

STUDENT SUSPENSION/EXPULSION APPEALS

SHORT-TERM SUSPENSIONS

The decision of the superintendent or superintendent's designee may be appealed to the School Board or the School Board Disciplinary Committee thereof unless the School Board has provided by regulation that the decision of the superintendent or superintendent's designee is final.

If a student and parent or guardian appeal a student's suspension that was assigned by an assistant principal, the school principal must be notified in writing within seven (7) calendar days of the date that the student is notified that he/she is being suspended. The letter of appeal must include the student's account of the incident as well as reasons for believing the suspension is unjustified. The principal will review the suspension giving the parent, guardian, and/or student an opportunity to be heard. The principal will render a decision regarding the appeal and will notify the student, parent, or guardian in writing within seven (7) days. The procedures for appeals will also be set forth in the Student Code of Conduct. If the principal's decision is appealed, a written letter of appeal must be received by the superintendent or the superintendent's designee within seven (7) calendar days of the principal's decision or the decision of the principal becomes final. The superintendent or the superintendent's designee will review the suspension, giving the parent or guardian and student an opportunity to be heard. The superintendent or the superintendent's designee will render a decision regarding the appeal and will notify the student, parent, or guardian in writing within seven (7) calendar days of the date of the appeal. The decision of the superintendent or the superintendent's designee will be final.

LONG-TERM SUSPENSIONS

In any case in which a student has been suspended by the Superintendent or his/her designee(s) after a hearing, the student and his/her parent(s) or guardian(s) may appeal the decision to the School Board. Such appeal must be in writing and must be filed with the Superintendent within seven (7) calendar days of the suspension decision. Failure to file a written appeal within the specified time will constitute a waiver of the right to an appeal. The School Board Disciplinary Committee shall decide such appeal on the record within thirty days. The School Board Disciplinary Committee may confirm or disapprove the suspension of a student. The School Board Disciplinary Committee shall be composed of at least three School Board members. If the School Board Disciplinary Committee's decision is not unanimous, the pupil or his/her parent may appeal the committee's decision to the full School Board. The School Board shall decide such appeal on the record within thirty days.

EXPULSIONS

Pupils may be expelled from attendance at school after written notice to the pupil and his/her parent of the proposed action and the reasons therefore and of the right to a hearing before the School Board Disciplinary Committee. The School Board Disciplinary Committee may confirm or disapprove the expulsion of a student. The School Board Disciplinary Committee is composed of at least three School Board members. If the School Board Disciplinary Committee's decision is not unanimous, the pupil or his/her parent may appeal the committee's decision to the full School Board. The School Board shall decide such appeal on the record within thirty days. The regulations provide for subsequent confirmation or disapproval of the proposed expulsion by the School Board Disciplinary Committee regardless of whether the pupil has exercised the right to a hearing. The School Board establishes, by regulation, a schedule pursuant to which such students may apply and reapply for readmission to school. Such schedule is designed to ensure that any initial petition for readmission will be reviewed by the School Board Disciplinary Committee, and, if granted, would enable the student to resume school attendance one calendar year from the date of the expulsion. If the superintendent or the School Board Disciplinary Committee denies such petition, the student may petition the School Board for review of such denial.

FIREARMS

The School Board authorizes the superintendent or superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Nothing in this regulation shall be construed to require a student's expulsion regardless of the facts of the particular situation.

DRUG OFFENSES

The School Board authorizes the superintendent or the superintendent’s designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Nothing in this regulation shall be construed to require a student’s expulsion regardless of the facts of the particular situation.

ADOPTED: January 12, 2021

LEGAL REFERENCES: 20 U.S.C. § 7151

Code of Virginia, 1950, as amended, §§ 15.2-915.4, 16.1-260, 18.2-119, 18.2-308.1, 18.2-308.7, 18.2-308.2:2, 22.1-200.1, 22.1-254, 22.1-276.01, 22.1-276.2, 22.1-277, 22.1-277.04, 22.1-277.05, 22.1-277.06, 22.1-277.07, 22.1-277.08, 22.1-277.2, 22.1-277.2:1, 22.1-279.3:1

8 VAC 20-560-10.

CROSS REFERENCES:	BCEA	Disciplinary Committee
	IGBH	Alternative School Programs
	JEC	School Admission
	JFC-R	Standards of Student Conduct
	JFCD	Weapons in School
	JGD/JGE	Student Suspension/Expulsion
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
	<u>KG</u>	<u>Community Use of School Facilities</u>