

STUDENT EXTENDED SUSPENSION OR EXPULSION APPEAL PROCEDURE

I. The procedure for carrying out Talbot County's extended suspension or expulsion policy is as follows:

A. Extended Suspension or Suspension for longer than ten (10) days or Expulsion

1. For an expellable offense, administrator first suspends student for 10 days. (Guidelines for suspension and expulsion of disabled students must be adhered to.) See COMAR 13A.08.03.03
2. Within 24 hours administrator notifies superintendent/designee of intent to request extended suspension and/or expulsion; follow-up letter submitted within three (3) days (copy to the Coordinator of Student Services).
3. Upon receipt of a written report from a principal requesting an extended suspension or expulsion, the local superintendent/designee promptly shall make a thorough investigation of the matter.
4. If it is determined that expulsion is not warranted, appropriate conditions will be established for re-admittance. (see Policy Code 10.22 - AR.)
5. If after the investigation the local superintendent/designee finds that an extended suspension or expulsion is warranted, the superintendent/designee promptly shall arrange a conference with the student and the student's parent/guardian. At this meeting, new evidence or facts may be introduced. It is within the sole and absolute discretion of the superintendent/designee, not to disclose the names and addresses of potential witnesses, where the identification of student witnesses may result in retaliation, hazing, bullying or intimidation.
6. The process described above shall be completed by the 10th school day of the initial suspension. If additional time is necessary to complete the process, either because of delays due to parent or guardian unavailability or due to the complexity of the investigation, the student shall be allowed to return to school unless the superintendent/designee determines that the student's return to school would pose an imminent threat of serious harm to other student's or staff. If the student is not allowed to return to school after the 10th day, the superintendent/designee shall notify the student and the parent or guardian within 24 hours and provide the reasons for the delay in the process and the denial of reentry and send a copy of the notice to the State Superintendent of Schools.
7. If after the conference the superintendent/designee finds that an extended suspension or expulsion is warranted, the student or the student's parent or guardian may appeal to the Talbot County Board of Education in writing within 10 days after the determination.

8. If an appeal is filed, the Talbot County Board of Education or its designated committee or hearing officer shall have 45 days from the appeal was received to hear the appeal and issue a decision, as follows:
 - a. This timeline period may be extended if the parent, guardian, or his/her representative requests addition time; and
 - b. This timeline shall also apply in the event that the Talbot County Board of Education elects to use a hearing examiner.
 - c. If due to extraordinary circumstances or unusual complexity of a particular appeal, the Talbot County Board of Education determines that it will be unable to hear an appeal and issue a decision within 45 days, it may petition the State Superintendent for an extension of time.
 - d. The student or the student's parent/guardian;
 - e. Shall be provided the school system's witness list and a copy of the documents that the school system will present at the hearing 5 days before the hearing; and
 - f. May bring counsel and witnesses to the hearing.
 - g. Unless a public hearing is requested by the parent/guardian of the student, a hearing shall be held out of the presence of all individuals except those whose presence is considered necessary or desirable by the Talbot County Board.
 - h. The appeal to the Talbot County Board of Education does not stay the decision of the county Superintendent.
 - i. The decision of the Talbot County Board of Education is final.
9. A student expelled or suspended from school shall remain away from the school premises during those hours each school day when the school the student attends is in session, and may not participate in school-sponsored activities. The expelled or suspended student may return to the school premises during the prohibited hours only for attendance at a previously scheduled appointment, and if the student is a minor then only if accompanied by the student's parent or guardian.
10. Minimum Education Services. In order to establish accountability and keep students suspended or expelled students on track with classroom work, as is reasonably possible, the Talbot County Board of Education shall institute education services that at a minimum provide that:
 - a. Each student suspended or expelled out-of-school who is not placed in an alternative education program shall receive daily classwork and assignments from each teacher, which shall be reviewed and corrected by the teachers on a weekly basis and returned to the students; and
 - b. Each principal shall assign a school staff person to be the liaison between the teachers and the various students on out-of-school suspension or expulsion and to communicate weekly about classwork assignments and school related issues by phone or email with those out-of-school suspended/expelled students and their

parents.

11. A student suspended or expelled from school shall be allowed to return to school on the day that the terms and conditions of the suspension or expulsion are met whether or not the student, parent, guardian has filed an appeal of the suspension.
12. If a student has been suspended or expelled, the principal may not return the student to the classroom without conferring with the teacher who referred the student to the principal, if the student was referred by a teacher, or other teachers as appropriate, other appropriate school personnel, the student, and the student's parent or guardian.
13. The superintendent may deny attendance to a student who is currently expelled or on extended suspension from another school system for a length of time equal to that expulsion or extended suspension. A school system shall forward information to another school system relating to the discipline of a student, including information of an expulsion or extended suspension of the student, on receipt of the request for information.

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