Out-of-School Suspension Guidelines

Your son/daughter has been placed on Out-of-School Suspension (OSS) due to a violation of the Student Code of Conduct. This information is being provided as a guide to help parents understand the District’s position on OSS and to clarify key points of the Student Code of Conduct.

After reading this guide, please feel free to contact the school administration for further information. To schedule an appeal, please call ____________.

Sincerely,

__________________________
Principal

Out-of-School (OSS) Guidelines

The principal or designee of a school shall have the right to suspend a student from school for a period of no more than ten (10) days. The principal or designee and staff shall notify and remand the suspended student to the parents. The notice of suspension must be delivered or mailed to the parent(s).

Prior to suspending a student, a principal or designee shall make a good faith effort to employ parental assistance or other alternative measures, except in conditions of emergency (e.g., Level 3 offenses). Alternative measures, which have been used, will be documented in the suspension letter.

Once a student has been suspended, the student’s presence on any school campus or property shall be considered trespassing and may be referred to law enforcement authorities for criminal prosecution.

A student who receives OSS may make up work for full credit.

No student who is required by law to attend school shall be suspended for unexcused absences or truancy, including skipping classes.

School personnel shall not be held legally responsible for suspensions of students made in good faith.

If a student has been charged by the Office of the State Attorney with a felony in the community and the principal or designee can reasonably conclude that the presence of that student on campus would be a danger or disruption to the school, the principal or designee may ask the Superintendent or his/her designee to suspend that student from that school for a period of time as determined by the Superintendent or his/her designee. During that period of suspension, the student shall have a right to placement in a full-time alternative program. The student shall have a right to an administrative hearing. If the student is adjudicated guilty of a
felony, the Superintendent or his/her designee shall have the authority to determine if a recommendation for expulsion shall be made to the School Board. If found innocent, the student’s absences shall be excused.

Suspension of Students with Disabilities (ESE and Section 504)
If a student with a disability violates the Code of Conduct, the student may be suspended. A series of suspensions constitutes a change of placement when the suspensions accumulate to more than 10 school days in a single school year. A Manifestation Determination Meeting must be held within ten (10) days of any decision to change placement and prior to the 11th day of removal of the student from his/her current educational placement. The purpose of the meeting is to discuss the circumstances surrounding the offense and to determine if a relationship exists between the qualifying disability and the behavior. If no relationship exists between the qualifying disability and the behavior in question, the student can be treated in the same fashion as the non-disabled peer.

Appeal Procedures
A student has the right:
- To know what rules have been broken
- To be told which kind of discipline or consequence(s) he/she can expect by having broken this rule
- To give an explanation in his/her defense

A student should first share any concern with the staff member(s) involved and try to solve the problem informally. If this does not work, then the student may take other step(s) including appeal. If a student believes he/she is innocent; he/she has the right to an inquiry, to call witnesses to speak on his/her behalf, to respond to witnesses against him/her, and to question witnesses testifying against him/her. In certain cases where the identification of a witness could place that student in jeopardy of harm or retribution, the principal or designee may protect the student’s identity. The testimony shall be shared in the case, but the identity of the witness will remain confidential. In cases where students are suspended, at the point of formal appeal (during the first three days), the suspension may be lifted until the matter is resolved.

If a student believes that a disciplinary action is unfair; he/she may use the following appeal procedures:

The student (or parents) must provide the principal or designee with a written and signed appeal. A copy of the appeal must be given to the person involved and should describe the problem and provide all the facts. The student should tell what he/she thinks would be the best solution to the problem. This must be given to the principal or designee not more than three (3) school days after the decision by administration. The principal or designee will make a decision within three (3) school days.

All decisions involving bus suspension and any interventions other than six (6) to ten (10) days of OSS or expulsion, the principal’s decision is final.

The student may appeal to the Superintendent or his/her designee in cases of six (6) or more days of OSS by sending another appeal to the Superintendent, or his/her designee. A copy of the appeal is to be given to the principal or designee. This must be done within three (3) school days after receiving the principal’s decision. The superintendent, or his/her designee, will make a decision within five (5) school days after receiving the appeal. The decision of the Superintendent or his/her designee will be final.

If a student is recommended for expulsion, a Superintendent’s level appeal is scheduled at the District School Board of Pasco County’s Office in Land O’ Lakes. If the parent does not agree with the decision reached at the appeal hearing, they must appeal the decision in writing within three (3) days of the hearing. The formal appeal would then be heard at the next regularly scheduled meeting of the School Board. The decision of the School Board is final.

The Superintendent, or his/her designee, may ban a student from campus during a formal appeal if he/she believes that the student’s presence on campus would be a continuing danger or disruption. In such cases, the appeal shall be expedited.

FAQs
Are OSS days counted against my student’s attendance? OSS days are listed separately on the official attendance report and do not count as unexcused absences.

Will my student be penalized academically for missing school? No, students can make-up work for full credit. In cases where students are suspended for less than 3 days, they should ask their teacher for the work when they return to school. For suspensions that exceed 3 days, the parent can contact the front office to request the work.

If I choose to appeal, can my student come to school? The Principal or designee will determine if the student can return. The appeal hearing will be scheduled as soon as possible.

What happens at the appeal hearing? The Principal or designee serves as the hearing officer. It is considered a formal meeting. The hearing officer will listen to all of the evidence. They will determine if there is a breach of the Student Code of Conduct and if the consequence is consistent with how discipline is normally applied to the situation. Attendees of the meeting must comply with the Respect and Civility Policy.

What are the possible outcomes of the hearing? The principal or designee will either increase or decrease the consequence, or the original consequence will remain in effect.