



**Policy: 9.18**

**SUBJECT:                    STUDENT EXCLUSION/SUSPENSION/EXPULSION**

**Supersedes:**            JGD/JGE  
**Effective:**                September 8, 2008  
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**Approved by:**         Detroit Board of Education

**1.0    Policy**

The following are disciplinary actions to which students who violate the Uniform Code of Student Conduct will be subject:

1.    **Exclusion:** Temporary exclusion from a school or class. An elementary student may be excluded from school for up to three days and secondary students (grades 6 to 12) may be excluded for up to five days. Before an excluded student may return to school, the student will be required to attend a conference with his/her parent or parents or legal guardian and the principal or his/her designee to discuss his/her behavioral problem and the ways to correct same. Such conferences must take place within three days (elementary) or five days (secondary) of the exclusion of the student.

In addition, any teacher may take disciplinary action against a student by excluding the student from his or her class for a day or more. (Such exclusion and the return of the student to class is governed by the DFT agreement, VIII-C and VIII-D).

2.    **Suspension:** Suspension means that a student is permanently separated from a particular school placement. When a student is suspended, a representative of the attendance department will arrange for the placement of the suspended student in an appropriate course of study in another school in the Detroit school district. Unless otherwise indicated by professional evaluation, the student will be assigned, when possible, to a school offering a program comparable to that of the school from which the student was suspended.
3.    **Expulsion:** Expulsion is the permanent denial of the right of a student to attend any school and/or program operated by the district. The authority to expel resides solely with the Board of Education upon recommendation of the General Superintendent. Although expulsion is permanent, the Board may, at its discretion, establish conditions under which a student who has been expelled may: (1) attend specifically identified programs operated by the

district; or (2) petition the Board of Education for re-admission to the Detroit Public Schools. The authority of the Board to expel is established by section 380.1311 of the Michigan Revised School Code.

Make-Up Work: Students who are excluded or suspended must be given the opportunity to make up assignments missed during their exclusion or suspension. The judgment of the principals and teachers will be relied upon in both the type and scheduling of make-up assignments.

### Expulsion for Violent Acts Policy

Any student, who after appropriate suspension hearings at the local school level, is found guilty of committing a violent act as defined below must be suspended and referred to the General Superintendent appropriate designee for expulsion review (see “note” that follows). The review will be for the purpose of either recommending to the General Superintendent a central level expulsion review, confirming the suspension, or rescinding the suspension by referring the case back to the principal for alternative considerations. The student is not to return to school until the expulsion review process is completed.

*Note: In instances where students are suspected or confirmed to be handicapped, the local school administrator, upon suspension, must immediately inform (with documentation) the General Superintendent of that status. The General Superintendent appropriate designee will immediately refer these students to the office of special education when a decision is made recommending a central level expulsion review.*

### Definition of Violent Acts

Violent acts under this policy include, but are not limited to: (1) acts which create an immediate and clear threat of injury to the health and safety of individuals; (2) acts which result in serious physical harm to individuals; and (3) acts which result in a substantial threat of or actual destruction of property which necessitates significantly altering a school’s operations and activities.

Violent acts specifically include the following illegal behaviors:

1. Possession of a gun or knife, whether manufactured or homemade, under circumstances which create an immediate and clear threat of injury to the health and safety of individuals.
2. Use or possession of a gun, other weapon, or dangerous instrument in a physical altercation with staff or other students.
3. Committing a battery upon an employee of the Detroit Public Schools where the evidence demonstrates that the staff member did not provoke the battery by initiating an unlawful battery upon the student.

4. Any threat of harm or taking of property from the school staff or another student which involves the use of a weapon or dangerous object.
5. Acts which result in a substantial threat of or actual destruction of property which necessitates significantly altering a school's operations and activities. Specifically included are:
  - a. Significant damage to the physical plant.
  - b. Conditions necessitating evacuation of pupils and staff from the building.
  - c. The inability of a school to perform its functions. Specifically included herein are acts of arson, use of smoke bombs or incendiary devices, making bomb threats, or reporting fire or activating fire alarms without a reasonable belief that a fire or bomb is present.
6. The sale or distribution of any illegal drug or controlled substance.
7. Any battery upon another student in which
  - serious physical injury results.
  - the victim attempts to avoid the altercation but is battered.
  - more than two individuals are involved simultaneously.
  - weapons are in the possession of a student during the battery or are used during the battery.
8. Other acts, not specifically listed, which fall within the general definition of violent acts, such as criminal sexual assaults, etc.

#### Implementation of Policy

It is the responsibility of building, area and central administrators to implement, enforce, and monitor the consistent and uniform application of this policy and Board-approved procedures for its implementation.

*Note: Regulations and procedures pertaining to hearings and right of appeal in cases involving exclusion, suspension, or expulsion are included in an appendix to the Uniform Code of Student Conduct. The code is available from the office of the uniform code or from any school principal. Regulations and*

*procedures for implementation of the policy on expulsion for violent acts are available from the same sources.*

**Attachments to Policy 9.18:** None

**See also:** None

**Legal References:**

MCLA § 380.1309  
20 USC § 7151

**Labor Contract References:** None