



Book	Policy Manual
Section	Section J: Student
Title	Emergency Removal of Student
Code	JGDA
Status	Active
Adopted	September 28, 1989
Last Revised	September 22, 2020

Prior Revised Dates 09/18/2000, 09/23/2003, 10/23/2018

Emergency Removal of Student

If a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, the Superintendent, principal, assistant principal or personnel employed to direct, supervise or coach a student activity program may remove the student from the premises. When the behavior is sexual harassment as defined by Title IX regulations, the student may be removed on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the student with notice and an opportunity to challenge the decision immediately following the removal.

If either suspension or expulsion is contemplated, a due process hearing is held on the next school day after the removal is ordered. Written notice of the hearing and the reason for removal and any intended disciplinary action is given to the student as soon as practicable prior to the hearing. The student has the opportunity to appear at an informal hearing before the principal, assistant principal and the Superintendent/designee and has the right to challenge the reasons for the removal or otherwise explain his/her actions. The person who ordered or requested the removal is present at the hearing. Within one school day of the decision to suspend, written notification is given to the parent(s) of the student. This notice includes the reasons for the suspension and the right of the student or parent(s) to appeal to the Superintendent/designee.

If the Superintendent or principal reinstates a student prior to the hearing for emergency removal, the teacher may request, and is given, written reasons for the reinstatement. The teacher cannot refuse to reinstate the student.

In an emergency removal, a student can be kept from class until the matter of the alleged misconduct is disposed of either by reinstatement, suspension or expulsion.

Students in grades pre-K through three may only be removed for the remainder of the school day and must be permitted to return the following school day. The District may only proceed with a related suspension or expulsion in compliance with State law.

In all cases of normal disciplinary procedures in which a student is removed from a curricular or extracurricular activity for less than 24 hours and is not subject to further suspension or expulsion, due process requirements do not apply.

Legal [Education Amendments of 1972, Title IX; 20 USC 1681 et seq.](#)
[ORC 3313.66](#)
[ORC 3313.661](#)
[ORC 3313.662](#)

Cross References [ACAA - Sexual Harassment](#)
[ECAB - Vandalism](#)
[JFC - Student Conduct \(Zero Tolerance\)](#)
[JFCJ - Weapons in the Schools](#)
[JG - Student Discipline](#)
[JGD - Student Suspension](#)
[JGE - Student Expulsion](#)