

411.8 - DUE PROCESS

“Due Process” is a procedure that the courts of law recognize as a necessary part of any rules and regulations. Due process, furthermore, recognizes the rights of the individual since it outlines their recourse in the event they feel a wrong decision has been made.

The due process steps outlined hereafter constitute the procedure for a student and parent or guardian to follow in appealing administrative decisions relating to eligibility or discipline.

It should be understood that students and parents/guardians are expected to follow the “Due Process” steps in the event legal action should be initiated at some later date.

The due process steps are as follows:

1. after a ruling resulting in suspension or ineligibility has been made, a student and/or his/her parents/guardians may formally appeal the decision in writing to the principal provided an appeal is received within fourteen (14) days from the first day the suspension takes effect.
2. The principal within three (3) days of receipt of such written appeal shall formalize a decision in writing and send a letter by registered mail to the parents/guardians, outlining the specific details relating to (a) the violation or infraction, (b) the date of violation or infraction, (c) the period of suspension or ineligibility, and (d) any other pertinent information.
3. After an appeal has been received, and the school’s formal reply is mailed to the parents/guardians, a date for a hearing will be established by the principal. This date will be no later than seven (7) days after receipt of the written appeal of the student and his/her parents/guardians.

Present at the hearing, in addition to the principal and District Administrator of the school, will be the student and his/her parents/guardians.

The student will be provided with an opportunity to testify and present other evidence on his/her behalf at the hearing.

Proceedings of the hearing, including the decision, will be put in writing and a copy of these proceedings will be mailed to the student and his/her parents/guardians.

Adopted: December 21, 2016