



STAFF GUIDE TO SUPERINTENDENT'S SUSPENSIONS

Office of School Intervention and Development
Rose Albanese-DePinto, Senior Counselor
Office of Student Suspensions
Les Matuk, Director

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This training manual is designed for school personnel only. It is meant to complement Chancellor's Regulation A443, which schools must refer to in order to obtain a more comprehensive guide to the entire suspension process. By incorporating the Suspension Field Memo with the in depth description of the school's responsibilities from incident to hearing provided by this guide, school personnel will be fortified with the necessary knowledge to successfully prepare and present a case in full compliance with Chancellor's Regulation A443.

A. School Responsibilities

When an incident occurs, it must be fully investigated by a designated staff member (dean) to determine the facts surrounding the incident and whether a suspension is warranted. The investigation must be comprehensive and the determination to suspend must be in accordance with Chancellor's Regulation A443 and the Citywide Standards of Discipline and Intervention Measures (Discipline Code). The school must be prepared to submit, upon request, information and documentation related to the investigative steps that were taken and must refer to Chancellor's Regulation A443 for more complete procedural requirements.

The school's investigation must contain and be cognizant of all of the following:

1. An OORS control number
2. Initial steps
 - a. Interviews
 - Conduct interviews with as many witnesses as possible. The accused student should be asked if he/she knows of any witnesses to the incident.
 - Speak with victim(s) and witness(es) separately and individually.
 - The dean of record must be present during the interview(s).
 - Inform the accused student of what he/she is being accused. Provide him/her with an opportunity to present his/her side of the event(s).
 - Provide the accused student with an explanation of the evidence and an opportunity to present his/her side of the event, unless it is not feasible to do so.
 - b. Statements
 - Provide the accused student with an opportunity to prepare a signed, written statement.
 - Take written statements from all victims and witnesses. Be certain their written statements include the time, date, place, what was observed, names of individuals involved and any other witnesses present. The documents must be signed.
 - If the respondent gives the names of witnesses, the statements of these witnesses should be taken even if they state they did not see anything.
 - Exculpatory statements, if any, must be taken.
 - The dean must be present while statements are written and signed. This is necessary in order to authenticate them at the hearing.
 - Witnesses and the accused are to write and sign their own statements. Statements should not be written by staff members and then signed by witnesses or the accused, nor should they be modified or clarified in any way. However, after reading the statement, follow up questions may be asked to clarify ambiguities in the text. This can be included in the testimony at the hearing.

- No one can be required to write a statement. (The refusal of the accused student to write a statement should also be included in the testimony at the hearing.)
- If a student is handcuffed, do not ask to have the handcuffs removed to write a statement.
- Statements cannot be discarded, no matter the content. All statements must be provided to the parent to the parent before the hearing if requested.

c. Initial Notifications

- Every effort must be made to notify the parent immediately that his/her child was involved in an incident that is being investigated and that may lead to a suspension. While the investigation is in progress, the child is not suspended and must remain in school.

3. Going forward with the suspension

- If the school believes that a Superintendent's Suspension is warranted, it must be sought on the same day as the incident, whenever possible, or, depending upon the need to investigate further, within a reasonable time thereafter. The incarceration of a student should not stop the suspension process.
- STUDENTS ARE NOT SUSPENDED UNTIL AUTHORIZED BY THE REGIONAL INTAKE OFFICER. THEY MAY NOT BE EXCLUDED FROM SCHOOL OR SENT TO AN ALTERNATIVE SITE PRIOR TO THE OFFICIAL APPROVAL NOTIFICATION**
- For all Level 3 and Level 4 infractions, there is a range of possible disciplinary actions to be taken (see the attached Student Support Interventions); a Superintendent's Suspension is the most severe and in many instances should only be sought after all other remedies have been exhausted.
- For all Level 5 infractions a Superintendent's Suspension **MUST** be sought.
- Call or e-mail the Regional Intake Officer to inform him/her a suspension is being sought and documentation will be sent immediately. Failure to take this step will delay the authorization. The Superintendent may not authorize a suspension until assured that the school has conducted the preliminary investigation, described above, in a thorough manner.

