

V. Students

C. Disciplinary Policies

1. Code of Conduct

e. Suspension/Expulsion

I. Definitions

- A. Suspension means an exclusion from attendance at school, school property, and all school sponsored activities for disciplinary reasons by an authorized member of the administrative staff (Principal or designee) for not more than ten consecutive days, provided such suspension shall not extend beyond the end of the school year in which such suspension is imposed. A pupil may be suspended for conduct as described below in Section II, A-1 through 10.
- B. The term “expulsion” means the exclusion of a student from school, school property, and school sponsored activities for more than ten consecutive school days by the School Committee. When a student is excluded from school, it will be for a definite period of time. The School Committee may expel a pupil from school if, after a full hearing, the Committee finds that his or her conduct endangers persons or property, is seriously disruptive of the educational process, or violates a Committee policy.

II. Actions Leading to Suspension or Expulsion

- A. The following breaches of conduct on school property, school transportation, or at any school sponsored activity may lead to consideration of suspension or expulsion:
 - (1) Willfully striking or assaulting a student or any member of the school staff.
 - (2) Theft.
 - (3) Use of obscene or profane language or gestures.
 - (4) Deliberate refusal to obey a member of the school staff. For purposes of this section, school staff is defined as administrators, teachers, and teacher aides.
 - (5) Truancy and unauthorized leave from school property during the school day.
 - (6) Blackmailing, threatening, bullying, cyberbullying or intimidating school staff or other students.

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- (7) Possessing in the school or on school grounds any kind of weapon, such as a knife, blackjack, razor, gun, or any facsimile thereof.
 - (8) Unauthorized possession, selling, or consumption in the school or on school grounds of dangerous drugs, narcotics, or alcoholic beverages. Coming to school under the influence of alcohol or drugs is also cause for suspension or expulsion. Students suspended or expelled for alcohol or drug abuse shall be required to seek counseling.
 - (a) Dangerous drugs or narcotics shall mean any controlled drug as defined in R.I. General Statutes, classified generally as amphetamine-type, barbituate-type, cannabis-type, hallucinogenic, morphine-type, and other stimulant and depressant drugs; and in addition, those substances known as Methaqualone. Unauthorized use or possession of such substances shall mean use or possession without a valid prescription.
 - (b) The selling of drugs in this article shall be the cause for an automatic request for expulsion by the Principal in accordance with Part IV of this policy.
 - (9) The willful destruction or vandalism of school property.
 - (10) Disruption of the school day by bomb threats or false alarms shall be the cause for an automatic request for expulsion by the Principal in accordance with Part IV of this policy.
- B. Bringing onto school premises or possession on school premises of a weapon/knife or a replica of a weapon will result in an expulsion for the period of one year unless the Superintendent recommends shortening the term of suspension (see IV, D), or the individual is a student with a disability (see IV, D).
 - C. This list is not meant to be all inclusive. Other situations may develop which will lead to suspension or expulsion.
 - D. The building administrators shall forward to the police any information involving a violation of the law, involving a felony, taking place on school property.

III. Procedures Governing Suspension

The Principal shall observe the following procedures:

- A. Unless an emergency situation requiring the pupil's immediate removal exists, no student shall be suspended prior to having an informal hearing before the Principal or his or her designee at which the student is informed as to the charges

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and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the suspension as possible.

- B. By telephone, the Principal, or his or her designee, shall make all possible attempts to immediately notify the parent or guardian of the student about the suspension and state the cause(s) leading to the suspension.
- C. Whether or not telephone contact is made with the parent or guardian, the principal or designee, shall forward a letter to such parent or guardian to the last address reported on school records (or to a newer address if known by the Principal, or his or her designee) within one school day of the suspension action and requesting parent or guardian an opportunity for a conference to discuss same.
- D. Following a conference with the Principal, or his or her designee, the student or his or her parent(s) or guardian(s) may request the Superintendent of Schools, or his or her designee, to review the Principal's decision. Such review shall be completed and a written report issued to the student and his or her parent(s) or guardian(s) and to the School Committee within three days of such request. In re-examining the Principal's decision to suspend, the Superintendent shall require the Principal, the person who witnessed and reported the incident which resulted in the student's suspension, and the student to give individual accounts as to the events leading to the suspension. The Superintendent shall determine whether such accounts shall be oral or written. Appeal shall not stay or delay imposition of the suspension.
- E. If a student is eighteen years of age or older, any notice required by this policy shall be given to the student, as well as the parent(s)/guardian.
- F. Students and parents have the right to request textbooks and homework for the duration of the suspension period, and the student shall be allowed to complete any examinations, without penalty, which he or she missed while under suspension.
- G. The Superintendent of Schools shall report any unusually serious case of pupil suspension to the School Committee at their first meeting following such action.

