

STUDENT SUSPENSION PROCEDURES

Initial Procedures: During the investigation of matters which may result in the suspension of a student, the principal or the assistant principal (“administrator”) may immediately remove a student from the school if the administrator determines that the student’s continued presence disrupts the academic atmosphere of the school, endangers fellow students, teachers, staff, or damages property. Prior to a student being sent home from school during an investigation or as a result of a suspension, the administrator shall notify the parent/guardian in person or by telephone that the student is being sent home.

Prior to any suspension out-of-school, the administrator shall provide the student with oral or written notice of the offense/incident, an explanation of the nature of the offense/incident, and the term of the proposed suspension. The student shall have the right to explain his/her version of the incident, to either admit or deny the charges, to respond to the evidence, and to provide any mitigating circumstances. If a student is to be suspended from school, the administrator shall advise the student’s parent/guardian by mail or by telephone that the student is to be suspended and the start and end dates of the suspension. Additionally, the administrator shall provide the student and/or the student’s parent/guardian with a copy of a written suspension notice, which includes the length of the suspension, the reason for the suspension, and the rights of appeal.

Length of Suspension: A Short-Term Suspension is one in which the student is suspended from school for ten (10) days or less. A Long-Term Suspension is one in which the student is suspended from school for eleven (11) days or more. The length of a suspension is entirely within the discretion of the administrator. When determining whether cause exists for suspension or determining the length of a suspension, the student’s prior history of disciplinary infractions during the current school year may be considered, particularly when similar infractions have occurred and other forms of discipline have not deterred such behavior. Except for suspensions for possession of a firearm which may be for a period of one (1) year under the Gun Free Schools Act, no suspension shall be longer than the remainder of the current semester and the succeeding semester.

Appeal: A student (or his/her parents) may appeal a Short-Term or a Long-Term Suspension to a Suspension Appeal Committee comprised of the Superintendent’s Designee and two (2) certified personnel who did not participate in the recommendation regarding the student’s suspension. A student must submit a written request for an appeal to the administrator within two (2) school days after receipt of notice of the suspension. If a timely request for an appeal is not received, the administrator’s decision shall be final.

The Superintendent’s Designee shall be the chairperson of the Suspension Appeal Committee. A hearing of the Suspension Appeal Committee shall be scheduled, and the student and/or the student’s parent or guardian shall be notified of the date, time, and place of the hearing. The student may be represented by legal counsel at the hearing. The student must notify the Chairperson of the Suspension Appeal Committee in writing at least two (2) days in advance of the hearing if the student is going to be represented by legal counsel. The District may elect to have legal representation at the hearing.

The Suspension Appeal Committee shall conduct an informal hearing in which the administrator recommending the suspension shall present a statement and any evidence to support the recommendation and the student and his/her parent/guardian and any representative of the student shall have the opportunity to present a statement and any evidence to support his/her position. At the conclusion of the hearing, the Committee shall deliberate outside the hearing of the administrator and the student and shall render a written decision as to the guilt or innocence of the student and the reasonableness of the term of the suspension. The chairperson of the Committee shall insure that a copy of the written decision is mailed to the student or the student’s parent or guardian and provided to the administrator.

With respect to a Short-Term Suspension, if a student is dissatisfied with the decision of the Suspension Appeal Committee, the student may submit a written request within 24 hours for the Superintendent to review the decision of the Suspension Appeal Committee. If a request is timely submitted to the Superintendent, the Superintendent shall review the material submitted to the Suspension Appeal Committee and the Suspension Appeal Committee’s decision and render a written decision which shall be sent to the student. The Superintendent’s decision shall be final as to a Short-Term Suspension.

With respect to a Long-Term Suspension, if the student is dissatisfied with the decision of the Suspension Appeal Committee, the student may appeal the Committee’s decision to the Board of Education (“Board”) by submitting a written request for an appeal to the Superintendent or the Clerk of the Board within two (2) days after receipt of the Committee’s decision.

A hearing on the long-term suspension shall be scheduled and the student or the student’s parent or guardian shall be notified in writing of the date, time, and place of the hearing. The student or the student’s parent or guardian shall also be notified of the right to have the hearing conducted in either an open or closed session of the Board and shall be required to advise the Superintendent at least three (3) days prior to the hearing as to which option is being chosen. The student or the student’s parent or guardian shall also notify the Superintendent at least three (3) days prior to the hearing if the student is to be represented by legal counsel.

At the hearing, the administration will present its witnesses and evidence and the student shall have the right to cross-examine any witnesses. The Board may also ask questions of any witnesses. The student will then have an opportunity to present witnesses and evidence, subject to cross-examination by the administration. Both parties may make closing statements. The Board may then deliberate. If the hearing was conducted in executive session, the Board may excuse the parties while conducting its deliberations. If the hearing was conducted in open session, the deliberations will take place in open session. If not already in open session, the Board shall then return to open session, shall make findings of fact, and shall vote to uphold, modify, or revoke the Long-Term Suspension. The decision of the Board shall be final.

NOTE: **70 O.S. §24-101.3 (E) states that a student who has been suspended from a public or private school in the state of Oklahoma or another state for a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or other students shall not be entitled to enroll in a public school of this state, and no public school shall be required to enroll such student, until the terms of the suspension have been met or the time of suspension has expired.**

THIS POLICY REQUIRED BY LAW.