
SUSPENSION

Principals, in conformance with Maine State Law, have been authorized by the Bangor School Committee to suspend students up to a maximum of ten (10) days subject to regulations established by the Superintendent. Those regulations are as follows:

1. Students shall be suspended only after reasonable efforts have been made to maintain a safe and educationally sound environment. When a student appears unable or unwilling to meet the reasonable requirements of the school, the power of suspension may be invoked.
2. Generally suspensions should serve one of the following purposes:
 - (a) a cooling off period for individuals in altercation,
 - (b) a waiting period for subsequent action such as a conference with a parent, decision on withdrawal, or due process for expulsion,
 - (c) as a consequence (penalty) for specified unacceptable behavior, or
 - (d) to address health or safety concerns.
3. Students shall be suspended by a Principal, Assistant Principal, the Director of Adult and Community Education and their designees with approval of the Superintendent of Schools.
4. Prior to suspension, except as hereinafter provided: (1) the student shall be given oral or written notice of the charge(s) against him/her; (2) the student shall be given an explanation of the evidence forming the basis of the charge; and (3) the student shall be given an opportunity to present his/her version of the incident/issue. Students whose presence poses a danger to persons or property or a threat of disruption to the instructional process may be immediately removed from school. In such cases, notice of the charge(s), explanation of evidence, and the student's opportunity to explain shall be arranged as soon as practicable after the removal. The student's parents/guardians shall be notified of the suspension as soon as practicable by telephone (if possible) and by written notice.
5. Duration:
 - (a) Suspensions of up to three (3) days may be authorized for any of the purposes specified above by Principals, Assistant Principals and the Director of Adult and Community Education and their designees.
 - (b) Suspensions of four (4) to five (5) days may be authorized only by a Principal or Assistant Principal, and should be utilized when circumstances indicate that a suspension of three (3) days would be inappropriate.
 - (c) Suspensions between five (5) and ten (10) days may be authorized by a Principal and the Director of Adult and Community Education only with the prior verbal approval of the Superintendent of Schools. A suspension of such duration may be used prior to proceeding with an expulsion hearing.



- (d) If it is not practical to schedule an expulsion hearing within the ten (10) day suspension period, the Superintendent shall either: (1) obtain the student's parent's or guardian's consent to an extension of the suspension period pending the expulsion hearing; or (2) obtain an extension of the suspension period from the School Committee.
6. Frequency (suspensions per semester):
- (a) Regardless of the number of suspensions that occur in any academic semester, whenever a student has been suspended or removed for ten (10) cumulative days during the school year, school administrators shall comply with applicable federal and state regulations as well as school policy IGBAC ("Referral to the Pupil Evaluation Team") regarding identification of "at risk" students.
- (b) The first suspension should be accompanied by a contact with the student's parent.
- (c) The second suspension should result in a conference including parent, student, and Assistant Principal, Principal or Director of Adult and Community Education.
- (d) The third suspension should result in a conference including parent, student, and Principal or Director of Adult and Community Education and should address the consequences of a fourth suspension. Four suspensions in any one semester will cause the School Department to consider whether it is appropriate to seek the decision of the School Committee to expel the student. If the student is at least 17 years of age, it may be appropriate for school officials to discuss with the student's parent or guardian whether the student should withdraw from school for the remainder of the semester.
7. Notice to the student and/or parent shall state: (a) the reason or charge(s) for the suspension, including the evidence forming the basis of the charge(s) against the student; (b) the duration of the suspension; and if applicable (c) the action requested of the student and/or parent during the period of suspension. When the parent or guardian has not been contacted in person or by telephone, notice should be sent to the parent or guardian stating this information.
8. During suspension, students shall be excluded from all school-sponsored activities and shall be directed to remain off all school properties during school hours and during school-sponsored events.
9. Should a student or student's parents wish to appeal the suspension; the Superintendent will meet within a reasonable period of time following such a request from the student or parent. Should the issue not be resolved at that time, the student or parent may file an appeal of the Superintendent's decision in accordance with Policy JFH, "Complaints and Grievances."

STUDENTS WITH DISABILITIES IDENTIFIED UNDER I.D.E.A.

