

## **CHAPTER 5.00 - STUDENTS**

### **5.10 - Suspension of Students**

#### **POLICY:**

- (1) The principal or his/her designee may suspend a pupil from school for willful disobedience, for open defiance of his/her authority or that of a member of his/her staff, for the use of profane or obscene language, or for other serious misconduct, and for repeated misconduct of a less serious nature; provided, that such suspension, with the reasons therefore, shall be reported immediately in writing to the parents or guardian, and to the Superintendent/designee. No student shall be suspended for unexcused tardiness, lateness, absence or truancy.

No suspension shall be for more than ten (10) days, and no suspension shall be made a dismissal unless so ordered by the Board in a resolution adopted and spread on its minutes. (1006.09 (1) (c), F.S.)

- (a) A teacher may suspend a student from school only if serving as the principal's designee in his/her absence.
  - (b) Where a pupil has attained the age of eighteen (18) years of age, notice in writing as required in Subsection (1) shall be made directly to the student, but notice to the parent or guardian shall not be required except as provided in Section 5.02 of these regulations. The Superintendent/designee shall receive a copy of the suspension notice to the student.
  - (c) A student under suspension may not be denied the opportunity to take a nine (9) weeks or semester examination. The student shall take the examination at the time designated by the teacher or principal/designee.
  - (d) A student who is suspended will be remanded to the custody of the student's parent or guardian with specific homework assignments for the student to complete.
- (2) The principal/designee may suspend a pupil transported to and from school at public expense from riding the school bus for a period not to exceed ten (10) school days; provided, that written notice is given immediately to the parent or guardian and to the Superintendent/designee; provided further, that any student who is eighteen (18) years of age shall be given written notice directly and a copy thereof sent to the Superintendent/designee except as provided in Section 5.02 of these regulations. (1006.09 (1) (b), F.S.)
  - (3) The following information shall be included in the written notice of suspension to the parents or guardian or the adult students and the Superintendent/designee:

## **CHAPTER 5.00 - STUDENTS**

- (a) Nature of the offense;
- (b) The date of the offense, beginning date of the suspension, and the date on which the student may return to school; and
- (c) Any conditions involving the suspension, such as a possible reduction of the suspension following a conference and assurance from the student of a change of attitude.

Students may not come on any Levy County campus nor enter any activity, including extracurricular activities, during this suspension.

- (4) The principal/designee shall report each suspension in writing to the student's parent or guardian and to the Superintendent or his/her designee. This report shall be mailed or delivery initiated twenty-four (24) hours prior to the start of the suspension or on the next regular workday. A reasonable effort shall be made to contact the parent prior to the start of the suspension. If the parent or guardian cannot be reached prior to the start of the suspension, the principal or his/her designee may determine that the suspension will start without prior contact with the parent or guardian, but continued reasonable efforts shall be made to contact the parent or guardian.
- (5) Whenever possible, a hearing shall be given to the minor student and his/her parents or guardian, or the adult student, prior to the effective date of the suspension. Where conditions do not judiciously allow a delay in the suspension, the parents or guardian of the minor student, or the adult student, shall be offered a hearing at the earliest possible moment following the effective date of the suspension. Wherever possible, after hearing a student's defense or explanation of his/her conduct, the principal/designee shall explain to the student his/her reasons for the suspension and the conditions thereof.

Where the presence of a disruptive student interferes with the orderly discharge of normal school functions, such student shall be suspended forthwith. If the suspension involves a minor student, the parents or guardian shall be notified, as provided, above with an offer of a conference subsequent to the effective date of the suspension. If an adult student is involved, he/she shall be notified as to a conference date subsequent to the effective date of the suspension.

- (6) When a student is formally charged with a felony by a proper prosecuting attorney for the unlawful possession or sale of any substance controlled under Chapter 893 or for an incident which allegedly occurred on property other than public school property, but which incident is shown to have an adverse impact on the educational program, discipline, or welfare of the school, the principal/designee shall conduct a hearing under the guidelines established by this rule and shall notify the parents or adult student whether or not the student shall be suspended pending court

## **CHAPTER 5.00 - STUDENTS**

determination of the student's guilt. A student may be suspended under this rule only if they are immediately enrolled in a Daytime Alternative Education Program, or an evening alternative education program. If the pupil is found guilty of a felony, the Superintendent/designee shall have the authority to determine if a recommendation for expulsion shall be made to the School Board.

STATUTORY AUTHORITY:

1001.41, 1001.42 (17), F.S.

LAWS IMPLEMENTED:

120.57(1), 1000.01, 1006.07 (6),  
1006.08 (8), 1001.54 (6)-(8), 1212.28  
(2)-(5) (8), 1003.31, 1006.09, F.S.

STATE BOARD OF EDUCATION RULE:

6A-6.0331

HISTORY:

Adopted: 06/17/97  
Revision Date(s): 10/17/00, 12/03/02  
Formerly: