



5009.1 Suspension and Expulsion Policy

Effective Date: June 5, 2020

Approved by: Board of Directors

Policy:

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at the School. In creating this policy, JCS, Inc. (JCS) has reviewed Education Code Section 48900 *et seq.*, which describes the non-charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* JCS is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as JCS policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. JCS maintains a comprehensive set of student discipline policies. The Rules for Student Discipline for JCS and a summary of the Student Discipline, Suspension, and Expulsion Policy, and other relevant requirements and procedures are distributed as part of the school's Parent Handbook and clearly describe expectations regarding attendance, mutual respect, substance abuse, violence, safety and work habits.

Each student and his or her parent or guardian is required to verify that they have reviewed and understand the policies prior to enrollment. These policies provide all students with an opportunity for due process and are developed to conform to applicable federal law regarding students with exceptional needs.

The Director may suspend students who fail to comply with these policies at any time. Students who habitually fail to comply with these policies may also be expelled by the Board after due process and upon the recommendation of the Director. JCS shall comply with any District expulsion notification requirements and includes suspension and expulsion data in its annual School Accountability Report Card (SARC).

JCS shall fully comply with the Gun Free Schools Act. Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

JCS administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy and Procedures are available on request.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

A student identified as an individual with disabilities or for whom the schools have a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 (“IDEA”) 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 general education students except when federal and state law mandates additional or different procedures.

JCS will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the schools have a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

No student shall be involuntarily removed by JCS 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 schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student’s parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student’s educational rights holder, and shall inform him or her of the right to initiate the procedures specified above for suspensions longer than 10 days, before the effective date of the action. If the student’s parent, guardian, or educational rights holder initiates the procedures specified above for suspensions longer than 10 days, the student shall remain enrolled and shall not be removed until JCS issues a final decision. As used herein, “involuntarily removed” includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to the suspension and expulsion procedures described below.

Original Policy 06/09/03

Revised Policy 12/11/09

Revised Policy 03/08/19

Revised Policy 06/05/2020

[5009.2 Suspension and Expulsion Administrative Regulations](#)