

Hardin County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Suspension/Expulsion/Remand	Descriptor Code: 6.316	Issued Date: 10/02/07
		Rescinds: 6.316	Issued: 11/04/02

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DEFINITIONS:¹

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

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

Remand: assignment to an alternative school.

REASONS FOR SUSPENSION/EXPULSION:

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

1. Willful and persistent violation of the rules of the school or truancy;
2. Immoral or disreputable conduct, including vulgar or profane language;
3. Violence or threatened violence against the person of any personnel attending or assigned to any school;
4. Willful or malicious damage to real or personal property of the school, or the property of any person attending or assigned to the school;
5. Inciting, advising or counselling of others to engage in any of the acts herein enumerated;
6. Possession of a pistol, gun or firearm on school property;³
7. Possession of a knife, etc., as defined in TCA 39-6-1701, on school property;
8. Assaulting a principal or teacher with vulgar, obscene or threatening language;
9. Unlawful use or possession of barbitol or legend drugs, as defined in TCA 53-10-101;³
10. Engaging in behavior which disrupts a class or school-sponsored activity;

- 1 11. Making a threat, including a false report, to use a bomb, dynamite, any other deadly explosive
2 or destructive device including chemical weapons on school property or at a school sponsored
3 event;
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- 5 12. Two (2) or more students initiating a physical attack on an individual student on school property
6 or at a school activity, including travel to and from school;
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- 8 13. Off-campus criminal behavior resulting in felony charges; when behavior poses a danger to
9 persons or property or disrupts the educational process; and
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- 11 14. Any other conduct prejudicial to good order or discipline in any school.
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13 **IN-SCHOOL SUSPENSION:⁴**

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- 15 1. Students given an in-school suspension in excess of one (1) day from classes shall attend either
16 special classes attended only by students guilty of misconduct or be placed in an isolated area
17 appropriate for study; and
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- 19 2. Personnel responsible for in-school suspension will see that each student is supervised at all
20 times and has textbooks and classwork assignments from his/her regular teachers. Students
21 given in-school suspension shall be required to complete academic assignments and shall receive
22 credit for work completed.
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24 **PROCEDURES FOR IN-SCHOOL SUSPENSION AND EXPULSION:⁵**

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- 26 1. Unless the student’s continued presence in the school, class or school-related activity presents an
27 immediate danger to the student or other persons or property, no principal shall suspend/expel
28 any student until that student has been advised of the nature of his/her misconduct, questioned
29 about it, and allowed to give an explanation.
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- 31 2. Upon suspension/expulsion of any student (in-school suspension in excess of one (1) day), the
32 principal shall make an immediate attempt to contact the parent or guardian to inform them
33 of the suspension/expulsion. The student shall not be sent home before the end of the school
34 day unless the parent or guardian has been contacted.
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- 36 3. The principal shall notify the parent or guardian and the director of schools or designee in
37 writing:
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- 39 a. Of the suspension/expulsion and the cause for it; and
- 40 b. A request for a meeting with the parent or guardian, student and principal, to be held as
41 soon as possible, but no later than five (5) days following the suspension/expulsion.
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- 43 4. Immediately following the scheduled meeting, whether or not attended by the parent or guardian
44 or student, the principal shall determine the length of the suspension/expulsion and set condi-
45 tions for readmission. If the principal determines the length of the suspension to be between
46 six (6) and the maximum of ten (10) days, the principal shall develop and implement a plan
47 for correcting the behavior when the student returns to school.
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- 1 5. If at the time of the suspension the principal determines that an offense has been committed
2 which, in the judgment of the principal would justify a suspension/expulsion for more than ten
3 (10) days, he/she may suspend/expel/remand the student unconditionally for a specified period
4 of time or upon such terms and conditions as are deemed reasonable.
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- 6 6. The principal shall immediately give written or actual notice to the parent or guardian and
7 the student of the right to appeal the decision to suspend/expel/remand for more than ten (10)
8 days. All appeals must be filed, orally or in writing, within five (5) days after receipt of the
9 notice and may be filed by the parent or guardian, the student or any person holding a teaching
10 license who is employed by the school system if requested by the student.
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- 12 7. The appeal from this decision shall be to a disciplinary hearing authority appointed by the
13 Board.
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- 15 8. If the suspension/expulsion occurs during the last ten (10) days of any term or semester, the
16 student shall be permitted to take such final examinations or submit such required work as nec-
17 essary to complete the course of instruction for that semester, subject to conditions prescribed
18 by the principal.
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Legal References:

- 41 1. TCA 49-6-3007(g)
- 42 2. TCA 49-2-203(a)(8);TCA 49-6-3401(a)
- 43 3. TCA 49-6-4216; TCA 39-17-1309; TCA 39-17-417
- 44 4. TCA 49-6-3401(b)(1)
- 45 5. TCA 49-6-3401(4)-(6); *Goss v. Lopez* , 419 U.S. 565 (Ohio, 1975);
46 Individuals with Disabilities Act Amdendments of 1997 § 615

Cross References:

- Procedural Due Process 6.302
- Interference/Disruption of School Activities 6.306
- Bus Conduct 6.308
- Zero Tolerance Offenses 6.309
- Dress Codes 6.310
- Discipline Procedures 6.313
- Disciplinary Hearing Authority 6.317