

1 A short-term suspension is the disciplinary exclusion of a student from attending his or her
2 assigned school for up to 10 school days. A short-term suspension does not include (1) the
3 removal of a student from class by the classroom teacher, the principal, or other authorized
4 school personnel for the remainder of the subject period or for less than one-half of the school
5 day, or (2) the changing of a student's location to another room or place on the school premises.
6 A student who is placed on a short-term suspension will not be permitted to be on school
7 property or to take part in any school function during the period of suspension without prior
8 approval from the principal.
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10 The principal or designee has the authority to determine when a short-term suspension is an
11 appropriate consequence and to impose the suspension, so long as all relevant Board policies are
12 followed.
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14 In accordance with N. C. Gen. Stat. § 115C-390.6(e) and N. C. Gen. Stat. §115C-45(c)(1), a
15 student is not entitled to appeal the principal's decision to impose a short-term suspension to
16 either the Superintendent or the Board unless it is appealable on some other basis.
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18 **A. PRE-SUSPENSION RIGHTS OF THE STUDENT**
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20 Except in the circumstances described below, a student must be provided with an
21 opportunity for an informal hearing with the principal before a short-term suspension is
22 imposed. The principal may hold the hearing immediately after giving the student oral or
23 written notice of the charges against him or her. At the informal hearing, the student has
24 the right to be present, to be informed of the charges and the basis for the accusations
25 against him or her, and to make statements in defense or mitigation of the charges.
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27 The principal may impose a short-term suspension without first providing the student
28 with an opportunity for a hearing if the presence of the student (1) creates a direct and
29 immediate threat to the safety of other students or staff or (2) substantially disrupts or
30 interferes with the education of other students or the maintenance of discipline at the
31 school. In such cases, the principal shall give the student notice of the charges and an
32 opportunity for an informal hearing as soon as practicable.
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34 **B. STUDENT RIGHTS DURING THE SUSPENSION**
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36 A student under a short-term suspension must be provided with the following:
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- 38 1. The opportunity to take textbooks home for the duration of the suspension;
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- 40 2. Upon request, the right to receive all missed assignments and, to the extent
41 practicable, the materials distributed to students in connection with such
42 assignments; and
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- 44 3. The opportunity to take any quarterly, semester or grading period examinations
45 missed during the suspension period.

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47 **C. NOTICE TO PARENT OR GUARDIAN**

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49 When imposing a short-term suspension, the principal or designee shall provide the
50 student's parent or guardian with notice that includes the reason for the suspension and a
51 description of the student conduct upon which the suspension is based. The principal or
52 designee must give this notice by the end of the workday during which the suspension is
53 imposed when reasonably possible, but in no event more than two days after the
54 suspension is imposed. If English is the second language of the parent, the notice must
55 be provided in English and in the parent's primary language, when the appropriate
56 foreign language resources are readily available. Both versions must be in plain language
57 and easily understandable.

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59 The initial notice may be by telephone, but it must be followed by timely written notice.
60 The written notice must include all of the information listed above and may be sent by
61 fax, e-mail, or any other method reasonably designed to give actual notice. School
62 officials also shall maintain a copy of the written notice in the student's educational
63 record.

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65 Multiple short-term suspensions for a student with disabilities will be addressed in accordance
66 with the *Policies Governing Services for Children with Disabilities* and other applicable state
67 and federal law.

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70 Legal References: Americans with Disabilities Act, 42 U.S.C. 12131 *et seq.*, 28 C.F.R. pt. 35;
71 Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300;
72 Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; N. C. Gen. Stat. § 115C
73 art. 9; 115C-45 (c); 115C-47, -276(r), -288, -307, -390.1, -390.2, -390.5, -390.6; *Policies*
74 *Governing Services for Children with Disabilities*, State Board of Education Policy GCS-D-000

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76 Cross References:

77 Policy JFDA, "School Plan for Management of Student Behavior"

78 Policy JFDB, "Parental Involvement in Student Behavior Issues"

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82 APPROVED BY BOARD

83 AND EFFECTIVE _____

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