

# Franklin Special Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Suspension/Expulsion/Remand</b>	Descriptor Code: <b>6.316</b>	Issued Date: <b>08/12/13</b>
		Rescinds: <b>6.316</b>	Issued: <b>08/13/12</b>

1 **DEFINITIONS:<sup>1</sup>**

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

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

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

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13 **REASONS FOR SUSPENSION/EXPULSION:**

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

- 19  
20 1. Willful and persistent violation of the rules of the school;
- 21  
22 2. Immoral or disreputable conduct, including vulgar or profane language;
- 23  
24 3. Violence or threatened violence against the person of any personnel attending or assigned to any  
25 school;
- 26  
27 4. Willful or malicious damage to real or personal property of the school, or the property of any  
28 person attending or assigned to the school;
- 29  
30 5. Inciting, advising or counselling of others to engage in any of the acts herein enumerated;
- 31  
32 6. Possession of a pistol, gun or firearm on school property;<sup>3</sup>
- 33  
34 7. Possession of a knife, etc., as defined in TCA 39-17-1309, on school property;
- 35  
36 8. Assaulting a principal, teacher, school bus driver or other school personnel with vulgar, obscene or  
37 threatening language;
- 38  
39 9. Unlawful use or possession of barbitol or legend drugs, as defined in TCA 53-10-101;<sup>3</sup>
- 40  
41

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

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

#### 18 **IN-SCHOOL SUSPENSION:<sup>5</sup>**

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- 21 1. Students given an in-school suspension in excess of one (1) day from classes shall attend either
- 22 special classes attended only by students guilty of misconduct or be placed in an isolated area
- 23 appropriate for study; and
- 24
- 25 2. Personnel responsible for in-school suspension will see that each student is supervised at all times
- 26 and has textbooks and classwork assignments from his/her regular teachers. Students given in-
- 27 school suspension shall be required to complete academic assignments and shall receive credit for
- 28 work completed.
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#### 30 **PROCEDURES FOR IN-SCHOOL SUSPENSION AND EXPULSION:<sup>6</sup>**

- 31
- 32 1. Unless the student's continued presence in the school, class or school-related activity presents an
- 33 immediate danger to the student or other persons or property, no principal shall suspend/expel any
- 34 student until that student has been advised of the nature of his/her misconduct, questioned about it,
- 35 and allowed to give an explanation.
- 36
- 37 2. Upon suspension/expulsion of any student (in-school suspension in excess of one (1) day), the
- 38 principal shall make an immediate attempt to contact the parent or guardian to inform them of the
- 39 suspension/expulsion. The student shall not be sent home before the end of the school day unless
- 40 the parent or guardian has been contacted.
- 41
- 42 3. The principal shall notify the parent/guardian and the director of schools or designee in writing:
- 43
- 44 a. Of the suspension/expulsion and the cause for it; and
- 45
- 46 b. A request for a meeting with the parent or guardian, student and principal, to be held as soon as
- 47 possible, but no later than five (5) days following the suspension/ expulsion.
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- 49

- 1 4. Immediately following the scheduled meeting, whether or not attended by the parent or guardian  
 2 or student, the principal shall determine the length of the suspension/expulsion and set conditions  
 3 for readmission. If the principal determines the length of the suspension to be between six (6)  
 4 and the maximum of ten (10) days, the principal shall develop and implement a plan for  
 5 correcting the behavior when the student returns to school.  
 6
- 7 5. If at the time of the suspension the principal determines that an offense has been committed which,  
 8 in the judgment of the principal would justify a suspension/expulsion for more than ten (10) days,  
 9 he/she may suspend/expel/remand the student unconditionally for a specified period of time or upon  
 10 such terms and conditions as are deemed reasonable.  
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- 12 6. The principal shall immediately give written or actual notice to the parent or guardian and the  
 13 student of the right to appeal the decision to suspend/expel/remand for more than ten (10) days. The  
 14 notice shall include a statement that, unless the student's parent or guardian requests an open  
 15 hearing in writing within five (5) days of receipt of the notice, any hearing will be closed to the  
 16 public. All appeals must be filed, orally or in writing, within five (5) days after receipt of the notice  
 17 and may be filed by the parent or guardian, the student or any person holding a teaching license who  
 18 is employed by the school system if requested by the student.  
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- 20 7. The appeal from this decision shall be to the Board or to a disciplinary hearing authority appointed  
 21 by the Board.  
 22
- 23 8. If the suspension/expulsion occurs during the last ten (10) days of any term or semester, the student  
 24 shall be permitted to take such final examinations or submit such required work as necessary to  
 25 complete the course of instruction for that semester, subject to conditions prescribed by the principal.  
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Legal References:

- 41
- 42 1. TCA 49-6-3007(g)
- 43 2. TCA 49-2-203(a)(7); TCA 49-6-3401(a)
- 44 3. TCA 49-6-4216; TCA 39-17-1309; TCA 39-17-417
- 45 4. TCA 49-6-3401(i)
- 46 5. TCA 49-6-3401(b)(1)
- 47 6. TCA 49-6-3401(4)-(6); Goss v. Lopez, 419 U.S. 565 (Ohio, 1975);  
 48 Individuals with Disabilities Act Amendments of 1997 § 615  
 49

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