

BRIDGES PREPARATORY ACADEMY

SUSPENSION AND EXPULSION POLICIES

Rules of suspension and expulsion follow the due process as mandated by the State of Ohio.

Pursuant to the School's Parent/Student Handbook, misconduct and violations of School rules will subject a student to various levels of discipline depending on the type of offense, the specific circumstances surrounding the offense, and the frequency with which a student exhibits misconduct. The list of offenses attached hereto as Exhibit 1, specifies misconduct which may lead to suspension, expulsion or removal of a student based on the circumstances. To review the complete student code of conduct, please refer to the current Parent/Student Handbook which may be updated from time at the discretion of the School. The School's principal has similar authority and responsibilities as the superintendent of schools for a local district. These Suspension and Expulsion Policies (the "Policies") shall be posted in a central location in the School and made available upon request.

I. OUT-OF-SCHOOL SUSPENSION

Out-of-school suspension is removal of a student from school for a period of one to ten days. While students are suspended from school, they shall be afforded the opportunity to complete all of their classroom assignments missed due to the suspension and the student shall receive at least partial credit for such completed assignments as determined from time to time by the School administrator and teaching staff. In no event shall the student receive a failing grade on a completed assignment *solely* on the basis of the student's suspension. During suspension, students are not permitted to attend classes, participate in extracurricular activities, or be on any property owned, used, or leased by the School for school, extracurricular, or school-related events, activities of functions (hereafter as "School Property").

The principal, assistant principal or principal designee may suspend a student. Prior to suspending a student, the principal, assistant principal or principal designee must do both of the following:

1. Give written notice of the intention to suspend and the reasons for the intended suspension to the student. If the proposed suspension is based on a violation listed in Ohio Revised Code Section 3313.662(A) and the student is sixteen years of age or older, the notice must contain a statement that the School may seek to permanently exclude the student if the student is convicted of or adjudicated a delinquent child for that violation; and
2. Provide the student an opportunity to appear at an informal hearing before the principal, assistant principal or principal designee and challenge the reasons for the intended suspension or otherwise explain their actions. The hearing can happen immediately and can happen anywhere - the hall, office, classroom, etc.

Within one school day after the time of the student's suspension, the principal, assistant principal or principal designee shall also provide written notice of suspension to the parent/guardian of the student. The notice shall contain:

1. The reasons for the suspension;
2. Notice of the right of the student, or student's parent/guardian/custodian to appeal to the Board of Directors or the Board's designee;
3. Notice that the student/parent/guardian/custodian has the right to be represented in all appeal proceedings;
4. Notice of the right to be granted an appeal hearing before the Board of Directors or the Board's designee to be heard against the suspension;
5. Notice of the right to request that the hearing be held in executive session;
6. Notice that the School may seek the student's permanent exclusion if the suspension was based on a violation listed in Ohio Revised Code Section 3313.662(A) that was committed when the student was sixteen years of age or older and if the student is convicted of or adjudicated a delinquent child for that violation; and
7. The date and manner by a student or parent/guardian/custodian may notify the Board of Directors of their intent to appeal the suspension. If the student or parent/guardian wishes to appeal the suspension, the request must be submitted, in writing, to the principal within five (5) school days of the written notice of suspension. The principal shall immediately forward this written appeal to the Board of Directors and Board of Directors' appeal hearing designee.

If there are fewer than ten school days remaining, the out-of-school suspension may not be applied to the following school year, but the superintendent may require the student to participate in a community service program or other alternative consequences for a number of hours equal to the remaining period of the suspension. In the event a student does not complete the community service or alternative consequence, the School may determine the next course of action which may not include requiring the student to serve the remaining time of the out-of-school suspension at the beginning of the following school year.

II. IN-SCHOOL SUSPENSION

If a student is issued an in-school suspension, the student shall serve the in-school suspension in a supervised learning environment. The student shall be permitted to complete any classroom assignments missed because of the suspension and the student will receive at least partial credit for such completed assignments as determined by the School administrator and teaching staff. In no event shall the student receive a failing grade on a completed assignment *solely* on the basis of the student's suspension.

