropriate school resources have been utilized to help the student to modify the behavior which necessitated the suspension. It must be recognized, however, that some acts of behavior as defined in the policies, "Alcoholic Beverages and Drugs" 5540 and "Disruptive Behavior" 5550, warrant immediate and mandatory expulsion.

Students are suspended to the Superintendent OR DESIGNEE to determine whether a suspension longer than ten (10) school days or an expulsion is warranted.

A student, PARENT, OR GUARDIAN may appeal a SHORT-TERM suspension [of more than ten (10) school days], LONG-TERM SUSPENSION, or expulsion to the Board of Education by sending such a request in writing to the Superintendent of Schools within ten (10) school days of the decision by the PRINCIPAL, Superintendent, or the designee. Upon appeal, the Board or a designated committee thereof shall hear the matter promptly, but in no event later than fifteen (15) school days from the receipt of notice of appeal in the superintendent's office. Each party shall be afforded the opportunity to present witnesses and be represented by counsel. Unless a public hearing is requested by the student, [or] parent, or guardian, the hearing shall be conducted out of the presence of all persons except those whose presence is deemed necessary or desirable by the Board. The appeal to the Board of Education shall not operate as a stay of the decision of the Superintendent, and the decision of the Board shall be final.

The function of the Board is to hold a hearing to determine whether the testimony and exhibits presented support the charges upon which the expulsion was based. The Board delegates to the Superintendent of Schools the responsibility for determining the duration of an expulsion or a long-term suspension and the consideration of readmission. The Superintendent shall consider mitigating circumstances in making such decisions.

SCOPE OF AUTHORITY

The provisions of this policy apply to: (1) school activities on property owned by the Board of Education; (2) travel on school buses; (3) off-site school-sponsored activities; (4) on- or off-site school related problems which are the result or cause of disruptive behavior on school grounds; and (5) violent acts of behavior which occur off school property that pose a threat to the safety of students and faculty or that disrupt the learning environment. Suspended or expelled students are prohibited from participating in school activities, on or off campus, sponsored by any BCPS school. Students may enroll in alternative educational programs and participate in appropriate graduation activities organized by the Office of [Adult and] Alternative [Education] PROGRAMS. Also, expelled students may receive counseling services at the [adult education] ALTERNATIVE PROGRAM centers and at the schools from which they have been expelled after obtaining special permission from the principals of those schools.

Legal References: Annotated Code of Maryland, Education Article
§7-304 Suspension and Expulsion
State Board of Education Bylaws
13A.08.01.06A Suspension and Expulsion
Code of Maryland Regulations (“COMAR”) 13A.08.01.17
School Use of Reportable Offenses

Policy
adopted: 7/8/76
revised: 7/9/81
revised: 6/24/82
revised: 5/12/83
revised: 6/19/86
revised: 7/2/96
REVISED:

Board of Education
of Baltimore County