

The Board of Education recognizes that suspending a student from school is a severe penalty which should be imposed only upon a student who is insubordinate or disorderly, or whose conduct otherwise 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 other students.

The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent of Schools. The Board also delegates to the Building Principals the authority to suspend students for up to five days.

The Superintendent of Schools shall be responsible for developing and disseminating procedures to give suspended students and their parents/guardians notice and an opportunity to be heard with respect to the suspension, consistent with the requirements of state law and regulation.

A student of compulsory attendance age will be offered alternative instruction in the event that he/she is suspended from regular instruction. In addition, any students over the compulsory attendance age who present a sincere desire to complete their high school education may be provided with alternative instruction.

Students with disabilities will be suspended in accordance with the procedures established under applicable federal and state law and regulation.

In addition, teachers will have the authority to remove disruptive students (as defined below) for up to two days in accordance with the process described in the regulation. The removal from class applies to the class of the removing teacher only.

#### *Disruptive Students*

One who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

#### *Removal*

Means that students are precluded from returning to the class of the teacher from which they are removed.

Cross-ref: 4321, Programs for Students with Disabilities Under IDEA and Article 89  
5020.3, Students with Disabilities Under Section 504  
5310, Student Discipline  
5312.2, Dangerous Weapons in School  
5313.2, In-School Suspension  
5313.4, Suspension of Students with Disabilities Under IDEA and Article 89

Ref: Education Law §3214  
8 NYCRR §100.2(l)(4)  
*Goss v. Lopez*, 419 U.S. 564 (1975)

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