

FOR DISCUSSION PURPOSES ONLY

PROPOSED AMENDMENT TO BOARD POLICY NO. 233

SUSPENSION AND EXPULSION

Board Policy No. 233 on Suspension and Expulsion is hereby amended by adding the following subparagraphs to paragraph 4:

g. Readmission of Permanently-Expelled Students. Students who have been permanently expelled from The School District of Philadelphia by the affirmative vote of a majority of the School Reform Commission may apply for readmission to the School District. Permanent expulsion includes being expelled to a School District-operated alternative school. Temporarily-expelled students need not apply for readmission for the reason that they are automatically readmitted to the School District upon the expiration of the expulsion period.

The SRC delegates authority for all readmission decisions to the Chief Executive Officer/Superintendent or her designee, so that readmission shall be at the discretion of the Superintendent or her designee. Readmission decisions are final and not subject to review by or appeal to the SRC or to Court.

i. Criteria for Readmission

The criteria for readmission are: (1) all passing grades and at least an 85% attendance rate; (2) evidence of substantial progress in the area of personal responsibility and positive behavior including letters of recommendation or character references from person(s) with direct contact or knowledge of the student; (3) satisfactory completion of a School District character education program (currently “Peace 4 Kids”); (4) the student has not engaged in any criminal behavior and has not violated the applicable Code of Student Conduct (in a School District school) since

expulsion or has complied with the applicable behavior policy of a non-School District school since expulsion.

ii. Procedure for Readmission

The parent/guardian and the expelled student shall submit a written application to The School District of Philadelphia after a period of not less than one full academic year (ten months or 180 days of schooling, which period may carry over more than one school year) from the date of the SRC vote to permanently expel the student. The application forms will be provided by the School District in English and in 8 world languages spoken by the families of our students: Albanian, Arabic, Chinese, French, Khmer, Russian, Spanish and Vietnamese. The forms will be translated into other world languages, upon request.

The application must include a letter or written explanation from both the parent/guardian and the student why the student is requesting readmission and why the student is suitable for readmission. The application may include information on any non-academic programs attended, including job training, counseling, employment and community service or other rehabilitative programs.

The School District will provide information and records of all education that was completed during the period of expulsion and the student's current academic records, including all behavioral modification and support programs.

The application will be submitted to the Regional Superintendent of the Alternative Education Region. Academic records and behavior reports will be confirmed by the schools involved and the confirmations will be added to the packet for consideration. The Regional Superintendent will assign a Transition Liaison to

investigate and confirm the information provided by the student and by the schools and to gather any supplemental information to prove that the student has made significant progress overall. The Transition Liaison will also review the expulsion file and the documentation and align it with the student's evidence of progress to date.

The parent/guardian and student will meet in-person with a Review Panel, consisting of the Superintendent of the School District of Philadelphia or her Designee and two additional Alternative Education Regional administrators. The Principal of the school from which the student was expelled shall be consulted and give his/her opinion of the effect of readmission on school climate and safety, if the student wishes to return to the same school from which he/she was expelled.

The panel will interview the student and the parent/guardian. The student will be given an opportunity to make a statement on his/her behalf to the panel. The Panel will determine whether the student is to be readmitted within 30 days of the meeting. The Panel will notify the student and parent/guardian of its decision by letter sent in English and in the language spoken in the family's home, if other than English.

If the Panel decides to readmit the student into the School District, the student and family will be given a school assignment, a letter of readmission, a copy of the current Student Code of Conduct and an Individual Graduation Plan, if applicable. The student will be allowed to return at the beginning of the next school year or after a semester break in the academic calendar, so as to make the transition as least disruptive as possible for the student. The Transition Liaison will monitor the student's progress for 90 days after readmission to insure progress and adherence to the Individual Graduation Plan and academic expectations.

If the Panel denies the application for readmission, the Panel shall state the reasons for denial. A student, whose application for readmission is denied, may re-apply after six months if there are new or different circumstances or new evidence to support another application.

The Office of the Superintendent will provide reports to the SRC within 30 days after each school semester of the number of applications for readmission received, the length of time to decide the applications and the disposition of the applications.

h. Expungement of Records of Expelled Students

A student who has been permanently or temporarily expelled by the affirmative vote of a majority of the School Reform Commission - beginning in school year 2008 – 2009 - may apply to The School District of Philadelphia for expungement of the records of expulsion. The SRC delegates authority for all decisions as to expungement of records of expelled students to the Chief Executive Officer/Superintendent or her designee, so that expungement shall be at the discretion of the Superintendent or her designee. Expungement decisions are not subject to review by or appeal to the SRC or to Court.

i. Criteria for Expungement

The criteria for expungement of expulsion records are: (1) the expulsion did not involve a serious violent offense, sexual offense or possession of a firearm; (2) all passing grades and at least an 85% attendance rate while the student was in school; (3) evidence of substantial progress in the area of personal responsibility and positive behavior including letters of recommendation or character references from person(s)

with direct contact or knowledge of the student; (4) the student has not engaged in any criminal behavior and has not violated the applicable Code of Student Conduct (in a School District school) since expulsion or has complied with the applicable behavior policy of a non-School District school since expulsion; (5) whether the student graduated from high school or is on track to graduate from high school; (6) whether the student was - or is being - readmitted to the School District in good standing. It is anticipated that expungement of records of temporarily-expelled students who qualify for expungement should be routine and may be considered and granted without a meeting.

ii. Procedure for Expungement

The student (and parent/guardian, if the student is a minor or is still in school) shall submit a signed written letter or statement explaining why the student requests expungement and why expungement is appropriate. The Superintendent may consider and grant expungement of a permanent expulsion record along with a request for readmission; if so, the decision on expungement shall be made by the same Panel which considers the request for readmission. If the Panel which decides readmission is not requested to order expungement, the request for expungement should be submitted to a Panel for decision. The panel will interview a permanently-expelled student requesting expungement; expungement of the record of a permanently-expelled student should not be automatic. Expungement of records of a temporary expulsion may be considered and granted without a meeting. The Panel will determine whether to grant expungement within 30 days of the request or 30 days after a meeting, whichever is later. The Panel will notify the student and parent/guardian of

its decision by letter stating the reasons for denial, which letter shall be sent in English and in the language spoken in the family's home, if other than English. If the application for expungement is denied, the student may not reapply for expungement until at least one year after the date of denial.

The Office of the Superintendent will provide reports to the SRC within 30 days after each school semester of the number of applications for expungement received, the length of time to decide the applications and the disposition of the applications.

May 26, 2010

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