***In all Level 5 cases, to ensure that the student will not return to school the next day, immediately call the Regional Intake Officer to get approval for the suspension. The Intake Sheet must be e-mailed as soon as possible thereafter.

f. Intake

- All information will be imported directly from the OORS report. However, the school will have the opportunity to amend any information before submitting it to the Regional Intake Officer. **Verify** that all of the following information is accurate and amend or add where appropriate:

- Student's address, including apartment number (if applicable).
 - Parent phone contacts, including cell phone
 - Special Education classification, if any
 - Number of prior (sustained) Superintendent's and Principal's suspensions
- Explanation of Incident
 - This is a narrative of the events that occurred. It requires a detailed description. The length of the narrative depends upon the nature of the incident. It should be written in such a way that a person without any knowledge of the incident can read the explanation and clearly understand what occurred and who was involved. **IF THE OORS EXPLANATION OF THE INCIDENT IS NOT DETAILED, THE DESCRIPTION MUST BE AMENDED TO TAKE INTO ACCOUNT THE REQUIREMENT OF SPECIFICITY, PARTICULARLY WHEN EXPLAINING THE FOLLOWING TYPES OF INCIDENTS:**
 - Acts and threats of violence – Who was the victim? What violent act did the student commit? What threats did the student make? I.e., Student told victim, "I will shoot you"; student blocked the victim's path preventing victim from leaving; student kicked victim.
 - Robbery – Who was the victim (s)? What was taken? What did the respondent say during the robbery (if anything)?
 - Sexual harassment – describe the specific words or actions involved.

4. The suspension is approved.

- a. The school will receive an initial e-mail suspension approval notification from the region and will receive another e-mail from the Hearing Office with the date, time of the hearing, charges and the Alternative Site.
- b. Charges **must be reviewed before the hearing**. If there are any changes or additions, the Intake Officer at the Hearing Office must be notified; amended charges will be e-mailed to the school. The amended charges must be sent to the parent to prevent possible adjournments at the hearing.
- c. Notifications
 - Send written notice of the suspension (See Chancellor's Regulation A443, Appendix D for sample 24-hour Notice of Superintendent's Suspension) to the parent so that the parent receives the notice within 24 hours (personal delivery, express mail delivery, mailgram). The letter **must include** the following information which will be provided to the school by the Hearing Office via e-mail:
 - Charges
 - Effective date of suspension
 - Hearing date
 - Alternative Site to which the student will be sent pending the hearing, including address and hours of attendance

- Notify the parent by telephone as soon as the suspension is authorized so that the parent is aware of the suspension and alternative instruction arrangements. The parent must also be informed that a more detailed letter of suspension will follow.
 - Notify the student of the suspension and inform him/her that he/she must attend the Alternative Site and cannot be on school property during the period of suspension.
 - Give the student a copy of the letter that will be sent to the parent. Have him/her sign and date that he/she has received a copy and advise him/her this letter should be brought home to the parent.
 - The student must remain in school until her/his school day is over.
 - Inform the parent (where applicable) that she/he must supply a translator for the hearing and the review of records because translators are not provided.
- d. Ensure that the suspended student is provided with homework and class work through the period of suspension pending the hearing.

5. Preparing for the hearing

- a. The school must make three (3) copies of the student's records. They shall be made available to the parent or representative prior to the hearing upon their request. In any event, they shall be provided with a complete set of records at the beginning of the hearing.