III. EXPULSION

Except as specifically provided for by statute, the superintendent may expel a student for

a period not to exceed the greater of 80 school days or the number of days remaining in the semester or term in which the offense leading to expulsion took place. Students expelled from the School are not permitted to attend classes, participate in extracurricular activities, or be on any School Property. If there are fewer than 80 school days remaining in the school year, expulsions may extend into the following school year.

Only the superintendent may expel a student. No student shall be expelled unless prior to the expulsion, the superintendent does both of the following:

- (1) Provides the student and parent, guardian or custodian written notice of the intention to expel the student and the reasons for the intended expulsion. The notice shall include the reasons for the intended expulsion, notification of the right of the student, guardian, custodian or their representative to appear before the superintendent or their designee to hear and to challenge the reasons for the intended expulsion or otherwise to explain the student's actions, and the notification of the time and place to appear. The time to appear shall not be sooner than three (3) nor later than five (5) school days after the notice has been given unless the superintendent grants an extension of time at the request of the student, their guardian, custodian, or representative. If an extension of time is granted, the superintendent shall notify the student and their parent, guardian, custodian, or representative of the new time and place to appear. If the proposed expulsion is based on a violation listed in Ohio Revised Code Section 3313.662(A) and the student is sixteen years of age or older, the notice must contain a statement that the superintendent may seek to permanently exclude the student if the student is convicted of or adjudicated a delinquent child for that violation.
- (2) Provides the student and parent, guardian, or custodian an opportunity to appear in person before the superintendent or the superintendent's designee to challenge the reason for the intended expulsion or otherwise to explain the student's actions.

Within one school day after the time of the student's expulsion, the superintendent shall provide written notice of expulsion to the parent/guardian of the student and the treasurer of the Board of Directors. The notice shall contain:

1. The reasons for the expulsion;
2. Notice of the right of the student, or student's parent/guardian/custodian to appeal to the Board of Directors or the Board's designee;
3. Notice that the student/parent/guardian/custodian has the right to be represented in all appeal proceedings;
4. Notice of the right to be granted an appeal hearing before the Board of Directors or the Board's designee to be heard against the expulsion;
5. Notice of the right to request that the hearing be held in executive session;
6. Notice that the School may seek the student's permanent exclusion if the expulsion was based on a violation listed in Ohio Revised Code Section

3313.662(A) that was committed when the student was sixteen years of age or older and if the student is convicted of or adjudicated a delinquent child for that violation and that the expulsion may be extended if a juvenile court or criminal proceeding regarding such violation is pending at the time the expulsion terminates; and

7. The date and manner by a student or parent/guardian/custodian may notify the Board of Directors of their intent to appeal the expulsion. If the student or parent/guardian wishes to appeal the expulsion, the request must be submitted, in writing, to the principal within fourteen (14) calendar days of the written notice of expulsion. The principal shall immediately forward this written appeal to the Board of Directors and Board of Directors' appeal hearing designee.

If the superintendent expels a student for more than twenty school days or for any period of time if the expulsion will extend into the following semester or school year the notice shall provide the student and the student's parent, guardian, or custodian with information about services or programs offered by public and private agencies that work toward improving those aspects of the student's attitudes and behavior that contributed to the incident that gave rise to the student's expulsion. The information shall include the names, addresses, and phone numbers of the appropriate public and private agencies.

An expelled student will be provided with a date for re-entry and the date for the re-entry conference. The expelled student, and parent or guardian of the student must be present in the re-entry conference. The student and parent or guardian of any student will be notified in the event that the student fails to attend the re-entry conference.

Expulsion proceedings will be pursued against a student who has committed an act warranting expulsion even if the student has withdrawn from school for any reason after the incident giving rise to the hearing, but before the hearing or decision to expel. If after the hearing, the student would have been expelled for a period of time had the student remained in school, the expulsion will be for the same length of time as on a student who has not withdrawn from school.

IV. WEAPONS EXPULSION

(A) A student must be expelled for one year for:

Bringing a firearm to the School or onto School Property.

