Student Discipline Hearing Procedures

(January 2024)

A. SUSPENSION PROCEDURES

"Suspension" is defined as dismissal from attendance at school for any reason not exceeding ten (10) consecutive days. Multiple suspensions shall not run consecutively nor shall multiple suspensions be applied to avoid expulsion from school.

1. Suspension of Ten Days or Less

1.1 During the investigative process, a student will be afforded due process (the opportunity to give his/her written and verbal account of the incident). After the investigation, if a suspension is warranted, a suspension notice will be issued. A summary suspension of no more than two days may be given while completing an investigation.

1.2 If a student's presence in the school poses any real or potential danger to other students or school officials, or a continual interruption of student education, the student will be removed from the school immediately. In this case, parent notification and due process will follow as soon as possible.

1.3 If appropriate, incidents may be referred to local law enforcement officials.

1.4 All information pertaining to the behavior incident should be entered in Power School including the date of the incident, primary student, witness and/or victims, appropriate event/discipline codes, incident details, action start and end dates, responsible person (principal or designee assigning action), and action details. The action of Out of School Suspension should be entered. Do not enter the action of Suspended.

1.5 Upon suspension of any student other than for in-school suspension of one (1) day or less, the principal shall, within twenty-four (24) hours, notify the parent or guardian. Principal or principal designee should verify with parent/guardian the student mailing address. The Notice of Disciplinary Action Report should be mailed the same day as the incident is addressed. A copy of this report should be placed in the student's discipline file, which is separate from the cumulative record [TCA 49-6-4106 Disciplinary Referrals, Acts 2009, ch. 315, § 1.] Principal shall within twenty-four (24) hours notify the head of

schools or the head of schools' designee of the above suspension.

1.6 If the suspension is for more than five (5) days, the principal shall develop and implement a plan for improving the behavior.
1.7 In the event the suspension occurs during the last ten (10) days of any term or semester, the pupil may be permitted to take final examinations or submit required work that is necessary to complete the course of instruction for that semester, subject to the action of the principal, or the final action of the board of education upon any appeal from an order of a principal continuing a suspension. [TCA 49-6-3401 (d)]

2. Expulsions/Remandments

For Disciplinary Purposes: “Expelled” means removal from the student's regular school program at the location where the violation occurred or removal from school attendance altogether, as determined by the school official. [TCA49-6-3401 (g)(5)(A)]

“Expulsion” is defined as removal from attendance at school 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 expulsions. The school district shall not be eligible to receive funding for an expelled student. [TCA 49-6-3007 (h) (1)].

“Remand” is defined as assignment to alternative school. The student so assigned shall be included in ADA/ADM and will continue to be counted as present for funding purposes. The state department of education shall establish a set of codes to be used for reporting reasons for students on remand to an alternative school. [TCA 49-6-3007 (h) (2)].

2.1 All Notices of Expulsion shall be signed and approved by the Principal of the school.

2.2 School administrators will immediately notify the Director of Student Support of a student expulsion or remandment of more than ten days and the cause and conditions for readmission within 24 hours. If the student has an IEP, school administration will also immediately notify the Director of Exceptional Education. The following forms should be immediately faxed:

1. Discipline Response Form
2. Discipline Office Expulsion Referral Form
3. Notice of Expulsion of More than Ten (10) Days
4. Notice of Disciplinary Action
5. Notice of Expulsion and Right to Appeal
6. Exceptional Education Checklist

2.3 No later than the third (3rd) day of expulsion/remandment, the additional items below should be faxed to the Head of Schools:

1. Principal's, Student's, and all Witness Statement
2. Student's Report Card
3. Student's Transcript
4. Student's Schedule
5. Current IEP for Exceptional Ed Students
6. Manifestation Determination papers for Exceptional Ed Students

2.4 All information pertaining to the behavior incident should be entered in Power School including the date of the incident, primary student, witness and/or victims, appropriate event/discipline codes, incident details, action start and end dates, responsible person (principal or designee assigning action), and action details. School should activate the expulsion indicator in Power School and remove student schedule.

The Incident should be recorded with the action of expelled for high school, until the time a student enrolls in an Alternative Learning Center (ALC). Once a student has enrolled in the ALC, the expelled action should be deleted from the incident and the action of remandment should be added to the incident. Expelled students should not be withdrawn as dropouts from the home school.

2.5 Upon expulsion or remandment of any student the principal shall, within twenty-four (24) hours, notify the parent or guardian via written or actual notice. Principal or principal designee should verify with parent/guardian the student mailing address. The Notice of Disciplinary Action Report should be mailed the same day as the incident is reported and action is determined. Notice may be hand delivered. The right to appeal should be included with this notice. A copy of this report should be placed in the student's discipline file, which is separate from the cumulative record [TCA 49-6-4106 Disciplinary Referrals, Acts 2009, ch. 315, § 1.]