

## CHAPTER 5.00 – STUDENTS

### SUSPENSION

5.303

- (1) The principal or his/her designated representative may suspend a student from school or from the privilege of riding a school bus for not more than ten (10) days except as otherwise provided below subject to the following.
  - (a) Prior to such suspension the principal shall employ alternative measures including enlisting parental support.
  - (b) The student shall be advised of the conduct warranting suspension and given an opportunity to explain in a conference with the principal prior to the suspension.
  - (c) Within twenty-four (24) hours of any suspension, the principal shall report the suspension and reasons therefore in writing to the parents or guardian and the Superintendent.
  - (d) The employment of alternative measures and enlistment of parental support may be waived if the student commits a serious breach of conduct; and the principal may suspend immediately.
- (2) When the presence of a disruptive student interferes with the orderly discharge of normal school functions, such student shall be suspended forthwith and the parent, parents or guardian of the minor student, or the student eighteen (18) or over notified as provided herein with an offer of a conference subsequent to the effective date of the suspension. In any case, the principal shall conduct an investigation into the charges and shall obtain written and signed statements from any witness immediately after the incident. A tape recorder may be used with the knowledge of all parties concerned to record any proceedings with a parent or guardian or with students that could lead to a recommendation of dismissal.
- (3) Suspension proceedings, pursuant to law and/or rules promulgated by the state, may be initiated against any pupil enrolled as a student who is formally charged with a felony or with a delinquent act which could be a felony if committed by an adult, by a proper prosecuting attorney for an incident which allegedly occurred on property other than public school property, if that incident is shown in an administrative hearing with notice provided to the parents or legal guardian or custodian of such pupil by the principal of the school pursuant to rules and/or laws promulgated by the state, to have an adverse impact on the educational program, discipline, or welfare in the school in which the student is enrolled. Any pupil who is suspended as the result of such proceedings may be suspended from all classes of instruction on public school grounds during regular classroom

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hours for a period of time, which may exceed ten (10) days, as determined by the Superintendent. Such suspension shall not affect the delivery of educational services to the student, and the student shall be immediately enrolled in a daytime alternative education program.

- (4) If the pupil is not subsequently adjudicated delinquent or found guilty, the suspension shall be terminated immediately. If the pupil is found guilty of a felony, the superintendent shall have the authority to determine if a recommendation for expulsion shall be made to the School Board; however, such suspension or expulsion shall not affect the delivery of educational services to the pupil in any residential or non-residential program outside the public school. Any pupil who is subject to discipline or expulsion for unlawful possession or use of any substance controlled under Chapter 893 may be entitled to a waiver of the discipline or expulsion:
  - (a) If he/she divulges information leading to the arrest and conviction of the person who supplies such controlled substance to him/her, or if his/her voluntarily discloses his/her unlawful possession of such controlled substance prior to his/her arrest. Any information divulged which leads to such arrest and conviction is not admissible in evidence in a subsequent criminal trial against the pupil divulging such information.
  - (b) If the pupil commits himself/herself, or is referred by the court in lieu of sentence, to a state-licensed drug abuse program and successfully completes the program.
- (5) Where a student is suspended with a recommendation of dismissal being made, the procedures that are incorporated by reference shall be observed.
- (6) Any student who sells, possesses or is under the influence of intoxicating beverages, controlled or harmful substances, and/or drugs, on School Board property or at any school sponsored activity shall be suspended for ten (10) school days, and may be expelled from school for the remainder of the school year. However, the student may also be expelled for all or a portion of the following school year. Any student possessing or under the influence of controlled substances as defined herein shall have a mandatory hearing before the School Board, prior to expulsion.
- (7) Handicapped students may not be suspended unless these rules and pertinent provisions of the District Procedures for Exceptional Child Education are followed.

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- (8) No suspension shall be made a dismissal unless so ordered by the School Board.
- (9) Students who are placed in alternative education in lieu of expulsion or dismissal by the School Board may be expelled from riding the bus during the time of the alternative placement.

### **STATUTORY AUTHORITY:**

**1001.41; 1001.41; 1006.14, F.S.**

### **LAWS IMPLEMENTED:**

**1001.32; 1001.42; 1001.43;  
1003.31; 1006.08; 1006.09, F.S.**

### **HISTORY:**

**ADOPTED:  
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