

Burriss Laboratory School

Procedures for Suspension and Expulsion

Suspension: When a principal or designee determines that a student's conduct may warrant suspension from school for ten (10) school days or fewer, the following procedures shall be followed in accordance with Indiana Code 20-33-8.

1. *Investigation and Preliminary Determination*

The principal or the principal's designee shall conduct an investigation into the alleged misconduct. The investigation may include, but is not limited to: meeting with the student; interviewing relevant witnesses; and reviewing available documentation or other evidence.

2. *Informal Due Process*

Prior to imposing a suspension, the student shall be informed, generally in person, of the alleged misconduct and provided an opportunity to respond to the allegations. This requirement may be satisfied through an informal conference between the student and the principal or designee.

Note: If the principal determines that the student's presence poses a danger to persons or property or a threat of disrupting the academic process, the student may be removed immediately, and the informal conference may occur as soon as practicable following removal.

3. *Parent Notification*

The principal or designee shall make a reasonable effort to notify the student's parent or guardian of the suspension decision as soon as practicable. Notification may occur by telephone, electronic communication, or other reasonable means and shall include: A summary of the alleged misconduct; the length of the suspension; and the date the suspension will begin and end.

4. *Written Notice of Suspension*

Following the suspension decision, written notice shall be provided to the student and the student's parent or guardian. The written notice shall include: The reason for the suspension; the length and dates of the suspension; any conditions for the student's return to school; and information regarding the student's opportunity to make up missed assignments, if applicable.

Educational Responsibilities During Suspension

A student who is suspended remains responsible for academic work assigned during the period of suspension, consistent with school expectations. Teachers may provide assignments or allow opportunities for make-up work in accordance with school procedures.

Students with Disabilities

If the student is identified as a student with a disability under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act, the suspension shall be implemented in accordance with applicable federal law. Suspensions that constitute a change of placement shall require appropriate procedural safeguards, including review by the case conference committee or Section 504 team, as required by law.

Suspension Pending Expulsion

When a principal determines that a student's alleged misconduct may warrant expulsion, the student may be suspended for a period not to exceed ten (10) instructional days pending completion of the expulsion process. A suspension pending expulsion may be imposed to maintain the safety of the students and staff; prevent substantial disruption to the educational environment; or, allow time to complete required notice, documentation, and scheduling of the expulsion meeting.

Expulsion: During the pendency of the expulsion process, a student may be suspended in accordance with the school's suspension procedures. When a principal recommends that a student be expelled from school for a period exceeding ten (10) school days, the following procedures shall be followed in accordance with Indiana Code 20-33-8 and applicable federal law.

1. *Recommendation for Expulsion*

The principal may recommend that a student be denied the right to attend school or participate in school functions for a period greater than ten (10) school days. The recommendation shall be submitted in writing to the superintendent and shall state the specific grounds for the proposed expulsion.

2. *Appointment of Hearing Officer*

Upon receipt of a recommendation for expulsion, the superintendent shall appoint a hearing officer to conduct the expulsion meeting. The hearing officer shall be an administrator from University Schools, and an individual who was not directly involved in the incident giving rise to the recommendation for expulsion and who has not previously imposed discipline related to the incident.

The hearing officer shall conduct the expulsion meeting on behalf of the governing authority and shall have the authority to receive evidence, regulate the course of the meeting, and make findings and determinations as permitted by law.

3. *Notice of Expulsion Meeting*

An expulsion shall not be imposed unless the student and the student's parent or guardian are provided written notice of the right to an expulsion meeting. The notice shall be provided by certified mail or personal delivery; state the time, date, and location of the expulsion meeting; describe the student's alleged misconduct with sufficient specificity; state the basis for the proposed expulsion; and inform the student and parent or guardian of their right to attend the meeting and present evidence.

4. *Expulsion Meeting*

At the expulsion meeting the principal or the principal's designee shall present evidence supporting the recommendation for expulsion. The student and/or the student's parent or guardian shall be afforded the opportunity to respond to the allegations and present relevant evidence.

The hearing officer may ask questions of any party and determine the relevance of evidence presented. The meeting shall be conducted in an informal manner consistent with due process requirements.

The expulsion meeting may proceed in the absence of the student or parent or guardian if proper notice has been provided.

5. *Hearing Officer Decision*

Following the expulsion meeting, the hearing officer shall prepare a written summary of the evidence presented; make written findings regarding whether the alleged misconduct occurred; determine whether expulsion is warranted; and issue a written decision stating the length and terms of the expulsion.

Written notice of the decision shall be provided to the student and the student's parent or guardian.

6. *Appeal to the Superintendent*

The student or parent or guardian may submit a written appeal of the hearing officer's decision to the superintendent within ten (10) school days of receipt of the written decision. The superintendent shall review the record of the expulsion meeting and the written appeal and may affirm, modify, or reverse the decision. The appeal shall be limited to the record of the expulsion meeting unless the superintendent determines that additional information is necessary.

The superintendent's decision shall be final.

Students with Disabilities

If the student is identified as a student with a disability under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act, all applicable procedural safeguards shall be followed.

Prior to imposing an expulsion exceeding ten (10) school days, the appropriate case conference committee or Section 504 team shall conduct a manifestation determination review in accordance with federal law.

If the conduct is determined to be a manifestation of the student's disability, the student shall not be expelled, and the IEP or Section 504 Plan shall be reviewed and revised as appropriate.

If the conduct is not determined to be a manifestation of the student's disability, the expulsion process may proceed; however, the student shall continue to receive educational services as required by law.

Educational Services

Except as required by federal law for students with disabilities, the school is not required to provide educational services to a student during a period of expulsion.