

Resolution No. 2018-19: 767

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:

Hearing File

Result

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The Suspension Decision is affirmed in part. The student was deemed guilty of the charges, but the penalty was reduced to permit the student to return to school on April 22, 2019 on the condition that the student satisfies his/her school principal that he/she should return based on satisfactory completion of an assigned program and/or other good reason. Should the student choose not to do so, the suspension term will stand and the student may return to school on September 4, 2019.

**Seconded by Member of the Board Commissioner LeBron
Adopted 6-0 with Commissioner Sheppard absent**