

Resolution No. 2018-19: 577

By Member of the Board Commissioner Hallmark

Whereas, the NYS Education Law 8 NYCRR § 100.2(1)(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 adopts the following decisions on the long-term suspension appeals indicated into record:

Hearing File

Result

035

The Suspension Decision is affirmed in part. The student was deemed guilty of the charges, but the penalty may be reduced if the student voluntarily participates in counseling. If so, the student may return to school on January 21, 2019. Should the student choose not to do so, the suspension term will stand and the student may return to school on January 31, 2019.

**Seconded by Member of the Board Commissioner Powell
Adopted 7-0**