

# Marion County Board of Education

Monitoring:

Descriptor Term:

Descriptor Code:

Issued Date:

**Review:**  
**Annually,**  
**in April**

**Suspension/Expulsion/Remand**

**6.316**

**7/8/24**

Rescinds:

Issued:

**6.316**

**11/29/21**

## **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.

## **IN-SCHOOL SUSPENSION:<sup>2</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 SUSPENSION AND EXPULSION:<sup>3</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 advised 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:
  - a. Of 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. 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.

5. 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 are deemed reasonable.

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.

9. The student will be given the opportunity to attend the Marion County Alternative school for the assigned days (1-10), student will be allowed to continue all course studies and test given during their short-term placement. Course work will be School for the number of days assigned by the building principal. By attending the sent from the student's teachers by the building administrator. If student elects to take the short-term suspension at home. Student is not in school; therefore, student will not be allowed to do any classwork or test in a home setting.

10. A student may receive Out Of School Suspension (OSS) or be placed in the Alternative School three (3) for a violation of Category II offenses during a school year. The fourth (4<sup>th</sup>) violation of a Category II offense will result in a referral to the Board for disciplinary action.

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Legal References:

1. TCA 49-6-3007(g)
2. TCA 49-6-3401(b)(1)
3. TCA 49-6-3401(4)-(6); *Goss v. Lopez*, 419 U.S. 565 (Ohio, 1975); Individuals with Disabilities Act Amendments of 1997 § 615

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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
- Student Conduct 6.313
- Disciplinary Hearing Authority 6.317