A student expelled under this Section IV(A) may also be subject to the reinstatement requirements described in Section V(C) below.

(B) A student may be expelled for a period not to exceed one year for:

1. Bringing a firearm to an interscholastic competition, an extracurricular event, or any other School program or activity that is not located at the School or on School Property.

2. Possessing a firearm at School, on School Property, or at an interscholastic competition, an extracurricular event or any other School program or activity which firearm was initially brought onto the property by another person.
3. Bringing a knife capable of causing serious bodily injury to School, onto School Property, an interscholastic competition, an extracurricular event, or any other program or activity sponsored by the School or which the School is a participant.
4. Possession of a knife capable of causing serious bodily injury at School, on School Property, or at an interscholastic competition, an extracurricular event, or any other program or activity sponsored by the School or which the School is a participant which knife was initially brought onto the property by another person.
5. Committing an act while at School, on School Property, at an interscholastic competition, an extracurricular event, or any other School program or activity that is a criminal offense when committed by an adult that results in serious physical harm to persons or serious physical harm to property as defined in Section 2901.01(A)(5-6) of the Revised Code.
6. Making a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat.

As used herein, "firearm" has the same meaning as provided pursuant to the "Gun Free Schools Act of 1994". At the time these Policies were adopted, the above-referenced statute defined a firearm as any weapon (including a starter's gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; including the frame or receiver of any such weapon; and any firearm muffler or silencer; or any destructive device. If the definition of a firearm as provided by the "Gun Free Schools Act of 1994" changes, then the definition set forth in this policy shall automatically change to conform to it.

As used herein, a "knife capable of causing serious bodily injury" is defined as any weapon or cutting instrument consisting of a blade or edge that is not otherwise determined by the superintendent to be necessary in the particular school setting and used for its intended school purpose.

(C) The superintendent may, in their discretion, reduce the term of an expulsion for an infraction described in this Section (IV) on a case-by-case basis for reasons including but not limited to the following:

- the student was unaware that they brought or were in possession of a firearm or knife capable of causing serious bodily injury;
- the student legitimately did not understand that the item they brought or possessed was a firearm or knife capable of causing serious bodily injury;
- a recommendation from individuals deemed qualified, in the superintendent's sole discretion, concerning circumstances that justifiably mitigate the student's culpability;
- a recommendation from individuals deemed qualified, in the superintendent's sole

discretion, indicating that the student has or is currently receiving mental health care and/or services aimed at reducing a student's problematic behaviors; or

- the student's successful completion of all conditions developed by the superintendent pursuant to Section V(A) or Section V(C) below.

V. IMMINENT AND SEVERE ENDANGERMENT EXPULSION

A student may be expelled for a period not to exceed one-hundred-eighty (180) school days for actions that the superintendent determines pose imminent and severe endangerment to the health and safety of other students or personnel working at or for the School, even though the pupil's actions may not qualify for permanent exclusion under Ohio Revised Code Section 3313.662. For purposes of these Policies, "imminent and severe endangerment" means:

- Bringing a firearm to School or any School Property;
- Bringing a firearm to an interscholastic competition, extracurricular event, or any other program or activity sponsored by the School or in which the School is a participant;
- Bringing a knife capable of causing serious bodily injury to School, School Property, or to an interscholastic competition, extracurricular event, or any other program or activity sponsored by the School or in which the School is a participant;
- Committing an act while at School, on School Property, at an interscholastic competition, an extracurricular event, or any other program or activity sponsored by the School that is a criminal offense when committed by an adult that results in serious physical harm to persons or serious physical harm to property as defined in Section 2901.01(A)(5-6) of the Revised Code;
- Making a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat; or
- Making an articulated or verbalized threat, including a hit list, threatening manifesto, or social media post, that would lead a reasonable person to conclude that the student poses a serious threat.

Upon the expulsion of a student under this Section V, the superintendent shall develop conditions for that pupil to satisfy prior to their reinstatement. The superintendent shall provide a written copy of these conditions to the Board of Directors, the student, and the student's parent, guardian, or custodian at the beginning of the expulsion period.

