

**LUZERNE
INTERMEDIATE
UNIT #18**

**SECTION: PUPILS
TITLE: SUSPENSION AND EXPULSION
ADOPTED: NOVEMBER 20, 2002
REVISED: MARCH 25, 2015**

233. Suspension and Expulsion	
1. Purpose	The Board recognizes that exclusion from the educational program, 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 20 U.S.C. Sec. 1400 et seq 34 CFR 300.519, 300.529 Title 22 Sec. 14 et seq	Exceptional or regular students enrolled in educational programs of the intermediate unit shall be suspended and excluded from class and from school only in accordance with relevant provisions of law and federal and state regulations.
3. Guidelines SC 1318 Title 22 Sec. 12.6	<p><u>Exclusion from School – Suspension</u></p> <p>The principal or person in charge of the school may suspend any student for disobedience or misconduct for a period of one (1) to ten (10) consecutive school days and shall immediately notify the parent/guardian and the Superintendent in writing when the student is suspended. The principal and/or intermediate unit administrator will work in conjunction with the student’s home district LEA administration to make the determination for suspension.</p> <p>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. Suspensions may not be made to run consecutively beyond the ten-school day period.</p> <p>No student may receive a suspension unless the student and parent/guardian (if possible) has been informed of the reasons for the suspension and have been given an opportunity to respond before the suspension becomes effective. All expulsions are the primary responsibility of the student’s home district or LEA. Intermediate Unit staff do not have the authority to make determinations regarding student expulsion and will direct any potential expulsion matters over to the participating LEA.</p> <p>The maximum period a student may be suspended for an offense shall not exceed ten (10) school days. Suspensions may not be cumulated or made to run consecutively beyond this ten (10) school day limitation.</p>

Pol. 113, 113.1

Students With Disabilities

A student with a disability shall be provided educational services as required by state and federal laws and regulations and Board policies.

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

1. Publication of a Code of Student Conduct, in accordance with Board policy on student discipline.
2. Procedures that ensure due process when a student is being deprived of the right to attend school.
3. Regulations regarding student records which require that records of disciplinary suspension be maintained in accordance with Board 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 records of the Board. Such students may be designated by code.

Hearings/Reasons

Students and parents/guardians shall be required to appear for a hearing before the Board under the following conditions:

1. When the student has been suspended for the possession, distribution, or use of alcohol or narcotics on school property.
2. When the LEA administration is recommending the expulsion of a student.

References:

School Code – 24 P.S. Sec. 1318

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

Individuals with Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq

State Board of Education Regulations – 22 PA Code Sec. 12.3, 12.6, 12.7, 12.8, 14.143

Individuals with Disabilities Education, Title 34, Code of Federal Regulations 34 CFR Part 300

Board Policy – 113, 113.1, 204, 216, 218