The student's records must include the following:

- Cover sheet
 - All written statements relating to the incident that led to the suspension. **NOTE:** The names and signatures may not be deleted from the statements. However, delete from any document (i.e. incident report) references to a witness's address and/or telephone number, social security number, school ID, etc.
 - Cumulative guidance and permanent records
 - Anecdotal records
 - Current teacher reports.
 - Deans' record. **NOTE:** A student's prior disciplinary record impacts the disposition of the case. The dean's record must clearly show any prior sustained suspensions and disciplinary infractions. Failure to do so will affect the disposition.
 - Documents (i.e. letters to parent, dispositional letters etc.) relating to prior sustained suspensions
 - Current report card
 - Current attendance and cutting record
 - Transcript
 - I.E.P.
 - Cumulative health record
 - Photocopy of weapon and/or drug voucher
- The school official presenting the case must make and sign a photocopy of any weapons or illegal substances. A ruler must be placed under the copied item(s) to illustrate the accurate size of the object(s).

NOTE: THE INTAKE SHEET MUST NOT BE INCLUDED IN THE PACKET. THIS IS AN INTERNAL DOCUMENT.

- b. The parent/representative must be given one set of records and may not be denied a copy. The records must be supplied to the parent/representative prior to the hearing if the parent requests the records.
- c. In the case of a no contest plea prior to the hearing, the school must fax or e-mail the Hearing Office the attachment Early Resolution (No Contest) Request for Dispositional Information, plus any other pertinent records.
 - A No Contest Plea should be the decision of the parent. School officials should not encourage or discuss this process in any detail with the parent (or student), but should refer the parent to the Hearing Office for further information about this option.
- d. The school must be present at the hearing and must be prepared to go forward with the case by bringing witnesses to the incident, documentary evidence and school personnel with direct knowledge of the investigation. **NOTE: THE INVESTIGATING DEAN MUST APPEAR.** It is imperative that at least one witness who has firsthand knowledge of the incident appears and testifies at the hearing. A case cannot be proved on hearsay alone, that is, testimony that is not an eyewitness account. However, a student's admission is sufficient to sustain the charge(s).
- e. The school must show that it complied with the required procedures in investigating the incident and suspending the student.
- f. Collect and organize any evidence that will be introduced at the hearing, including witness statements and weapon-related documents.
 - Witness statements and other documents and items that will be introduced should be assembled prior to the hearing.
 - Where an item is involved (e.g. weapon, controlled substance), the voucher and photocopy of the item (which should have been made before the item was released to the NYPD or elsewhere) must be brought to the hearing and introduced into evidence as an exhibit.
 - Where the controlled substance is marijuana, proof that the substance is marijuana may be established by testimony from the school official who can testify that, in the performance of his/her duties, he/she has seen or smelled marijuana before and recognizes the present substance taken from the student as such. Photocopy and any voucher should also be brought to the hearing.
- g. Witness statements may be introduced at the hearing, provided the respondent's parent has a copy of the statement and the dean has authenticated it. However, the statements are considered hearsay. Along with oral testimony they can be used to strengthen a case; however, witness statements alone are not enough to sustain charges.

h. Student Witnesses/Victims

- Parental consent **MUST** be obtained before a student is permitted to testify. The consent form should be sent home with the student. (See Student Witness Information Sheet, Chancellor's Regulation A443, Appendix H.) The school should also notify the parent by phone. **PARENTS OF STUDENT WITNESSES/VICTIMS CAN BE PRESENT IN THE HEARING ROOM WHILE THEIR CHILDREN TESTIFY. BUT THEY MAY NOT COMMENT ON OR BECOME INVOLVED IN THE PROCEEDING.**
- The dean of record should prepare witnesses who will appear at the hearing by interviewing them and reviewing their testimony to ensure that it is reliable and consistent with any prior written or oral statement. The dean should also prepare the witness for the type of questions he/she may be asked. However, witnesses should not be told what to say. It is the responsibility of school personnel to select those witnesses whose testimony is necessary to prove the school's case.
- Each witness should be given a brief overview of the hearing process which should include the following information:
 - The hearing will be recorded.
 - He/she will be testifying under oath and must tell the truth.
 - He/She will first be questioned by the Hearing Officer (or a staff advisor, if present).
 - The student's advocate/attorney/parent will then have an opportunity to question the witness.
 - After initially testifying, a witness may be recalled and asked additional questions.
 - All witnesses remain outside the hearing room until called to testify. Each witness is called in individually.
- School personnel and witnesses who testify must observe the following guidelines:
 - First and foremost, be truthful.
 - Answer to the best of your recollection.
 - Listen carefully to each question. Answer only the question that is asked and nothing more.
 - If a question is not understood, ask that it be re-phrased.
 - Be clear and precise in giving answers. When referring to a person, give the person's name.
 - "I don't know," or "I don't remember" is an appropriate answer if truthful.
 - Do not speculate or guess.
 - Be serious and courteous. Never argue with the Hearing Officer, respondent's parent or representative.

