

Suspensions: What Principals Need to Know

According to Pennsylvania law, suspension is defined as the denial to a student of the right to attend school and to take part in any school function for any period of up to ten days. Suspensions must be preceded by notification to the student and parent/guardian in writing. For the purposes of The School District of Philadelphia's Code of Student Conduct, suspensions comprise three categories: In-school, short-term, and long-term out of school suspensions.

Suspensions Defined:

- In-school Suspension is an exclusion from a classroom for disciplinary purposes that allow a student to **remain** under the direct supervision of school personnel. Students must be informed of the reason for the suspension and be given an opportunity to be heard. Direct supervision means school personnel are physically in the same location as students under their supervision. Special Education students must have access to their specially designed instruction by a certified provider of service for all removals from the classroom when remaining in the school. In-school suspensions of more than ten consecutive days must be offered an informal hearing with the school before the 11th day of in-school suspension.
- Short-term Out-of-School Suspension is an exclusion from school and/or any school activity or function for a period of **three or fewer school days**. Students who are suspended must meet with the principal or his/her designee prior to the suspension. Students must be informed of the reason for the suspension and be given an opportunity to be heard.
- Long-term Out-of-School Suspension is an exclusion from school and/or any school activity or function for a period of **four to ten school days**. Students who are given a long-term suspension are to participate in a student conference and a parent/guardian conference (*see below for protocol*). The district shall immediately notify the student's parent/guardian in writing when the student is given a long-term suspension of the opportunity for an informal hearing/parental conference to review the reason(s) for the suspension. The informal hearing/parental conference shall take place as soon as reasonably possible but shall not exceed three days after long-term suspension unless both parties agree otherwise and shall comply with the requirements of due process. **In addition, prior approval by the Deputy Chief of the Office of Student Rights and Responsibilities is required for all suspensions exceeding eight school days.**

Key Exceptions Regarding Suspensions:

- **Kindergarten students may not be suspended unless their actions result in serious bodily injury**
- Before a suspension can be issued for a student in 1st or 2nd grade, referrals for various interventions must be made and documented.
- Schools can only suspend students identified as Intellectually Disabled with either written agreement of the parent/guardian or the written approval of the Bureau of Special Education of the Pennsylvania Department of Education (PDE). The Notice of Recommended Educational Placement (NOREP) must be issued as this is considered a change in placement.
- Schools may suspend students with disabilities (including children with 504 plans) and cease educational services for up to five consecutive school days or fifteen cumulative school days in one school year without providing special education procedural safeguards UNLESS the student has been subjected to a series of removals that cumulate to more than ten days in a school year and constitute a pattern. Factors to consider when determining if a series of removals constitute a pattern are if the disciplinary incidents involve behavior that is substantially similar, the length of each removal, the proximity of the removals to one another, and the total amount of time a student has been removed.
 - Suspensions from transportation would be treated in the same manner as suspensions for a child with a disability only if transportation is part of the child's IEP because that transportation is necessary for the child to obtain access to the location where services will be delivered.

Interventions:

School interventions may include the following:

- Create a Student Behavior Contract
- Before or after school detention
- Alternative volunteer service (e.g., soup kitchens, shelters)

- Cafeteria duty
- Community Conferencing/Restorative Justice
- School Counselor referral for individual and/or group counseling, and individual behavioral health assessment and resource linkage
- In-school work detail
- Lunch detention
- Parent shadowing
- Peer mediation
- Reflective essay
- Independent study
- Student/teacher/parent conference
- Daily reports/self-charting
- Restorative practices
- Mentoring program
- Check in/Check Out
- Evidenced-based Tier II programs
- For more information on school-wide interventions, please call the Office of School Climate and Safety
- Functional Behavior Assessment for Individual Behavior Planning, Implementation and Progress Monitoring
- Referral for SAP (Student Assistance Program) for Mental Health Assessment and appropriate referral
- Referral to School- Based Therapeutic Program (STS, CASST)
- Interagency Team Meeting with School, Parent, Behavioral Health Providers
- For mental/behavioral health crises, please call the Emergency Crisis Line at 267-784-7895

Procedure:

Students referred for a hearing will be suspended and provided the procedures indicated in the Suspension Procedures section of the Code of Student Conduct. The school must complete a Behavior Performance Review (BPR) for regular education students or convene a Manifestation Determination meeting for special education students, which should include the school, the parent/guardian, and other relevant members of the student's IEP team (as determined by the school/parent). When a hearing is not scheduled during the period of a student's suspension, **the student has the right to return to his/her school pending the outcome of the hearing**, unless the behavior of the student continues to create such a risk of harm to the school community, than the school may request an interim placement.

At parent conferences, parents, guardians, and caregivers can expect that school administrators will adhere to the following protocol:

1. Notice, in their preferred language, of a conference must be provided to the parent/guardian in writing and either hand-delivered to the home, sent by certified mail, faxed, emailed, or communicated by other reasonable means.
2. When a student is suspended, a parent/guardian conference must be held no later than day three of the suspension.
3. At the conference, the parent/guardian or caregiver may request to review and have a copy of the student's records and any witness statements, with other student names and information redacted.
4. School administrators will discuss the student's problem behavior and ways to correct it.
5. School administrators will inform the parent/guardian of any further disciplinary action
6. Provide students and parents all disciplinary policies, notices, and materials in their preferred language free of charge.
7. If a parent does not attend the meeting, it may be rescheduled once for the following day. However, if the parent is a "no show" for the second scheduled meeting, the school should proceed with its intent to request further disciplinary action. The attempted meeting dates and times should be noted on the appropriate documents.