

# Williamson County Board of Education

**Adopted Date:**

7/16/01  
REV.1/18/05;5/15/06;  
11/19/07;3/24/08;  
8/18/08;2/16/09;  
Editorial 6/19/14

6.316

STUDENT EXPULSION/SUSPENSION  
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1 Only the Board of Education is authorized by law to permanently bar a student from attendance at a  
2 Williamson County School. Only a Principal or assistant principal is authorized by law to suspend a student.

3  
4 A Principal or assistant principal of any Williamson County School may suspend a student from:

- 5 1. Attendance at the school. During the suspension period, the student shall not be  
6 permitted to be on any Williamson County Schools campus or any adjacent property  
7 used for school purposes or to attend or participate in extra-curricular activities.  
8 Notwithstanding this prohibition, a student may come to school campus to conduct  
9 necessary business only upon written request of a school administrator.
- 10 2. Attendance at a specific class, classes, or school-sponsored activity without suspending  
11 such student from attendance at school for good and sufficient reasons.
- 12 3. Riding a school bus.

13  
14 During any period of suspension, students shall be expected to make up any daily grades and weekly tests  
15 which occur during the period of suspension and are responsible for obtaining assignments for their classes.  
16 Parents may at their own expense obtain tutoring during a period of suspension to enable a student to keep  
17 up with his class.

18  
19 Students under in-school suspension shall be recorded as constituting a part of the public school attendance  
20 in the same manner as students who attend regular classes.

## 21 REASONS FOR SUSPENSIONS/EXPULSIONS

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23 Good and sufficient reasons for such suspension may include but shall not be limited to:

- 24 1. Willful and persistent violation of the rules of school,
- 25 2. Truancy,
- 26 3. Immoral or disreputable conduct,
- 27 4. Vulgar or profane language,
- 28 5. Violence or threatened violence against the person of any personnel attending or assigned  
29 to the school,
- 30 6. Willful or malicious damage to real or personal property of the school,
- 31 7. Willful or malicious damage to the property of any person attending or assigned to the  
32 school,
- 33 8. Marking, defacing, or destroying school property,
- 34 9. Possession of a pistol, gun, firearm or like instrument containing a firing pin capable of  
35 shooting tear gas or pistol cartridges on school property,
- 36 10. Possession of any razor, dirk, bowie knife, any size pocket knife, or other knives, sword  
37 cane, ice pick, or Spanish stiletto, or any like instrument that may be used as a lethal  
38 weapon, on school property.
- 39 11. Possession of a blackjack, brass-knuckles, or like instrument,
- 40 12. Solicitation of another to bring a weapon (see 9, 10, 11) onto school property.
- 41 13. Assaulting a staff member with vulgar, obscene or threatening language,
- 42 14. Unlawful use or possession of drug paraphernalia, alcoholic beverages, legend drugs, or  
43 other controlled substances. (See Board Policy 6.309)
- 44 15. Behavior which adversely affects the safety and well-being of other students or employees,
- 45 16. Behavior which disrupts a class or school sponsored activity,
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1 17. Inciting, advising, or counseling of others to engage in any of the acts herein before  
2 enumerated,

3 18. Any other conduct prejudicial to good order or discipline.

4 NOTE: See Board Policy 6.309 regarding "zero tolerance" offenses.

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## 6 IN-SCHOOL SUSPENSION

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8 1. Students given an in-school suspension in excess of one (1) day from classes shall attend either  
9 special classes attended only by students guilty of misconduct or be placed in an isolated area  
10 appropriate for study.

11 2. Students given in-school suspension shall be required to complete academic requirements and  
12 shall receive credit for work completed.

13 3. Students under in-school suspension shall be recorded as constituting a part of the public school  
14 attendance in the same manner as students who attend regular classes.

15 4. In-school suspension may not be appealed to the Board of Education.

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## 17 DISCIPLINE OF STUDENTS WITH DISABILITIES

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19 Suspensions/expulsions for more than a total of ten (10) days per school year shall be considered a change  
20 of placement for students with disabilities. Prior to such action, the student's IEP-Team, as defined in the  
21 Individuals with Disabilities Education Act, or Section 504 team as defined by Section 504 of the  
22 Rehabilitation Act of 1973 must meet and determine whether the offense is a manifestation of the student's  
23 disability based on the criteria set by current state and federal law.

24

25 If the IEP-Team determines that the offense is a manifestation of the student's disability, the student cannot  
26 be suspended or expelled. If the IEP-Team determines that the offense is not a manifestation of the  
27 student's disability, the student is treated as if he/she were non-disabled and may be suspended or expelled  
28 on the same basis as any student. Either determination is subject to due process procedures and upon  
29 challenge; placement shall be frozen pending the outcome of any administrative or judicial proceeding. If the  
30 student is covered under IDEA, the frozen placement is in the alternative setting. If the student is covered  
31 under Section 504, the student continues to receive services under the terms of the last agreed upon  
32 accommodations. If a student is suspended or expelled, educational services (as determined by the IEP-  
33 Team or 504 Team) must be provided during the expulsion period.