i. Subpoenas

- Are issued by the Hearing Office and served by school officials in accordance with Chancellor's Regulation A443.
 - They must be requested at least two days in advance of the hearing and served prior to the hearing date.
 - They must be obtained for all SSA's and NYPD officers who are scheduled to testify.
 - They should be sought for student witnesses who have not returned parent consent forms (in spite of efforts to obtain parental cooperation and consent). However, parental permission is needed for the student witness to appear.

j. Adjournments/No shows

- Failure of the school to appear at the hearing or go forward (adjourn) on the hearing date will result in the reinstatement of the respondent and a new hearing date.
- Failure of the parent to appear or go forward (adjourn) on the hearing date will result in a continuation of the suspension and the respondent will remain at the Alternative Site.

6. The Hearing

- a. The purpose of the hearing is to determine whether the student committed the act(s) charged. The school has the burden of proof and must show it has complied with required procedures in investigating the incident and suspending the student. The respondent's parent/advocate will have the opportunity to present witnesses and other evidence on his/her behalf as well as question the school's witnesses.
- b. The school may bring a staff advisor to the hearing whenever the school believes one is needed. This person acts as the school's advocate by presenting the school's case, questioning witnesses and entering evidence into the record. The staff advisor remains in the hearing room during the entire hearing. The staff advisor may testify at the hearing and can be the investigating dean.

Factors to consider in determining whether a staff advisor should present the school's case are:

- The complexity of the case.
 - The number of witnesses necessary to present the school's case.
 - Whether any witness, especially a student, is timid, fearful or intimidated by the suspension process.
 - If the parent brings an advocate or attorney.
- c. The dean of record should always testify first. The dean should give a detailed narrative that follows the investigation from the point of being apprised of the incident to its conclusion. Interviews and procedures that were followed throughout the process must be included in this narrative.
- d. Opening Statement
- The opening statement consists of a brief description of the incident and a summary of the evidence and testimony the school will present to support its case.

- The opening statement is not evidence and is optional.
- e. Investigating deans must be prepared to answer questions regarding parental notification, their investigation, and procedural issues including: first-hand knowledge of the interviews, preparation of occurrence reports, copies made of weapons and vouchers obtained from the police and other related matters. In regard to these matters, Hearing Officers will often ask the following type questions:
 - Investigative/Procedural
 - When were you first made aware of the incident? Whom did you question? The victim? Any other witnesses? What did they tell you?
 - Signed statements
 - Did you obtain signed, written statements? Who was present when the statement was written?
 - Weapons
 - Who saw the weapon? What did the weapon look like? Who confiscated it? What happened to the weapon after it was confiscated? Was the weapon vouchered? Were the police called? Do you have a picture of the weapon?
 - Marijuana. Depending upon who confiscated the substance, he/she must be prepared to answer the questions.
 - How were you able to recognize the substance as marijuana? What happened to the marijuana after it was confiscated? Was it vouchered? Do you have a picture of the marijuana? Who took it?
 - Did you question the accused and inform him/her of the conduct for which he/she could be suspended?
 - Did you provide the accused with an explanation of the evidence and an opportunity to present his/her side of the incident and an opportunity to prepare a signed, written statement?
 - Were the police called? Was the student arrested?
 - Notification Procedures
 - When was the parent notified of the incident? Of the suspension? By whom? How?
 - Was the student notified of the suspension? When? Was the student notified of his/her assignment to the Alternative Site?
 - Arrest Procedures
 - When was the parent notified of the arrest? By whom? How?

