Descriptor Term: EXPULSION/SUSPENSION HEARING PROCEDURE

Descriptor Code: JCEB

Rescinds: JCEB

Board Approved: 6/7/10

Previously Approved: 12/7/92

Students who are suspended or recommended by the Principal for expulsion from the Gulfport School District may appeal to the Board of Trustees for a hearing. The following procedures are to be observed for a recommendation to expel or a suspension which may require a hearing.

I. Expulsion

   a. The student is to be suspended for five to nine days.
   b. The Principal is to submit a written recommendation to expel the student to the Superintendent, stating reasons for expulsion.
   c. The Principal must advise the parents immediately of the recommendation to expel the student.
   d. The Principal must schedule a conference with the Superintendent and parents prior to the end of the five to nine day suspension.
   e. If the parents decline a conference, the Superintendent may confer with the Principal and either agree on an alternative or continue the recommendation to expel on to the Board.
   f. If the parents participate in the conference and no alternative seems feasible, the parents may request an expulsion hearing.
   g. The Superintendent will appoint and charge a three-member expulsion hearing committee from a pool of school officials approved by the Board as site or building level licensed administrators to conduct a hearing within 15 school days but not earlier than 5 school days (unless waived by requestors) after receipt of the parents' request and report finding and recommendation directly to the Board for final Board adjudication.
   h. The Board will act on the report of the hearing committee at the next available Board meeting following the hearing. Board action shall be final for the District, but parents may appeal said action to a proper court of jurisdiction.

II. Suspension

   a. The student is suspended in accord with Gulfport School District Policy JCD.
   b. Parents who object to the suspension must first confer with the school Principal to determine if there can be an alternative to suspension.
   c. If no alternative is found, the Principal will arrange a conference with the Superintendent or his designee. In such conference, the Superintendent or his designee will review the case and determine if the suspension will remain in force, if an

alternative suitable to all parties can be found, or if the suspension can be lifted.

d. In the event the Superintendent or his designee sustains the suspension, the parents may request a hearing before the Board of Trustees.

e. The Superintendent will then appoint and charge a three-member suspension hearing committee approved by the Board as site or building level licensed administrators to conduct a suspension hearing within 24 to 48 hours to determine if the suspension is to be sustained, set aside, or some alternate penalty be assigned.

f. Hearing committee action will be final for a suspension, but parents may appeal the decision to the next available Board meeting and present their grievance to the Board meeting in executive session. The appeal, however, will not delay the affected student from having to serve the assigned suspension as scheduled by the principal. If the Board overturns the suspension, relief for the student will be in the form of excused absences for the suspension period and removal of any failing grades awarded during the suspension.

Adaptations of these procedures will be permitted for unusual and extraordinary situations as judged by the Superintendent or his designee to be present. Such adaptations, however, must provide accused parties full and uncompromised due process.

Hearings and conferences for students will be confidential and the students may be represented by legal counsel or personal advocate, at his own expense, and by parents or legal guardians.

Legal Reference: Tinker v. Des Moines, 393 U. S. 503 (1969) Goss v. Lopez, 419 U. S. 565 (1975)
Woody v. Strickland, 95 S. Ct. 992 (1975) Mississippi Code, §37-7-301 (e), MCA Gulfport School District Policy JCD