

Motion to separate Resolution No. 2017-18: 822 into Resolution No. 2017-18: 822a and Resolution No. 2017-18: 822b made by Commissioner Sheppard, seconded by Commissioner Elliott. Motion carries 4-0 with Vice President Powell, Commissioner Funchess and Commissioner LeBron absent.

Resolution No. 2017-18: 822a

By Member of the Board Commissioner Hallmark

Whereas, the NYS Education Law 8 NYCRR § 100.2(l)(2)(i) requires that school districts adopt and enforce a code of conduct for the maintenance of order on school property and at school functions; and

Whereas, school districts may impose discipline for violations of their student disciplinary code, as long as it is proportionate to the severity of the offense involved; and

Whereas, while NYS Education Law § 3214(3)(c)(1) requires the Superintendent of Schools to conduct a disciplinary hearing for a long-term suspension and determine the appropriate discipline, the law also allows a student to appeal the long-term suspension decision to the local school board; therefore be it

Resolved, that the Board of Education formally accepts the following decisions on the long-term suspension appeals indicated into record:

<u>Hearing File</u>	<u>Result</u>
304	The Suspension Appeal was upheld. The student was deemed guilty of the charges, and no penalty changes were warranted. The student may return to school on September 5, 2018.
311	The Suspension Appeal was confirmed in part. The student was deemed guilty of the charges, but the penalty may be reduced if the student voluntarily participates in anger management counseling. If so, the student may return to school on May 21, 2018. Should the student choose not to do so, the suspension term will stand and the student may return to school on September 5, 2018
329	The Suspension Appeal was upheld. The student was deemed guilty of the charges, and no penalty changes were warranted. The student may return to school on May 10, 2018.
337	The Suspension Appeal was confirmed in part. The student was deemed guilty of the charges, but the penalty was reduced. The student may return to school on May 14, 2018.

392

The Suspension Appeal was confirmed in part. The student was deemed guilty of the charges, but the penalty may be reduced if the student voluntarily participates in anger management counseling. If so, the student may return to school on May 14, 2018. Should the student choose not to do so, the suspension term will stand and the student may return to school on September 6, 2018

**Seconded by Member of the Board Commissioner Sheppard
Adopted 4-0 with Vice President Powell, Commissioner Funchess and Commissioner LeBron absent.**

Resolution No. 2017-18: 822b

By Member of the Board Commissioner Hallmark

Whereas, the NYS Education Law 8 NYCRR § 100.2(l)(2)(i) requires that school districts adopt and enforce a code of conduct for the maintenance of order on school property and at school functions; and

Whereas, school districts may impose discipline for violations of their student disciplinary code, as long as it is proportionate to the severity of the offense involved; and

Whereas, while NYS Education Law § 3214(3)(c)(1) requires the Superintendent of Schools to conduct a disciplinary hearing for a long-term suspension and determine the appropriate discipline, the law also allows a student to appeal the long-term suspension decision to the local school board; therefore be it

Resolved, that the Board of Education formally accepts the following decisions on the long-term suspension appeals indicated into record:

Hearing File

Result

346

The Suspension Appeal was confirmed in part. The student was deemed guilty of the charges, but the penalty may be reduced if the student voluntarily participates in anger management counseling. If so, the student may return to school on May 14, 2018. Should the student choose not to do so, the suspension term will stand and the student may return to school on May 18, 2018

363

The Suspension Appeal was upheld. The student was deemed guilty of the charges, and no penalty changes were warranted. The student may return to school on September 5, 2018.

**Seconded by Member of the Board Commissioner Elliott
Rejected 3-1 with Commissioner Sheppard dissenting and Vice President Powell, Commissioner Funchess and Commissioner LeBron absent.**