➤ Who accompanied the student to the precinct?

f. The introduction of a document or item requires establishing a basis for its admission. This process is referred to as "laying a foundation," and its purpose is to establish that the item being introduced is relevant to the charges and is authentic. Certain information must be put on the record in order for the document to be admitted. It is the responsibility of the dean of record (or Staff Advisor) to offer items into evidence, usually one at a time. Before they are admitted, the dean will be asked to authenticate the items. (Has personal knowledge that what is being presented is authentic, e.g. was present when a statement was written, was given the document by its author but not necessarily signed in his/her presence). Therefore, when giving testimony relating to these evidentiary items, the school official should state, "I would like to enter (i.e., x's statement, a photocopy of the weapon, copies of vouchers, other relevant documents etc.) into the record."

- Do not enter any statements into the record that does not support the school's case. The parent may admit exculpatory statements into the record.

g. Closing Statements

- After all testimony is completed, an opportunity will be given to make a closing statement. The purpose of the closing statement is to review the testimony and evidence presented by the school and how these facts support the case and the belief that "the charges should be sustained." Like the opening statement, this is not evidence and may be waived.

h. Dispositional Phase

- At the conclusion of the hearing, the school and the parent will be asked to introduce records for the Superintendent's review. They include: permanent record, transcript, report card, dean's record and teachers' comments. These records are used for dispositional purposes only. Any evidentiary documents that were not admitted into evidence during the fact-finding phase of the hearing are not included.
- Both parties will be asked for a recommendation concerning the student's educational future. A **transfer is not a school recommendation**; it is not an option as a result of a suspension. Reinstatement, continued, SOS, are possible recommendations.
- The school's representative is speaking for the Principal and must go over the recommendation with him/her before the hearing.

B. Regional Intake Officer's Responsibilities

As the designee of the Regional Superintendent, the Regional Intake Officer:

1. Receives the intake form and information from the school and ensures that a complete investigation has been conducted [or is provided with a reasonable explanation as to why certain steps could not be taken (e.g., the alleged victim was taken to the hospital and could not provide a statement; the accused was arrested and placed in handcuffs so no written statement could be obtained.)

2. Reviews the information, including the student's discipline history and any mitigating factors as well as the Discipline Code, and makes a determination as to whether or not to authorize a Superintendent's Suspension.
3. If the suspension is authorized, it is entered into SOHO and immediately notifies the school, the Local Instructional Superintendent, Regional Director of Youth and Family Support Services, Regional Safety Administrator and the Hearing Office by e-mail.
4. If the suspension is denied, immediately notifies the school by e-mail.
5. Determines the Alternative Site the student will attend pending the hearing and the dates and hours for such attendance.
6. Maintains and updates regional Alternative Sites in SOHO.
7. Places students in grades 6-12 who commit Level 5 infractions in the designated pre-hearing SOS site.

C. Hearing Office Responsibilities

1. Hearing Office Intake Officer's Responsibilities:

- a. Upon receipt of authorization of a suspension, immediately determines effective date of the suspension and schedules a hearing within 5 days of the effective date of the suspension.
- b. Notifies the school, the Regional Intake Officer and the Alternative Site by e-mail of:
 - Effective date of suspension
 - Hearing date
 - Name and address of the Alternative Site student is to attend pending the hearing and the dates and hours for such attendance
 - The charges

➤ Charges must include a description of the misbehavior for which the student is being suspended, including the date, time and place of the incident and the names and titles, if any, of any alleged victims. The charges should not contain merely the generalized language found in the infractions listed in the Discipline Code, but should be drafted in a way to clearly inform the student and parent of the student's misconduct.
- c. On the same day the suspension is authorized, the Intake Officer e-mails a detailed letter of suspension to the school and sends, by 1st class mail, the letter to the parent that must contain the following information. (This letter will be automatically generated by SOHO.)
 - Effective date of suspension
 - The date, time and location of the hearing
 - The charges
 - Non-binding list of witnesses scheduled to appear (This information must be obtained from the suspending school.)

