

Greene County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Suspension/Expulsion/Remand	Descriptor Code: 6.316	Issued Date: 06/28/18
		Rescinds: 6.316	Issued: 06/22/17

1 **DEFINITIONS:**

2 **Suspension:** dismissed from attendance at school for any reason not more than ten (10) consecutive
3 days. Multiple suspensions shall not run consecutively nor shall multiple suspensions be applied to
4 avoid expulsion from school.

5 **Expulsion:** removal from attendance for more than ten (10) consecutive days or more than fifteen
6 (15) days in a month of school attendance. Multiple suspensions that occur consecutively shall
7 constitute expulsion.

8 **Remand:** assignment to an alternative school.

9 **REASONS FOR SUSPENSION/EXPULSION:**

10 Any principal, principal-teacher or assistant principal (herein called principal) may suspend/expel
11 any student from attendance at school or any school-related activity on or off campus or from
12 attendance at a specific class or classes, or from riding a school bus, without suspending such student
13 from attendance at school (in-school suspension), for good and sufficient reasons including, but not
14 limited to:²

- 15 1. Willful and persistent violation of the rules of the school;
- 16 2. Immoral or disreputable conduct, including vulgar or profane language;
- 17 3. Violence or threatened violence against the person of any personnel attending or assigned to
18 any school;
- 19 4. Willful or malicious damage to real or personal property of the school, or the property of any
20 person attending or assigned to the school;
- 21 5. Inciting, advising or counseling of others to engage in any of the acts herein enumerated;
- 22 6. Possession of a pistol, gun or firearm on school property;³
- 23 7. Possession of a knife, etc., as defined in TCA 39-17-1309, on school property;
- 24 8. Assaulting a principal, teacher, school bus driver or other school personnel with vulgar,
25 obscene or threatening language;
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- 1 9. Unlawful use or possession of barbitol or legend drugs, as defined in TCA 53-10-101;³
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- 3 10. Engaging in behavior which disrupts a class or school-sponsored activity;
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- 5 11. Making a threat, including a false report, to use a bomb, dynamite, or any other deadly
- 6 explosive or destructive device including chemical weapons on school property or at a school
- 7 sponsored event;
- 8
- 9 12. One (1) or more students initiating a physical attack on an individual student on school
- 10 property or at a school activity, including travel to and from school;
- 11
- 12 13. Off-campus criminal behavior resulting in felony charges; when behavior poses a danger to
- 13 persons or property or disrupts the educational process; and
- 14
- 15 14. Any other conduct prejudicial to good order or discipline in any school.

16 If as a result of an investigation, a principal or his/her designee finds that a student acted in self-
17 defense under a reasonable belief that the student, or another to whom the student was coming to the
18 defense, may have been facing the threat of imminent danger of death or serious bodily injury, then,
19 the student may not face any disciplinary action.⁴

20 **IN-SCHOOL SUSPENSION:**⁵

- 21 1. Students given an in-school suspension in excess of one (1) day from classes shall attend
- 22 either special classes attended only by students guilty of misconduct or be placed in an
- 23 isolated area appropriate for study; and
- 24
- 25 2. Personnel responsible for in-school suspension will see that each student is supervised at all
- 26 times and has textbooks and classwork assignments from his/her regular teachers. Students
- 27 given in-school suspension shall be required to complete academic assignments and shall
- 28 receive credit for work completed.

29 **PROCEDURES FOR OUT OF SCHOOL SUSPENSION AND EXPULSION:**⁶

- 30 1. Unless the student's continued presence in the school, class or school-related activity presents an
- 31 immediate danger to the student or other persons or property, no principal shall suspend/expel
- 32 any student until that student has been advised of the nature of his/her misconduct,
- 33 questioned about it, and allowed to give an explanation.
- 34
- 35 2. Upon suspension/expulsion of any student (in-school suspension in excess of one (1) day),
- 36 the principal shall make an immediate attempt to contact the parent or guardian to inform
- 37 them of the suspension/expulsion. The student shall not be sent home before the end of the
- 38 school day unless the parent or guardian has been contacted.
- 39
- 40 3. The principal shall notify the parent or guardian and the director of schools or designee in
- 41 writing:
- 42 a. Of the suspension/expulsion and the cause for it; and

- 1 b. A request for a meeting with the parent or guardian, student and principal, to be held
2 as soon as possible, but no later than five (5) days following the suspension/expulsion.
3
- 4 4. Immediately following the scheduled meeting, whether or not attended by the parent or guardian
5 or student, the principal shall determine the length of the suspension/expulsion and set
6 conditions for readmission. If the principal determines the length of the suspension to be
7 between six (6) and the maximum of ten (10) days, the principal shall develop and implement
8 a plan for correcting the behavior when the student returns to school.
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- 10 5. If at the time of the suspension the principal determines that an offense has been committed
11 which, in the judgment of the principal would justify a suspension/expulsion for more than
12 ten (10) days, he/she may suspend/expel/remand the student unconditionally for a specified
13 period of time or upon such terms and conditions as are deemed reasonable.
14
- 15 6. The principal shall immediately give written or actual notice to the parent or guardian and the
16 student of the right to appeal the decision to suspend/expel/remand for more than ten (10)
17 days. The notice shall include a statement that, unless the student's parent or guardian
18 requests an open hearing in writing within five (5) days of receipt of the notice, any hearing
19 will be closed to the public. All appeals must be filed, orally or in writing, within five (5)
20 days after receipt of the notice and may be filed by the parent or guardian, the student or any
21 person holding a teaching license who is employed by the school system if requested by the
22 student.
23
- 24 7. The appeal from this decision shall be to the Board or to a disciplinary hearing authority
25 appointed by the Board.
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- 27 8. If the suspension/expulsion occurs during the last ten (10) days of any term or semester, the
28 student shall be permitted to take such final examinations or submit such required work as
29 necessary to complete the course of instruction for that semester, subject to conditions
30 prescribed by the principal.

Legal References

1. TCA 49-6-3007(h)
2. TCA 49-2-203(a)(7);TCA 49-6-3401(a)
3. TCA 49-6-4216; TCA 39-17-1309(b);
4. TCA 49-6-3401(i)
5. TCA 49-6-3401(b)(1)
6. TCA 49-6-3401(a)-(c); *Goss v. Lopez* , 419 U.S. 565 (1975); 20 USCA § 1415; Individuals with Disabilities Act Amendments of 1997 § 615

Cross References

- Traffic and Parking Controls 3.403
Code of Behavior and Discipline 6.300
Procedural Due Process 6.302
Interference/Disruption of School Activities 6.306
Drug-Free Schools 6.307
Bus Safety and Conduct 6.308
Zero Tolerance Offenses 6.309
Dress Code 6.310
Student Disciplinary Hearing Authority 6.317
Alternative School Programs 6.319

Procedure References

- Extended Classroom Placement Guidelines Exhibit A
Extended Classroom Behavior Contract 6.316 Exhibit B
Log for Extended Classroom Person 6.316 Exhibit C
Extended Classroom Placement Form 6.316 Exhibit D