In the event a student with a disability under I.D.E.A. commits a suspendable offense under the school rules or procedures, school administrators may suspend the student for up to ten (10) cumulative school days in the school year under the same terms and conditions as students without disabilities, subject to the following limitations:

1. Contact the Director of Pupil Services or designee to determine if the student's Individualized Education Plan (I.E.P.) addresses the particular situation. If the student's I.E.P. lists a school



response other than suspension that must be followed for a particular type of misconduct, the administrator shall follow the requirements of the I.E.P. in responding to the situation;

2. Determine how many cumulative days to date in the current school year the student has been suspended from school because of misbehavior;
3. If the student has been removed from school for less than ten (10) total school days that year and the I.E.P. does not require otherwise, the principal at his or her discretion may suspend the student from school not to exceed ten (10) total days.
4. If the student has received ten (10) days of suspension from school as a result of misbehavior, no additional suspension from school may be ordered during the current school year absent a decision to that effect in consultation with the student's P.E.T. and the Director of Pupil Services or Superintendent of Schools, as discussed below.
5. If the student has received or is approaching ten (10) days of suspension from school in response to the student's misbehavior, the principal should request a P.E.T. meeting to address additional behavioral interventions that may be employed once that ten (10) day limit has been reached. The P.E.T. may authorize the principal to order additional out-of-program services in response to particular misbehaviors as part of an overall or individualized behavior plan.

Students with disabilities may be suspended for periods exceeding a cumulative total of ten (10) days in a school year under the following circumstances:

1. If the student has received ten (10) days of suspension from school as a result of misbehavior, no additional suspension from school may be ordered during the current school year absent a decision to that effect in consultation with the Director of Pupil Services or Superintendent of Schools.
2. In consultation with the student's special education teacher, the administrator shall arrange for the student to receive an appropriate level of educational services during the removal in question so as to ensure that the student is able to progress in the general curriculum and appropriately advance toward the goals and objectives listed in the student's I.E.P. during that removal;
3. A meeting of the student's P.E.T. must be arranged. The P.E.T. should meet within ten (10) business days of the commencement of the removal;
4. The P.E.T. shall undertake all responsibilities established by state and federal special education laws, including reviewing or ordering, as appropriate, a functional behavior assessment and a behavior intervention plan. The team may also undertake a manifestation determination of the behaviors of concern, and must undertake the manifestation determination if the student has been removed with sufficient frequency to constitute a "change of placement" as that term is defined by state and federal law.
5. Nothing in these procedures shall prevent the P.E.T. from undertaking functional behavior assessments, manifestation determinations, or the development of behavior plans at earlier points in time, as determined appropriate by the P.E.T.

If school officials believe that a student should remain out of his/her regular program for a sufficient length of time to constitute a “change of placement” under state and/or federal law, school officials shall schedule a P.E.T. meeting to consider that removal. At the P.E.T. meeting, the following shall occur:

1. The Team shall review or order, as appropriate, a functional behavior assessment and shall review or order a behavior intervention plan for the student. The P.E.T. shall also undertake a manifestation determination of the behaviors prompting the need for the extended removal time.
2. If the P.E.T. chooses to remove the student from his/her regular program for a period of time that would create a change of placement, the P.E.T. shall decide upon and order appropriate services for the student to receive during the removal to ensure that the student is able to continue to progress in the general curriculum and appropriately advance toward the goals and objectives listed in the student’s I.E.P.
3. The student’s parents/guardians shall receive the special education statement of procedural rights as part of that decision.
4. A change of placement to an appropriate interim alternative educational setting may be ordered for a student with a disability for the same amount of time that a child without a disability would be subject to discipline, but for not more than forty-five (45) days, if:
 - a. the child carries a weapon to school or to a school function; or
 - b. the child knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.

In the event that the P.E.T. determines that misconduct is not a manifestation of a student’s disability, the student may be suspended in accordance with the same procedures applicable to students without disabilities. During any permissible disciplinary removal in excess of ten (10) cumulative school days in a school year, the school shall provide the student with services sufficient to ensure that the student is able to continue to progress in the general curriculum and appropriately advance toward the goals and objectives listed in the student’s I.E.P. during that removal. The P.E.T shall determine the services that are appropriate for removals sufficiently long to constitute a “change of placement.”

School officials remain free to employ other in-school disciplinary methods (such as time outs, loss of privileges, and detention) for exceptional students to the same extent as with regular education students, as long as the I.E.P. does not specifically prohibit use of such methods, and as long as these methods do not constitute a “change of placement” as that term is defined by state and federal law.

For the purposes of these regulations, the ten (10) day cumulative school day suspension total shall include school days spent in an in-school detention or removal, unless during that removal the student continued to have access to the general curriculum, to the special education services in his/her I.E.P., and also continued to participate with non-disabled students to the extent that he/she would have in the student’s regular program. Portions of a school day that a student has been suspended shall also be included in determining whether the student has been removed for more than ten (10) cumulative school days.



For the purposes of these regulations, a “change of placement” shall be any removal from a student’s regular school program that is for more than ten (10) consecutive school days in a school year, or any series of removals that constitute a pattern because they cumulate to more than ten (10) school days in a school year and are considered a change of placement because of factors such as the length of each removal, the total amount of time the student is removed and the proximity of the removals to one another.

The District will comply fully with all applicable federal and state laws and regulations in implementing this regulation.

ISSUED: December 28, 1983

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