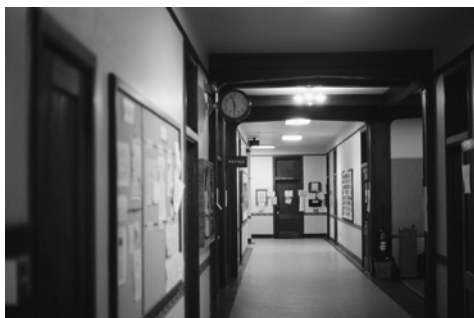


PARENTS: WHAT TO DO WHEN YOUR CHILD'S SCHOOL INTENDS TO SUSPEND OR EXPEL YOUR CHILD

Your child's school may let you know that it intends to suspend or expel your child if he or she has misbehaved at school. You and your child have certain rights when this happens. As a parent, you are the most important advocate for your child's interests. The best thing to do in either a suspension or expulsion is to remain calm and talk with your child about what happened. That way, you will know how to move forward and will be prepared to talk to school officials. Below is a list of things to expect in the discipline process and some tips for how to tell your interests to the school.



If the School Intends to Suspend Your Child:

- **Suspension** is a short time away from class or school. It lasts no longer than 10 days for one offense and no more than 30 days for the entire school year. The school will usually not suspend your child during the last ten days of school if it means he or she will miss too many days from class for the year. A school can suspend your child during these final days if your child is an actual threat to school safety or if a hearing is held within 24 hours of the suspension.

- By law, the school must give you **notice** of what offense your child has committed within **3 days**. The notice should include **where and when** you can meet with school officials to discuss the problem. At the meeting, school officials will tell you why they feel suspension is right and will discuss other possible solutions to the problem.
- The school does not have to give your child out-of-school suspension. The school may decide that another, lesser punishment is better. Be prepared to **talk about** other options with school officials, like in-school suspension or community service. It might also be helpful to think about what you can do as a parent to help the situation.
- If the school decides to suspend your child, you can **appeal** the decision to the Board of Trustees. This is the last step in the suspension process. If the Board of Trustees agrees with the school, your child will be suspended.

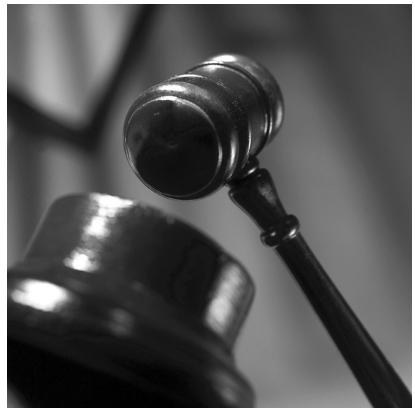


Basic Principles

- Talk to your child openly about what happened, and let them know you are there to help.
- Remember that more can be accomplished when meeting with administrators when you remain calm and listen to what the school officials have to say
- Be sure to ask about alternative punishments when meeting with administrators.

If the School Intends to Expel Your Child:

- **Expulsion** is when your child is sent home for the rest of the school year and cannot return. This punishment is given only after a hearing by the school board. Your child will be allowed to return to school in the fall of the next school year unless he or she is expelled for bringing a gun to school. Then, he or she can be expelled for a full calendar year.
- Your child may be expelled for a number of reasons. School rules are a little different in every district, but state law lists some reasons why students may be expelled. Expulsion is used when a student commits a crime, acts in a way that is inappropriate by social standards, misbehaves in a major way, is chronically disobedient, or violates the school district's or State Board of Education's written rules.
- You will receive **written notice** of what happened. This will include the rules violated, a statement of what your child did, a summary of the evidence, and a list of witnesses to be called. It will also show where and when the hearing will take place.
- The **hearing** must take place within 15 days of your child being recommended for expulsion. By law, you can hire a lawyer. This means that you or your attorney have the right to look at all records before the hearing. You and your child will be present at the hearing, along with your attorney if you have one, and all school officials involved in the incident.
- At the hearing, witnesses testify **under oath**. Your child will be given the chance to tell his or her side of the story. You or your attorney will also be able to question any witnesses for the school. The school must present only the facts of the



case and not rely on others' opinions of your child. Make sure that the evidence the school presents comes from people who witnessed the situation themselves and didn't just hear about it.

- After the hearing, the school board has **10 days** to make their decision. This decision must be in writing and must be based only on evidence given at the hearing. If the school board decides to expel your child, you can appeal that decision to the circuit court in your county. You should definitely consult a lawyer if you decide to appeal the decision.
- If your child is expelled, he or she may be able to attend **night school** programs or **alternative schools**. You should ask your child's school for information about these options. Consider enrolling your child in one of them so he or she does not fall behind.

This is not all the information you need to know if you have questions about suspension and expulsion laws in our state. You may want to talk to a lawyer about your individual situation. If you do not have a lawyer, the South Carolina Bar Lawyer Referral Service can give you the name of a lawyer who is willing to meet with you and advise you at a lower rate. For the name of a lawyer in your area, call the Lawyer Referral Service at (800) 868-2284 (statewide) or 799-7100 in Richland and Lexington counties.

If you have a very low income, your local legal services office may be able to help you. To get in touch with them, call the Legal Assistance Telephone Intake Service for a referral at 744-9430 in Columbia or toll-free, (888) 346-5592 from other places in the state.

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