- The name and location of the Alternative Site the student should attend pending the hearing and the hours of attendance.
- d. On the day immediately preceding the hearing, the Hearing Office must contact both the school and parent of the suspended student to confirm their attendance at the scheduled time, date and place.
 - e. Notifies the school when a respondent is bringing an attorney/advisor. The parent must call the Hearing Office at least 24 hours prior to the hearing. However, if the parent fails to do so and the school adjourns the hearing in order to have a staff advisor present, the adjournment will be charged to the school.
 - f. In lieu of a hearing, prior to the date of the hearing, a parent/guardian/representative may enter a No Contest Plea if he/she does not wish to contest the charges. He/She should telephone the Hearing Office prior to the day of the hearing. As a result of pleading no contest, the charges will be sustained, and the Superintendent will be authorized to impose any of the dispositional options that the Discipline Code permits for the infraction.
 - The Hearing Office must immediately contact the school and notify them of the plea and request a copy of the records along with the attachment Early Resolution (No Contest) Request For Dispositional Information.
 - g. Hearing Officer issues subpoenas

2. Pre-Hearing Conference

- a. Before the hearing begins, the Hearing Officer will have a conference with the student and his/her parent/representative to inform them of the purpose of the hearing, to give them an overview of how it will be conducted and to advise them of the student's rights and the range of dispositions available following the hearing. The parent will also have an opportunity to review their child's records. (**The Hearing Officer cannot translate records for the parent. Therefore, if they are non-English speaking, the parents must bring a translator to the pre-hearing/hearing.)
 - If the parent agrees to plead no contest, the dean will be called into the hearing room to introduce the student's cumulative, guidance and anecdotal records for dispositional purposes only. By pleading no contest, the charges are sustained. The parent waives his/her right to question witnesses and present evidence and witnesses on behalf of his/her child. In addition, if the parent has any objections to procedures that school officials followed, these will not be raised or addressed since there will be no hearing. Since there is no hearing, any statements or documents pertaining to the case cannot be admitted into evidence for review. The plea does not impact the Superintendent's disposition.
 - The Early Resolution Counselor must be immediately notified in order to give a disposition.

3. Hearing Phase

- a. If the parent/guardian requests a hearing, a full hearing will be conducted.
- b. The role of the Hearing Officer is to act as an impartial fact finder and to elicit sufficient information to make a determination as to whether the student committed the misconduct

charged and whether the school followed required procedures. The Hearing Officer explains the hearing process, rules on objections and controls the decorum of the hearing. When a staff advisor is participating in the proceeding; he/she will be primarily responsible for questioning the school's witnesses on direct and cross-examination. If no staff advisor or respondent attorney/advocate is present, the Hearing Officer will question the school's witnesses and then allow the parent to question them. If witnesses appear on behalf of the respondent, the parent will question them and then the hearing office may ask any appropriate follow-up questions. If the school does not bring a staff advisor, the school cannot question the respondent (if he/she chooses to testify) or any of his/her witnesses.

- c. Within 24 hours of the hearing, the Hearing Officer must make a recommendation to the Early Resolution Counselor (the designee for the Regional Superintendent) as to the findings of facts and whether or not the Regional Superintendent should sustain or dismiss the charges.
 - If the charges are not sustained, the student must be reinstated immediately.
 - If the charges are sustained, the Early Resolution Counselor will make an appropriate disposition.
- d. The Early Resolution Counselor must notify the Hearing Officer of the disposition within 24 hours. If the Hearing Officer does not receive a disposition within this time frame, it is his/her responsibility to contact the Early Resolution Counselor immediately.
- e. If the disposition imposes a continued suspension of more than 10 days for students with disabilities, a Manifestation Determination Review must be conducted. The Early Resolution Counselor will notify the Regional CSE, Lead RASE and SPYFSS Director of this requirement and send a copy of such notice to the school. (See Chancellor's Regulation A443 II.E.)