(A) Guidelines for the Conditions for Reinstatement

The conditions for reinstatement shall include, but are not limited to, the following:

- An assessment which must include a determination as to whether the student poses a danger to self or others and which may include recommendations for contingent conditions on the student's reinstatement.
 - The assessment shall be completed by a psychiatrist as defined in Ohio Revised Code Section 5122.01, licensed psychologist, or licensed school

psychologist as contracted by the School.

- The superintendent and student's parents/guardians/custodian shall agree upon said psychiatrist, psychologist, or school psychologist.
- The School shall pay the costs for an assessment conducted by an individual employed or contracted by the School. If the assessor is not employed or contracted by the School, the costs shall be submitted to the student's health insurance. Any costs not covered by the student's health insurance shall be paid by the School.
- For each expulsion under this Section V, the superintendent may impose additional conditions, so long as all conditions have clear criteria, and are realistic while considering factors such as:
 - Student's age and past behaviors;
 - Levels of support from outside the School; and
 - Availability of resources aimed at improving behaviors or addressing mental health issues.

(B) POST EXPULSION ASSESSMENT

At the end of an expulsion period under this Section V (an "Imminent and Severe Endangerment Expulsion"), the superintendent shall assess the student and determine whether the student has shown sufficient rehabilitation to be reinstated. The decision should be made in consultation with a multidisciplinary team selected by the superintendent and take into consideration (i) the assessment by the psychiatrist, psychologist, or school psychologist, (ii) whether the student has met the conditions developed by the superintendent, and (iii) whether the student no longer poses a danger to the student's self or to other students or School employees.

(C) REINSTATEMENT OPTIONS

If the assessment described in Section V(B) shows the student has shown sufficient rehabilitation, they may be reinstated. The superintendent is authorized to develop contingent conditions for reinstatement. The contingent conditions may include those developed for the original expulsion period and recommendations from the psychiatrist, psychologist, or school psychologist's assessment. The superintendent shall establish the duration under which the student must meet the contingent conditions, which may extend to the student's graduation date. These conditions must be provided in writing to the student and their parent, guardian, or custodian, and the Board of Directors. If these contingent conditions are not met, the superintendent may revoke the reinstatement and establish an extended expulsion period by the extension process described in Section V(D).

(D) EXTENSION OF EXPULSION PERIOD

If the student has not shown sufficient rehabilitation or has failed to meet any contingent conditions described above, the superintendent may extend an Imminent and Severe Endangerment Expulsion for an additional period not to exceed ninety (90) school days. In

such an event, the superintendent will comply with the notice requirements as described in Section III above, specifically notice of the intent to expel and notice of rights to appeal to the Board of Directors, or the Board's designee, should the expulsion be extended. Any decision made under this Section may be appealed to the Board of Directors, or the Board's designee, pursuant to the information provided in the notice of expulsion.

For any extension under this Section V(D), the superintendent shall develop conditions for the student to satisfy prior to their reinstatement. The conditions may be the same as the original expulsion period and the superintendent must provide a written copy to the Board of Directors, the student, and the student's parent, guardian or custodian at the beginning of the extended expulsion period. Upon conclusion of the extension, the student shall be assessed as described in Section V(C) above. The same process as described above will be followed, with the student either being reinstated or the expulsion being extended for an additional ninety (90) school days. There is no limit on the number of times the superintendent may extend an expulsion under this Section V for any student not meeting the requirements of sufficient rehabilitation in the superintendent's discretion.

(E) EARLY TERMINATION

Prior to the end of any Imminent and Severe Endangerment Expulsion period, the superintendent may reduce the expulsion on a case-by-case basis for any student meeting all of their prescribed conditions. The circumstances which might warrant such a reduction are the same as those identified in Section IV(C) above.

Additionally, prior to the end of any Imminent and Severe Endangerment Expulsion period, the student or their parent, guardian, or custodian may request that the superintendent conduct an early assessment meeting the requirements as described in V(B) above. The superintendent shall use the circumstances set forth in Section IV(C) in determining whether to reduce the expulsion. One such early assessment may be requested for each expulsion period, including each extension, under this Section V.

