



SAN DIEGO CITY SCHOOLS

EUGENE BRUCKER EDUCATION CENTER
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Communications Department

F.A.Q.s by Students About Suspension and Expulsion

What can the school do to help me stay on top of my work if I've been suspended?

Any parent of a student on suspension may request class assignments and tests during a suspension. Additionally, the teacher of any class from which a student is suspended may require that the student complete assignments and tests during the period of suspension. Students may also want to check with their counselor regarding tutoring programs available. For more information, you can review District Procedure #6290, available on the SDCS website at <http://prod031.sandi.net/procedures/pdf/pp6290.pdf>.

How do you define "assault?"

"Assault" is defined as, "an unlawful attempt, coupled with a present ability to commit, a violent injury on the person of another." In district disciplinary policies, the "assault and battery" category includes caused, attempted to cause, or threatened to cause physical injury; willfully used force or violence upon another person, except in self-defense; and sexual assault and battery.

What is the process to appeal a suspension?

To appeal a suspension, the student's parent or guardian should complete a Suspension Appeal Form. The Placement and Appeal office must receive the completed form and a copy of the suspension form from the student's school within 15 school days of the first day of suspension. You can contact the Placement and Appeal Department at (619) 725-5660 and request that one be mailed to you, or you can download and print it out from the SDCS website at http://www.sandi.net/depts/placement_appeal/suspension_appeal.pdf.

What is the process to appeal an expulsion?

In the case of expulsion, after the Board of Education has taken action and expelled a student, the Placement and Appeal Office will provide the parent/guardian with contact information for the San Diego County Office of Education, which handles expulsion appeals.

The parent has 30 days from the date the Board ordered the student expelled to file an appeal. A decision by the Board of Education to suspend an expulsion order does not affect the time period and the requirements for the filing of an appeal. The County Office of Education can be reached at (858) 292-3500, or at 6401 Linda Vista Rd., San Diego, CA 92111. An Expulsion Appeals handbook is available on their website at <http://www.sdcoe.k12.ca.us/expulsion/expulsion1.html>.

How do you define "defiance?"

Defiance is defined as "willfully defying the valid authority of school personnel," including supervisors, teachers, school officials and other school staff performing their duties. This can include deliberately challenging teachers or ignoring classroom rules.

What can I do if I feel I've been treated unfairly by school staff?

Complaints about staff should be addressed to the principal. If the situation cannot be resolved at the school site level, a formal complaint may be filed with the Parent Support and Board Services Department. The department can be reached by calling (619) 725-5525 or by visiting Room 2153 of the Eugene Brucker Education Center at 4100 Normal Street, San Diego, CA 92103. You can also learn more by visiting the department's web page at <http://www.sandi.net/parents/support/support.html>.

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"The mission of San Diego City Schools is to improve student achievement by supporting teaching and learning in the classroom."

How do I get back into school after expulsion?

Upon expulsion, the Board of Education can assign the student to a school, class or program, in accordance with law, as deemed appropriate, and the Board also recommends a plan of rehabilitation for the student. The rehabilitation plan may include periodic review and counseling. Once the rehabilitation plan specifications have been met, the district's Placement and Appeal Office will determine the appropriate placement for the student's readmission. If the rehabilitation plan specifications have not been met, the Board of Education may deny readmittance into the regular school district program and assign the student to a juvenile community court school until the plan has been met and the student is readmitted to a regular school.

Can teachers force my parents to come to school for meetings about a suspension?

It is usually suggested that a parent come to the school to shadow their child or come in for a conference, but no one can force a parent to show up. A student cannot be denied or delayed a return from suspension or receive other punishment based on the parent's failure to contact the school.

How long may an expulsion last?

Depending on the nature of the offense, an expulsion order cannot last longer than one year from the date of expulsion. This is not necessarily the date of the offense, which may be much earlier. Reinstatement occurs at the beginning of each new semester only.

What can I do if I feel I was wrongly suspended?

If a student feels he or she has been wrongly suspended, he or she must serve their suspension, but may file a suspension appeal that, if granted, would result in removal of the suspension from their record. A Suspension Appeal checklist is available by calling the Placement and Appeal office at (619) 725-5560, or you can download one at http://www.sandi.net/depts/placement_appeal/suspension_appeal.pdf.

If I get suspended, can I go back to school? What will happen if I do?

During formal (out-of-school) suspension, a student is not allowed to go to any district school campus during the period of suspension except for official meetings relating to their suspension. If a student does return to campus, the school may call the school police, and the student's parents, to have the student removed.

What is the difference between in-school suspension and out-of-school suspension?

Out-of-school, or formal, suspension means students are not allowed to go to campus during the period of suspension except for official meetings relating to their suspension.

In-school suspension usually means that a student is sent to a particular area at the school where they are monitored by school staff. In-school suspension does not go on the student's permanent record, but may be retained in the student's general file for reference and may be used as an alternative consequence before rising to the level of a formal suspension.

Under what circumstances can the district suspend or expel a student with a disability, when we have an IEP?

The grounds for suspension or a recommendation for expulsion are the same for all students, even if they are eligible for services under 504 of the Rehabilitation Act or for special education. However, even when a student enrolled in special education meets the criteria for an expulsion, or suspension beyond 10 days, the law continues to require a Free Appropriate Public Education. Unlike a regular education student, a student in special education will not see an end to services, but may have a change of placement to an alternative setting which will provide the services required by a student's IEP.

Learn more about Section 504 by visiting <http://www.hhs.gov/ocr/504.html>. Learn more the Free Appropriate Public Education Act is available at <http://www.ed.gov/about/offices/list/ocr/docs/edlite-FAPE504.html>.