

BURLINGTON SCHOOL DISTRICT PROCEDURE

PROCEDURE CODE C15P1: BSD SUSPENSION PROCEDURE

Summary

BSD has issued specific guidance on what qualifies as a suspendable offense. For a detailed list and description of these offenses, please refer to [BSD's Restorative Code of Conduct](#).

General Suspension Guidance

If a student is sent home for any portion of the school day (excluding for medical reasons), this counts as an out-of-school suspension. If they are out of class in a Student Support Center for $\frac{1}{4}$ of the school day or more, this counts as an in-school suspension. This only applies when an adult has indicated the student cannot return to class; suspensions are imposed by administrators or their designee. If a student refuses to go back to class but has the option to do so, this does not count as an in-school suspension. Both instances must be documented in PowerSchool, per the laws [referenced](#) below. Sending any student home during the school day or informally shortening their school day for any portion of the day counts as a suspension unless there is a modified schedule that has been approved through an IEP, 504, and/or EST process and by the parent/guardian.

Due Process

Before suspending a student, in school or out of school, according to section 4311.1 of [Board of Ed Rules - 4000 pupils](#):

1. Have documented proof that the student violated one of the suspendable offenses in the Code of Conduct.
2. Ensure due process for the student, which must include the following steps:
 - Meet with the parent/guardian by phone or in-person to inform them of the specific code of conduct violation, explain that this is an informal hearing, and give the student a chance to present their side. At the end of the meeting, clarify the decision to suspend or not suspend with the parent.
 - If the student poses an immediate threat to themselves or others, they may be suspended immediately, with an informal hearing held afterward.
3. Have a parent pick the student up from school unless a parent gives permission for the student to go home alone if they are over 16 years old.
4. Notify the parent about the suspension in writing using the [BSD suspension letter template](#) via email and mail within 24 hours, and enter it into PowerSchool as an incident and as attendance.

In addition to due process, the school shall support students and families through the disciplinary process with consistent and clear communication. Accordingly, parents may bring their concerns to their child's school administration, who shall respond promptly within school business hours, as practicable. If the parent/guardian's concerns are not resolved at the school level, the school or parent can contact the Office of Equity to determine the next steps.

Restorative Exit and Re-Entry

When an out-of-school suspension occurs, there should be a restorative separation where the family and student have been fully informed of why they are being separated from the school. A school administrator should sit down with the student to tell them clearly why they are suspended, make a plan to get them schoolwork while they are out, and tell them when they are allowed to come back to school. The Building Administrator must determine who should be invited to the restorative separation and re-entry meetings. Before the student is readmitted to the school community, there must always be a restorative re-entry meeting that includes a parent/guardian. This meeting provides the student and family an opportunity to share their needs as they re-enter the school community and for the team to come up with expectation agreements for the student. The agenda will be formally written and documented prior to the meeting using the attached approved documents, and it will be sent to the parent/guardian before the meeting. Therefore, if the

parent cannot attend or be reached by phone, they will know what the meeting will cover, and the meeting can commence without the parent in attendance to get the student back into school. Here is a [sample agenda](#) and a [re-entry agreement template](#).

Students Younger Than Age 8

Students under age eight can only be suspended in BSD, and in Vermont, if they pose an imminent threat of harm or danger to others in the school. This is explained in the Vermont statute §1162 Suspension or Expulsion of Students (d): *Notwithstanding anything to the contrary in this chapter, a student enrolled in a public school who is under eight years of age shall not be suspended or expelled from the school; provided, however, that the school may suspend or recommend expulsion to the school board if the student poses an imminent threat of harm or danger to others in the school.* [AOE Memo: Ban on suspension and expulsion of students under eight](#)

Students with an Individualized Education Program (IEP)

Sending a student with an IEP home during the school day or informally shortening their school day for any portion of the day counts as a suspension unless the modified schedule is agreed to through the student’s IEP. Modified length of school day for students with IEPs must be documented in their plans. All plans must be developed or reviewed and have the agreement of the IEP team. There should be a specified duration of time for the modified schedule. This needs to be revisited over time by the team to ensure that the student is in school to the fullest extent possible. Minutes of service, including related services, need to be provided during the time that the student is in person in school. Teams should be mindful that a shortened school day is impermissible if it results in a denial of a free appropriate public education (FAPE).

When a student with a disability is being considered for suspension, the case manager must be involved in the process, which means, at minimum, they are informed prior to or immediately after the assignment of a suspension.

Manifestation Determination

Any student who has an IEP or 504 is required to have a manifestation determination meeting at a cumulative 10 days of suspension (both in school or out of school) in one school year or when expulsion is being considered to determine if the behavior was a manifestation of their disability. Students with disabilities may not be suspended more than 10 days if the behaviors for which they are suspended are a manifestation of their disability. Special education case managers hold this process in conjunction with the building administrator. (See page 21 of the [Supplemental Rules Pertinent to Special Education](#) for details about the manifestation determination process.)

Documentation

Any suspension must be documented in two ways in PowerSchool. 1) It should be marked as an attendance code (Out of School Full= OSS, Half = OSSH; In school Full = ISS, Half = ISSH). 2) It should also be marked as an OSS or ISS action in the corresponding PowerSchool incident, including the start and end dates and suspension duration in days. See the [BSD Incident Reporting User Manual](#) for more information.

Clerical Information

<i>BSD Version:</i>	<i>BSD C15P1 Procedure</i>
<i>Date Adopted:</i>	<i>March 7, 2025</i>
<i>Legal Reference(s):</i>	16 VSA § 1162 Board of Ed Rules - 4000 pupils AOE Memo: Ban on suspension and expulsion of students under eight Section 504 Discipline Fact Sheet Supplemental Rules-Pertinent to Special Education
<i>Policy Reference:</i>	F13 Student Conduct and Discipline F16 Students Expelled-Suspended from Other Schools F4 Firearms and Dangerous Devices