34

35 Notwithstanding the above, school personnel may remove a child to an interim alternative educational setting  
36 determined by the IEP team for not more than 45 school days regardless of whether the behavior is  
37 determined to be a manifestation of the student's disability in cases where the child commits one of the  
38 following offenses at school, on school premises, or at a school function under the jurisdiction of the school  
39 district:

40 1. Carrying or possessing a weapon

41 2. Possessing or using illegal drugs or selling or soliciting the sale of a controlled substance; or

42 3. Inflicting serious bodily injury upon another person.

43 No school employee may file in the Juvenile Court an unruly or delinquent petition against any student with  
44 an IEP or § 504 Plan unless a manifestation determination meeting determines that the behavior at issue was  
45 not a manifestation of that student's disability.

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## 1     PROCEDURES FOR OUT-OF-SCHOOL SUSPENSION/EXPULSION

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- 3           1. Unless the student's continued presence in the school, class or school related activity presents an
- 4           immediate danger to the student or other persons or property or an on-going threat to the academic
- 5           process or except in an emergency, no Principal shall suspend any student until that student has
- 6           been advised of the nature of misconduct, questioned about it, and allowed to give an explanation.
- 7           2. Upon suspension of any student, the Principal will contact the parent or guardian to inform them of
- 8           the reason(s) for the suspension, and the procedures for application for readmission. The student
- 9           will not be sent home before the end of the day unless the parent or guardian has been contacted.
- 10          3. Upon suspension of any student, other than for in-school suspensions of one(1) day or less, the
- 11          Principal shall notify the parent or guardian and the Superintendent of Schools or designee in writing:
- 12              a. Of the suspension, which shall be for a period of no more than ten(10) days,
- 13              b. Of the cause for the suspension,
- 14              c. Of the conditions for readmission, which must include a meeting of the
- 15              parent or guardian, student and Principal.
- 16              d. Of the right to appeal the decision to the Disciplinary Hearing Authority through the
- 17              Superintendent of Schools, if ten (10) or more days.
- 18          4. If the suspension is for more than five (5) days, the Principal shall develop and implement a plan for
- 19          remediation of the behavior for which the suspension was ordered, which shall be made available for
- 20          review by the Superintendent of Schools upon request.
- 21          5. If at the time of the suspension the Principal determines that an offense has been committed which,
- 22          in the judgment of the Principal, would justify a suspension for more than ten (10) days, or if the
- 23          student has violated Board Policy 6.309, he shall immediately refer the case to the Superintendent of
- 24          Schools. If the Principal recommends a suspension/expulsion for a period in excess of 10 days, he
- 25          shall specify the length of the suspension/expulsion from the school.
- 26          6. The Disciplinary Hearing Authority shall consist of three county administrators named by the
- 27          Superintendent of Schools or designee. The student's Principal will not be a member of the hearing
- 28          authority. The Disciplinary Hearing Authority must include a Special Education educator if the student
- 29          has been verified as having a disability. The Superintendent of Schools or designee will serve as the
- 30          non-voting chairman of the hearing authority and will be responsible for scheduling the hearing,
- 31          conducting the hearing and preparing the written findings of the Disciplinary Hearing Authority.
- 32          7. The hearing shall be held no later than ten (10) days after the beginning of the suspension. The
- 33          notice of the time and place of this hearing shall be given in writing to the parent and Principal or
- 34          assistant principal by the Superintendent of Schools or designee.
- 35          8. After the hearing, the Disciplinary Hearing Authority may, except for zero tolerance offenses
- 36          under provisions of TCA:
- 37              a. Affirm the decision of the Principal;
- 38              b. Order removal of the suspension/expulsion unconditionally;
- 39              c. Order removal of the suspension/expulsion upon such terms and
- 40              conditions as it deems reasonable within the policies of the Board.
- 41              d. Recommend the student to the Alternative Learning Center; or
- 42              e. Suspend/expel the student from any school or recommend remand to
- 43              ALC for a specified period of time.
- 44          9. A written record of the proceedings, including a summary of the facts and the reasons supporting the
- 45          decision, shall be made by the Disciplinary Hearing Authority.
- 46          10. Only after exhausting appeal procedures, the Principal or the student (or his parents) may request
- 47          review by the Board of Education. The appeal to the Board must be presented to the Superintendent
- 48          of Schools in writing within five (5) days after the date of the Disciplinary Hearing Authority hearing.
- 49          Absent a timely appeal, the decision shall be final.
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- 1 11. After a review of the record, the Board may, except for zero tolerance offenses under provisions of  
2 TCA:  
3 a. Affirm the decision of the hearing authority,  
4 b. Modify the decision to a lesser penalty, or  
5 c. Grant or deny a hearing before the Board of Education. If a hearing is  
6 granted, the Board may:  
7 1) Affirm the decision of the hearing authority, or  
8 2) Modify the decision in any manner, including imposing a lesser or more severe penalty  
9 than that of the hearing authority.

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11 The action of the Board of Education shall be final, except for zero tolerance suspensions involving Drugs,  
12 Assault, or Weapons (see Board Policy 6.309).  
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Legal References:

TCA 49-6-3401: "Suspension of Students"

TCA 49-6-4216: "Zero Tolerance"

20 U.S.C. §1415  
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