

Appendix B - Due Process Rights of Students and Parents in Disciplinary Cases

1. Students will be afforded due process with regard to disciplinary hearings. Due process will be less or more formal based on exclusion being considered.
2. School officials will inform the student of the charges against them, including the basis (evidence) for such charges.
3. A student is entitled to receive make-up work for missed assignments that occurred because of suspension.
4. Students are entitled to take required examinations when an incident occurs that requires disciplinary action. Parents must contact the Principal to make arrangements for testing.
5. When a student is suspended, a disciplinary hearing will be held at the school before the suspension begins. A re-entry hearing may also be held.
6. If the parent/guardian cancels the appointment, the school Principal must reschedule the hearing date one time.
7. Parents/guardians may be represented by an advisor of their choice.
8. While parents/guardians and advisors do not have the right to question witnesses, they may request for school officials to present questions, on their behalf, to witnesses.
9. At the disciplinary hearing, the student will be afforded the opportunity to address the alleged behavior or charges presenting their side.
10. If the charges are substantiated at the school level hearing, the parent/guardian has the right to appeal the charges for a suspension to the Student Code of Conduct Office consistent with Board Policy 5611 – Due Process.
11. A parent/guardian or student may not appeal a decision of the Principal to suspend a student pending an Expulsion Review.
12. Students have a right to have hearings conducted in a timely manner. Unreasonable delays or multiple postponements in scheduling hearings will not be permitted.
13. Parents may petition for readmission after expulsion.
14. If a student with a disability is suspended beyond the initial total of ten (10) days, the school must follow procedures for Students with Disabilities and determine if the behavior is a manifestation of the student's disability.
15. The Code of Conduct Office may expunge a student's disciplinary infractions determined to be unsubstantiated (e.g., resulting from a due process violation, based on insufficient evidence, or the student was not guilty of the infraction) that has been placed on the District's database.
16. If a student believes any student rights set forth in the Code have been violated, the student, and/or parent or guardian, may submit a complaint in writing, see Student Grievance, to school administration and/or the Superintendent's Office.
17. Students have a right to review the evidence upon which the charges are based prior to an expulsion hearing.