4. Process for No Shows at Hearing

- a. If the parent does not appear on the hearing date, the Hearing Officer must call the parent. The student will remain on suspension at the Alternative Site and the Hearing Office must reschedule the hearing within five days, unless the parent requests a later date.
- b. If the school's representatives do not appear on the hearing date, the Hearing Office must call the school. The school will immediately send appropriate personnel to the Hearing Office. If they are unable to do so, the suspended student will be reinstated pending the new hearing date. The Hearing Office must reschedule the hearing for as soon as possible, but no later than five school days.

Note: For Level 5 infractions, if the school cannot appear on the scheduled date, every effort should be made by the school and the Hearing Office to obtain the parent's consent to continue the student's attendance at the SOS site pending the new hearing date.

5. Dispositional Phase – Early Resolution Counselor Responsibilities

- a. The Early Resolution Counselor is responsible for all dispositions which will be made in accordance with the Discipline Code and the following:
 - The charge(s);
 - The student's prior record;
 - The student's age and maturity;

- The dispositional recommendation from the school;
- Circumstances surrounding the incident;
- The placement request from the parent/guardian.

b. The Discipline Code sets forth the following dispositional placement options:

- Reinstatement;
- Continued suspension for a fixed period of 6-29 or 30-90 school days;
- One-year extended suspension and assignment to a Second Opportunity School for students in grades 6-12 and to an alternative program for students in grades K-5, without the opportunity to petition for early reinstatement;
- Expulsion (only for general education students who turned 17 prior to the beginning of the school year, which begins July 1).
- In addition to a placement decision, a determination must be made as to how the incident will be noted in the student's record:
 - Notation of the suspension on the student's permanent record.
 - Notation on the student's permanent record and expungement of the record upon graduation, permanent departure from the New York City public school system or some event in the future (e.g. the end of the current school year) with the provision that the record be sealed and kept separate from the student's school record and be issued solely for dispositional purposes if the student is subsequently suspended by the Regional Superintendent and the charges sustained.
 - Notation on the student's permanent record and expungement of the record upon graduation, permanent departure from the New York City public school system or some event in the future (e.g. the end of the current school year) provided there are no further disciplinary problems resulting in a Regional Superintendent's or principal's suspension that is ultimately sustained.
 - Expungement of the record of the suspension. However, if the charges against the student are not sustained, all records relating to the suspension must be expunged immediately.

Note: A Superintendent's Suspension may not result in the involuntary transfer of a student. (See *Chancellor's Regulation A-450* for involuntary transfer procedures.) A student may be transferred **ONLY** if a parent consents to the change in school. The Regional Placement Officer must be contacted to determine the transfer school for all middle and elementary students. High School transfers will be handled by the Office of Student Enrollment, Planning and Operations.

6. The student and parent must be notified by telephone or in writing of the disposition and the student's placement within 2 school days of the hearing and a complete decision letter must be sent to the parent within 5 school days of the hearing.
7. The Early Resolution Counselor must immediately notify the suspending school, the receiving school (if applicable), the Alternative Site, both pre and post (if applicable) and the Regional Placement Officer by e-mail of the disposition.
8. It is the responsibility of the Hearing Office to enter case status (adjournment, no show, telephone stipulation, no contest plea, full hearing, disposition etc.) on a daily basis in SOHO.

- 15) Suspension request e-mailed to the Region on (date) _____
- 16) The parent was notified of the suspension by (method) _____
Date _____ Time _____
- 17) The parent and respondent were informed of the pre-hearing placement (Alternate Site).
- 18) The parent was advised to bring an interpreter.
- 19) Homework was sent to the pre-hearing site.
- 20) Three (3) complete sets of records were made.
- 21) Parents of witnesses/victims were notified their children's appearance at a hearing was necessary.
- 22) Subpoena(s) were requested from the Hearing Office.
- 23) The school's dispositional recommendation was discussed with the Principal.