

P6-06-003 Suspension or Expulsion

HCPS's student conduct policies and procedures pertaining to Suspension (including short-term and long-term suspensions), Expulsion **Hearings**, and Enrollment **Meetings** ~~Hearings~~ are contained in the Code of Student Conduct adopted annually by the School Board and distributed annually to students and parents. The Code of Student Conduct is available online at

<http://henricoschools.us/pdf/Schools/CodeOfStudentConduct.pdf>

I. In-School Suspensions

When consistent with the Code of Student Conduct and other applicable HCPS policies and procedures, the principal, assistant principal, or designee may assign a pupil to an in-school disciplinary placement for a violation of policy, regulation or the Code of Student Conduct. Such placements may be offered in a **student's** ~~pupil's~~ home school or at another school site as further described in the Code of Student Conduct.

II. Students with Disabilities

Henrico County Public Schools may impose an expulsion or long-term suspension on a student with a disability whose misconduct has been determined not to be a manifestation of his/her disability. A student with a disability is subject to normal disciplinary procedures when there is not a causal connection between the child's disability and the conduct in question, when the conduct did not have a direct and substantial relationship to the child's disability, or when the conduct in question was not the direct result of the school division's failure to implement the IEP.

When a student with an IEP is expelled or otherwise subjected to a disciplinary change of placement in excess of 10 school days, Henrico County Public Schools is required to provide educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP. If the student's behavior is considered dangerous, then an injunction may be requested from a court of competent jurisdiction. Students with a disability who possess a firearm/weapon as defined by federal statutes, assault a staff member, inflict serious bodily injury upon another person, and/or possess or distribute drugs or a controlled substance, while at school, on school premises, or at a school function, may be assigned to an interim alternative educational setting without parental consent and without regard to whether the behavior is determined to be a manifestation of the child's disability for up to 45 school days. The interim alternative educational setting shall be determined by the IEP team.

When a student with a disability with a 504 plan is expelled or otherwise subjected to a disciplinary change of placement in excess of 10 school days, Henrico County Public Schools is not required to provide educational services. However, students must be given the same access to services that are available to nondisabled students who are long-term suspended or expelled.

Last Revised: August 2018

Legal Refs.: **Code of Virginia, 1950, as amended, §§ 16.1-260, 18.2-56, 18.2-83, 18.2-85, 18.2-87.1, 18.2-119, 18.2-308, 18.2-308.1, 18.2-308.7, 18.2-371.2, 18.2-433.1, 22.1-70.2, 22.1-78, 22.1-200.1, 22.1-202, 22.1-253.13:7.C.3, 22.1-254, 22.1-276.3, 22.1-277, 22.1-277.07:1, 22.1-277.08, 22.1-277.2, 22.1-279.1, 22.1-279.3, 22.1-279.3:1, 22.1-279.6, 46.2-323, 46.2-334.001.**

Student Code of Conduct Policy Guidelines (Virginia Board of Education October 2013).

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