

STUDENT SUSPENSION

The Building Principal has authority within the law to suspend a student who, in his/her judgment, has violated school and/or District policy/ regulations, is insubordinate or disorderly, or whose conduct endangers the safety, morals, health or welfare of others, or whose physical or mental condition endangers the health, safety or morals of himself/herself or of others for periods not to exceed five (5) school days. Principals shall promptly report any suspensions they authorize to the Superintendent of Schools, giving the reasons for their action.

The Board and/or Superintendent may also suspend a student for longer than five (5) days. In such cases, the Superintendent and/or Building Principal will immediately provide written notification of the suspension to student's parent(s) or guardian(s) and the student if over the age of eighteen (18) and will afford the opportunity for a Superintendent's hearing with respect to the basis of such suspension. The notice and hearing will comply with the Education Law and Commissioner's Regulations Section 100.2.

A student of compulsory attendance age will be offered alternative instruction in the event that he/she is suspended from regular instruction.

Cross-ref: **3250, School Building Administration**
 4321, Students with Disabilities
 5020.1 Prohibition of Sexual Harassment
 5300, Student Conduct and Discipline
 5312.2, Dangerous Weapons in School

Ref: **Education Law §3214**
 8 NYCRR §100.2
 Rehabilitation Act of 1973 §504; 29 USC §794 34 CFR Part 104
 Honig v. Doe, 108, S.Ct. 592 (1988)
 Goss v. Lopez, 419 US 565 (1975)
 Matter of Nathaniel D., 32 EDR (No. 12760, 7/24/92)
 Matter of a Child with a Handicapping Condition, 28 EDR 342 (1989)
 Matter of Watts, 23 EDR 459 (1984)
 Matter of Albicocco, 21 EDR 166 (1981)
 Matter of Gesner, 20 EDR 326 (1980)
 Turner v. Kowalski, 49AD2d 943 (1975)
 Reid v. Nyquist, 65 Misc.2d 718 (1971)
 Matter of Anderson, 11 EDR 45 (1971)
 Matter of Chipman, 10 EDR 224 (1971)
 Matter of McDonald, 8EDR (1968)
 Matter of Cuffee, 7 EDR 60 (1967)

Note: Prior policy, Building Principals, 2212.1, revised
Policy Amended: January 26, 1998
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