IV. Procedures Governing Expulsion

- A. A Principal may request expulsion of a pupil in a case where the Principal has cause to believe the student's conduct endangers persons or property, is seriously disruptive to the educational process, or is violative of a publicized Committee policy. The Principal must request expulsion for one full year for a pupil who has brought onto school premises or is in possession on school premises of a firearm consistent with Rhode Island General Law 16-21-18.

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- B. Requests for expulsion are to be directed to the School Committee through the Superintendent of Schools.
- C. Upon receipt of an expulsion request, the Superintendent shall conduct an inquiry within two (2) school days of the request.
- D. If after the inquiry the Superintendent, or his or her designee, determines that a student ought to be expelled, he or she shall forward such request to the School Committee within five (5) days of the request from the Principal. If expulsion is not recommended, a report shall be made to the Principal and School Committee. If expulsion is as a result of bringing onto school premises or being in possession on school premises of a firearm, the Superintendent may recommend shortening the one-year term of suspension. If it has been determined that a student with a disability has brought onto school premises or is in possession on school premises of a firearm, then the student may be placed in an interim alternative educational setting for not more than 45 days. If the parent or guardian requests a due process hearing challenging the decision to place a student in an interim, alternative educational setting, then the alternative educational setting becomes the “stay put” placement unless the parties agree otherwise.
- E. Except in an emergency situation requiring the student’s immediate removal, the School Committee shall, prior to expelling the student, conduct a hearing to be governed by the following procedures:
 - (1) The student and his parent(s) or guardian(s) must be given notice by certified mail prior to the date of the hearing.
 - (2) The notice shall contain:
 - (a) The date, time, and place of the scheduled hearing.
 - (b) The details of the grounds for the proposed expulsion, including a narrative of the events leading to the expulsion, the names of any witnesses against the student, copies of any statements or affidavits of those witnesses, a summary of any other information to be used in support of expulsion, including any record of past offenses or misbehavior, and whether any prior warnings or suspensions have been given, and the proposed penalty.
 - (c) A statement of the student’s rights as enumerated in this policy under E (3) through (7).
 - (3) At the hearing, the student shall have the right to testify and produce witnesses and other evidence in his or her defense. The student shall have the right to demand that any witnesses against him or her appear in person to answer his or her questions.

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- (4) A student has the right to be represented by legal counsel.
- (5) A student is entitled to the services of a translator, to be provided by the School Committee, whenever the student or his or her parent(s) or guardian(s) do not speak the English language.
- (6) The School Committee shall keep a verbatim record of the hearing, and the student or student's parent or guardian shall be entitled to a copy of that record at his or her own expense.
- (7) The School Committee shall report its final decision in writing without cost to the student, stating the reasons on which the decision is based, and the penalty to be imposed. Said decision shall be based solely on evidence derived at the hearing.
- (8) Within forty-eight (48) hours after its decision, the Committee shall notify the parent(s) or guardian(s) of any minor pupil of such action.
- (9) A copy of the decision, together with the record, shall be promptly forwarded to the Commissioner of Education if there is an appeal.

F. Return to the Narragansett School System for expulsion is only by appeal through the following:

- (1) A hearing by the school Principal, who then makes a recommendation to the Superintendent.
- (2) Recommendation to the Narragansett School Committee by the Superintendent that a student be allowed to return to the Narragansett School System.
- (3) Approval by the Narragansett School Committee on the Superintendent's recommendation.

When a student is readmitted to the Narragansett School System, the school system retains the right to place certain conditions upon that return (i.e., to return on trial, return to a particular schedule, etc.).

V. The Superintendent shall, at the beginning of each school year and at such other times as it may deem appropriate, provide for an effective means of informing all students, parents, and/or guardians of this policy governing suspension and expulsion.

Suspension/Expulsion (continued)

VI. Procedure governing Students with Disabilities

- A. These procedures apply to students with disabilities to the extent permitted by the Individuals with Disabilities Education Act (IDEA), the Regulations of the Rhode Island Board of Regents for Elementary and Secondary Education governing the Education of Children with Disabilities, and Section 504 of the Rehabilitation Act of 1973.
- B. Students with disabilities under applicable federal and state laws and regulations are entitled to additional protections afforded by those laws and regulations.

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Narragansett, Rhode Island
Narragansett School System