

Book: Board Policies  
Section: Student Support Services  
Title: Suspension, Expulsion, and Due Process  
Number: **5114**  
Status: Active  
Legal: **REFERENCE:** Regulations **5114.1 - 5114.13**  
Adopted: 01/01/1978  
Last Revised: 04/01/2001

Last Reviewed:  
**Policy Detail**

## **I. Suspension, Expulsion, and Due Process**

The board of trustees recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction, as well as all school-related co-curricular and extra-curricular activities, for a temporary or extended period of time.

## **II. Suspension**

Except in cases where suspension for a first offense is warranted in accordance with law, suspension shall be imposed, only when other means of correction fail to bring about proper conduct. Suspended students shall be excluded from all school-related co-curricular and extra-curricular activities during the suspension.

## **III. Expulsion**

Expulsion is an action taken by the board when a student has committed an act which constitutes grounds for expulsion under the Education Code for:

- A. prolonged breaches of discipline by a student, or when other forms of discipline, including suspension, have failed to bring about proper conduct; or
- B. single acts of a severe nature; or
- C. when the student's presence causes a continuing danger to other students or staff.

## **IV. Due Process**

The board shall provide for the fair treatment of students facing suspension and expulsion. Prior to expulsion, students shall be afforded due process under the law. The administration and staff shall comply with procedures for notices and appeals as specified in the Education Code and district administrative regulations. Procedures governing students' due process prior to expulsion shall at a minimum conform to provisions of Education code section 48918. Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters.

**V. Parent Notification**

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension, expulsion and due process.

**VI. Required Parental Attendance**

The board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The board expects that teachers will communicate with parents/guardians when behavior problems arise and, if a student is suspended from a class, the teacher may require the student's parent/guardian to attend a portion of a school day in the class, and meet with the principal or designee.

**VII. Superintendent to Develop Regulations**

The superintendent shall formulate such regulation(s) as necessary to implement this policy.

Legal Reference: Education Code

§1980 et seq.	County Community Schools
§35146	Closed Sessions (re: Pupil Discipline)
§35291	Rules re notifying parents of disciplinary policies under Ed. Code §48980
§48900 et seq.	Pupil Rights and Responsibilities
§48900.1	Attendance of Parent of Part of School Day
§48914	Suspension; Meeting with Parent or Guardian
§48950	Speech and other Communication

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