

# MORGAN COUNTY BOARD OF EDUCATION

## SUSPENSION/EXPULSION/REMAND

Descriptor Code:

JCCC

Issued Date:

10-02-2000

### DEFINITIONS:<sup>1</sup>

**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 or assistant principal (herein called principal) may suspend/expel any student from attendance at school or any school-related activity on or off campus (out-of-school suspension) 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:<sup>2</sup>

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 counseling of others to engage in any of the acts herein enumerated;
6. Possession of a pistol, gun or firearm on school property;<sup>3</sup>
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;<sup>3</sup>
10. Engaging in behavior which disrupts a class or school-sponsored activity;
11. Off-campus criminal behavior resulting in felony charges; when behavior poses a danger to persons or property or disrupts the education process;
12. Inadequate proof of immunization.<sup>6</sup>
13. Any other conduct prejudicial to good order or discipline in any school.

**IN-SCHOOL SUSPENSION:<sup>4</sup>**

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

**PROCEDURES FOR IN-SCHOOL AND OUT-OF-SCHOOL SUSPENSION:<sup>5</sup>**

1. Unless the student's continued presence in the school, class, or school-related activity presents an immediate danger to the student or other persons or property, no principal shall suspend/expel any student until that student has been given due process by advising them of the nature of his/her misconduct, questioned about it, and allowed to give an explanation;
2. Upon suspension/expulsion of any student (in-school suspension in excess of one (1) day), the principal shall make an immediate attempt to contact the parent or guardian to inform them of the suspension/expulsion. The student shall not be sent home before the end of the school day unless the parent or guardian has been contacted;
3. The principal shall notify the parent or guardian and the director of schools or designee in writing of the suspension/expulsion and the cause for it, the length of suspension/expulsion, and terms of readmission.
4. If at the time of the suspension the principal determines that an offense has been committed which, in the judgement of the principal would justify a suspension/expulsion for more than ten (10) days, he/she may suspend the student unconditionally for a specified period of time or upon such terms and conditions as are deemed reasonable.
5. The principal shall immediately give written or actual notice to the parent or guardian and the student of the right to appeal the decision to suspend/expel/remand for more than ten (10) days. All appeals must be filed, orally or in writing, within five (5) days after receipt of the notice and may be filed by the parent or guardian, the student or any person holding a teaching license who is employed by the school system if requested by the student.
6. If the suspension/expulsion occurs during the last ten (10) days of any term or semester, the student shall be permitted to take such final examinations or submit such required work as necessary to complete the course of instruction for that semester, subject to conditions prescribed by the principal.
7. Students under suspension from one (1) school in the school system cannot enter another school in the system.

1. TCA 49-6-3007(g)
2. TCA 49-2-203(a)(8);TCA 49-6-3401(a)
3. TCA 49-6-4216; TCA 39-17-1309; TCA 39-17-417
4. TCA 49-6-3401(b)(1)
5. TCA 49-6-3401(4)-(6); Goss v. Lopez, 419 U.S. 565 (Ohio, 1975);  
Individuals with Disabilities Act Amendments of 1997 § 615
6. TCA 49-6-5007

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