(F) CONTINUED EDUCATION

Within fifteen (15) days of the original expulsion period under this Section V or any extended period (within ten (10) days for students with an Individualized Education Program (IEP)), the superintendent shall develop a plan for the continued education of the student. This plan will be developed in consultation with the student, the parent, guardian, or custodian, and the IEP team, if applicable. The plan may include education by the School in an alternative setting including home instruction, enrollment in another school, or other type of public or nonpublic school, or any other form of instruction that complies with Chapter 3321 of the Ohio Revised Code.

The superintendent shall develop a list of alternative educational options for students who are expelled.

VI. EMERGENCY REMOVAL

If a student's presence poses a continuing danger to persons or property, or an ongoing threat of disrupting the academic process, the student can be removed from school without first satisfying the prior notice and hearing requirements set forth above. Written notice of the hearing and the reason for the removal shall be given to the student as soon

as practicable prior to the hearing. The hearing shall be held on the next school day following the day of the student's initial removal. Students are to remain home during school hours and not attend/participate in School sponsored function(s) pending the hearing.

If a student in grades pre-kindergarten to three poses a continuing danger to persons or property, or an ongoing threat of disrupting the academic process, the student can be removed from school without first satisfying the prior notice and hearing requirements set forth above. The student may only be removed for the remainder of the school day and will be permitted to return to school and participate in extracurricular activities the following day. In this case, the School may forego the written notice and one-day post-removal hearing requirements.

The School may not initiate suspension or expulsion proceedings against a student in grades pre-kindergarten to grade three who was removed as an emergency removal unless the student has committed an act that could result in a one-year expulsion under the Weapons Expulsion rules, described above, or as necessary to protect the immediate health and safety of the student, the student's fellow classmates, the classroom staff and teachers, or other school employees.

VII. PERMANENT EXCLUSION

A student may be permanently excluded from school if the student is convicted of, or adjudicated a delinquent child for, committing, when the student was sixteen years of age or older, an act that would be a criminal offense if committed by an adult and if the act is any of the following:

- (1) A violation of section 2923.122 of the Revised Code;
- (2) A violation of section 2923.12 of the Revised Code, of a substantially similar municipal ordinance, or of section 2925.03 of the Revised Code that was committed on property owned or controlled by, or at an activity held under the auspices of, a board of education of a city, local, exempted village, or joint vocational school district;
- (3) A violation of section 2925.11 of the Revised Code, other than a violation of that section that would be a minor drug possession offense, that was committed on property owned or controlled by, or at an activity held under the auspices of, the board of education of a city, local, exempted village, or joint vocational school district;
- (4) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2907.02, or 2907.05 or of former section 2907.12 of the Revised Code that was committed on property owned or controlled by, or at an activity held under the auspices of, a board of education of a city, local, exempted village, or joint vocational school district, if the victim at the time of the commission of the act was an employee of that board of education;
- (5) Complicity in any violation described in (1), (2), (3), or (4) above that was alleged to have been committed in the manner described in (1), (2), (3), or (4) above, regardless of whether the act of complicity was committed on property

owned or controlled by, or at an activity held under the auspices of, a board of education of a city, local, exempted village, or joint vocational school district.

VIII. DISABILITIES COMPLIANCE

The School will comply with all laws and regulations presented in the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973 and the Individuals with Disabilities Education Improvement Act of 2004. Discipline procedures for students having a disability, will follow the procedures outlined in the Individuals with Disabilities Education Improvement Act of 2004 or such successor or replacement law.

IX. SUSPENSION/EXPULSION OF STUDENTS GRADES PRE-KINDERGARTEN THROUGH 3

Restriction on Suspending and Expelling Students in Grades Pre-Kindergarten through 3

The School shall not issue an out-of-school suspension or expulsion to a student in grades pre-kindergarten through three unless the student has committed an act that could result in a one-year expulsion under the Weapons Expulsion rules, described above, or only as necessary to protect the immediate health and safety of the student, the student's fellow classmates, the classroom staff and teachers, or other school employees.

