

## **VENTURA COUNTY BOARD OF EDUCATION**

**BOARD POLICY NO. 5144.1**

**ADOPTED: 02/24/97**

**CLASSIFICATION: Students**

**REVISED: 05/29/12  
11/25/13**

**SUBJECT: Suspension and Expulsion / Due Process**

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The Governing Board has established policies and standards of behavior in order to promote learning and protect the safety and well-being of all students. When these policies and standards are violated, it may be necessary to suspend or expel a student from regular classroom instruction.

Suspension is temporary removal of a pupil from regular classroom instruction or from school by a teacher or administrator for adjustment purposes. In accordance with a positive concept of discipline, the suspension of pupils is to be educational in nature and for the purpose of improving the pupil's adjustment and achievement in school. It should usually be imposed only when other means of correction fail to bring about proper conduct.

To correct the behavior of any student who is subject to discipline, the Superintendent or designee shall, to the extent allowed by law, first use alternative disciplinary strategies specified in AR 5144.1, Suspension (Education Code 48900.5). Alternatives to suspension or expulsion also shall be used with students who are truant, tardy, or otherwise absent from assigned school activities.

Except 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.

Pupils may be suspended from school in accordance with law for a limited period of time in an effort to correct behavior. The grounds for suspension shall be those specified in Education Code Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915.

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion shall be used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to self or others.

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be those specified in law and/or administrative regulation.

VCOE staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, and in accordance with nondiscrimination policies.

## STUDENT DUE PROCESS

The Board shall provide for the fair and equitable treatment of students facing suspension and expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices and appeals as specified in administrative regulation and/or law.

## SUPERVISED SUSPENSION CLASSROOM

The Board recognizes that students who are suspended from school often have no supervision or guidance during the school hours when they are off campus and may fall behind in the coursework. The Board believes that, in many cases, it would be better to manage the student's behavior by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall establish a supervised classroom suspension program which meets the requirements of law for students suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, who pose no imminent danger or threat at school, and for whom an expulsion action has not been initiated.

### Legal Reference:

#### EDUCATION CODE

212.5	Sexual harassment
1981	Enrollment of students in community school
17292.5	Program for expelled students
32261	Interagency School Safety Demonstration Act of 1985
35146	Closed sessions (re suspensions)
35291	Rules (for government and discipline of schools)
35291.5	Rules and procedures on school discipline
48900-48927	Suspension and expulsion
48950	Speech and other communication
49073-49079	Privacy of student records

#### CODE OF CIVIL PROCEDURE

1985-1997	Subpoenas; means of production
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#### GOVERNMENT CODE

11455.20	Contempt
54950-54963	Ralph M. Brown Act

#### HEALTH AND SAFETY CODE

11014.5	Drug paraphernalia
11053-11058	Standards and schedules