

	MURFREESBORO CITY SCHOOL BOARD POLICY		
	Descriptor Term: SUSPENSION/ EXPULSION/ REMAND	Descriptor Number: STU 25	Date Adopted: 4/79
		Revision Adopted: 2/01	

DEFINITIONS:

Suspension: dismissed from attendance at school for any reason for not more than ten (10) consecutive school 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 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). Any such suspension shall be for good and sufficient reasons including, but not limited to:

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;
7. Possession of a knife, etc., as defined in T.C.A. 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 T.C.A. 53-10-101;
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 educational process;
12. Any other conduct prejudicial to good order or discipline in any school.

IN-SCHOOL SUSPENSION:

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 class work 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 SUSPENSION, IN-SCHOOL SUSPENSION AND EXPULSION:

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 advised of the nature of his/her misconduct, questioned about it, and allowed to give an explanation.
2. Upon suspension/expulsion of any student (including 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 and arrangements have been made.
3. The principal shall notify the parent or guardian and the Director of Schools or designee in writing of:
 - a. The suspension/expulsion and the cause for it; and
 - b. A request for a meeting with the parent or guardian, student and principal, to be held as soon as possible, but no later than five (5) days following the suspension/expulsion.
4. If at the time of the suspension, the principal determines that an offense has been committed which, in the judgment of the principal, would justify a suspension/expulsion for more than ten (10) days, he/she may suspend/expel/remand the student unconditionally for a specified period of time or upon such terms and conditions as the principal deems reasonable.
5. Immediately following the scheduled meeting, whether or not attended by the parent or guardian or student, the principal shall determine the length of the suspension/expulsion and set conditions for readmission. If the principal determines the length of the suspension to be between six (6) and the maximum of ten (10) days, the principal shall develop and implement a plan for correcting the behavior when the student returns to school.
6. 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.
7. The appeal from this decision shall be to the Board or to a Disciplinary Hearing Authority appointed by the Board.
8. 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.

SPECIAL EDUCATION STUDENTS:

Those students falling under the purview of IDEA will be disciplined in accordance with federal and state regulations for IDEA students.

Legal References:

T.C.A. 49-6-3007(g)
T.C.A. 49-2-203(a)(8); T.C.A. 49-6-3401(a)
T.C.A. 49-6-4216; T.C.A. 39-17-1309; T.C.A. 39-17-417
T.C.A. 49-6-3401(b)(1)
T.C.A. 49-6-3491(4)-(6); Goss v. Lopez, 419 U.S. 565 (Ohio, 1975);
Individuals with Disabilities Act Amendments of 1997 615