Consultation with a Mental Health Professional

The principal, whenever possible, shall consult with a mental health professional under contract with the School before an out-of-school suspension or expulsion is issued for a student in grades pre-kindergarten through three. If the events leading up to the suspension or expulsion indicate a need for additional mental health services, the principal or mental health professional must assist the student's parent or guardian with locating providers or obtaining those services provided such assistance does not cause a financial burden to the School. The assistance might include a referral to an independent mental health professional.

Exhibit 1

Violation of the Code of Conduct may subject the student to discipline including but not limited to detentions and in-school suspensions and up to and including suspension, expulsion, or permanent exclusion. Each offense or series of offenses will be evaluated based on the particular circumstances of the offense(s). The following behavior provide examples of, but is not limited to, what would be a violation of the Student Code of Conduct:

Tardiness – Arriving later than scheduled*

Truancy – Absent without permission*

Dress Code Violation – Not adhering to School dress code regulation

Disobedient/Disruptive Behavior – Unwillingness to submit to authority, refusal to respond to a reasonable request or any act that disrupts the orderly conduct of a School function; behavior that substantially disrupts the orderly learning environment (i.e., dress code violation, inappropriate language, cursing, inappropriate gestures)

Cheating – To act dishonestly; copying of someone else’s work; to deceive, take credit for work not done by the student himself/herself

Profane/Obscene Language or Gestures Between/Toward Students or Staff – Use of unacceptable words, terms, or gestures to embarrass or insult another student or staff member

Theft – To take the property of an individual or the School without right or permission

Fighting/Violence – To participate in physical contact with one or more students with the intent to hurt or injure

Use, Possession, Sale or Distribution of Tobacco Products, including vaporizers, electronic cigarettes, and any look-alike substances

Use, Possession, Sale or Distribution of Alcoholic Beverages

Vandalism/Damage to School or Personal Property – Purposeful destruction, misuse or defacing of School or other’s personal property

Intimidation/Interference/Hazing of Student or Staff – Threatening to physically or verbally harm, interfere, or degrade another student or staff

False Alarms/Bomb Threat – Purposefully engaging in a false alarm

Use/Possession/Sale/Transmission/Concealment of any Drug or look-alike drug or other illegal or Controlled Substance

Use, Possession, Sale or Distribution of a Firearm – Firearm has the same meaning as provided pursuant to the “Gun Free Schools Act of 1994.”

Use, Possession, Sale or Distribution of any Explosive, Incendiary or Poison Gas – Any destructive device, including a bomb, a grenade, or a rocket

Unwelcome Sexual Conduct – Unwelcomed sexual advances, requests for sexual favors, other physical or verbal conduct or communication of a sexual nature, including gender-based harassment that creates an intimidating, hostile, or offensive education or work environment, i.e., pinching, grabbing, suggestive comments, gestures, jokes, or pressure to engage in sexual activity

Harassment, Intimidation, or Bullying behavior (including by an electronic act) as defined in the School's Policy on Harassment, Intimidation, and Bullying (Appendix 2)

Gang involvement – Participation in gang-related actions, dress, or activities

Weapons – No student at any time, for any reason, shall possess, handle, transmit, or use any object, including any look-alike or counterfeit objects, which can be reasonably considered a weapon in or on the property of the School, or any School-sponsored activity held away from the School property. For purposes of illustration, but without limitation, this rule shall include firearms, explosives, fireworks, and knives, including penknives, chemicals, and other dangerous objects, which are of no reasonable value to a student other than as a weapon. Possession of a "weapon" may result in immediate expulsion.

Serious Bodily Injury – An incident that results in serious bodily injury to one's self or others. Serious bodily injury is defined as "a bodily injury that involves substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member or organ."

Health and Safety – Actions that in the sole discretion of the Principal endanger the health and/or safety of fellow students, staff, or guests in the School.

Wrongful Conduct – Actions not in the listing above that, in the sole discretion of the Principal, impede, obstruct, interfere, or violate the mission, philosophy, and regulations of the School or classroom, including any policies listed in this Handbook or subsequently adopted by the Board.

*A student may not be suspended or expelled for tardiness or truancy.