

Suspension and Expulsion Policy

IEM Charter Schools Suspension and Expulsion Policy

This Pupil Suspension and Expulsion Policy has been established to promote learning and protect the safety and wellbeing of all students in an IEM Charter School. Although many of the students of the school will work from home, this policy is written broadly to apply as needed to students at school-sponsored activities or at school facilities.

Students who are suspended are expected to continue to work on their school work at home. Any work completed during a period of suspension will be assessed and accepted by the Education Specialist at the next learning record meeting.

A student identified as an individual with disabilities or for whom the school has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 (“IDEIA”) or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. The school’s Special Education Director shall be consulted in all cases of potential suspension or expulsion relating to Special Education students to ensure compliance with all applicable statutes.

Enumerated Offenses

Students may be suspended or expelled from an IEM Charter School for any act specified in [Education Code 48900](#), non-compliance with the terms of the written student agreement, or any material violation of any of the conditions, standards or procedures set forth in the charter, the school handbook, the student agreement, or the school’s policies and procedures. [Education Code 48915](#) lists the non-discretionary and discretionary offenses for suspension and expulsion that IEM Charter Schools will follow.

Suspension/Expulsion Procedures

Based on information regarding student behavior or performance as specified above, at an IEM Charter School will send a suspension or expulsion notice to the student’s parent(s) or guardian(s). The notice will include an explanation of the charges against the student and the student’s basic rights. For suspensions of fewer than ten (10) days, if the pupil denies the charges, the school will provide an explanation of the evidence that supports the charges and an opportunity for the pupil to present his or her side of the story.

For suspensions of ten (10) days or more, or an expulsion, the parent(s) or guardian(s) of a student may request a hearing where the parent and the student shall be given an opportunity to participate and present facts relevant to the issues set forth in the notice.

At the hearing, the student will be provided a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and the student will have the right to bring legal counsel or an advocate. In the event of any such request, an assigned school administrator shall appoint a Hearing Committee composed of no more than five (5) members consisting of one ES, one Advisor, two (2) members of the Governing Board/Parent Council, and the Board/Council President or designee (a neutral officer), which shall conduct a hearing regarding the notice. After the hearing, the Hearing Committee shall send its decision to the assigned school administrator. An expelled student shall have no right to appeal and the Hearing Committee's decision is final.

In the event of a student's expulsion, IEM Charter Schools will notify the Superintendent of the school district of the student's last known address within thirty (30) days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil. Expelled students who are subject to compulsory full-timed education pursuant to [Education Code 48200](#) have a duty to attend the school district in which the parent or guardian resides.

No student shall be involuntarily removed by the school for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action. The written notice shall inform him or her of the right to initiate the procedures specified above for suspension/expulsion before the effective date of the action. If the student's parent, guardian, or educational rights holder initiates the procedures specified above, the student shall remain enrolled and shall not be removed until the school issues a final decision.

Additionally, in the event of a suspension or expulsion for a student with a disability, all requirements set forth by IDEA (Individuals with Disabilities Act) will be followed.

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