Houston County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in March	**Student Disciplinary Hearing Authority**	**6.317**	**06/09/25**
		Rescinds:	Issued: **01/09/95; 05/11/15; 08/10/20**

A Disciplinary Hearing Authority (DHA) shall conduct appeals for students who have been suspended for more than ten (10) school days. The Board shall appoint a DHA which shall consist of 3 members and a Chair. The Director of Schools shall recommend members of the DHA to the Board for approval. At least one (1) DHA member shall be a licensed employee of the district. All appointments are for one (1) year terms and subject to reappointment. Board members shall not serve on the DHA.[1]

The Director of Schools shall appoint a Chair of the DHA from the members appointed by the Board. The Chair shall perform the following duties:

1. Set the time, place, and date for each hearing;
2. Maintain order and structure during each hearing; and
3. Prepare, sign, and disseminate the minutes of each meeting.

Upon receiving notification of the request to appeal the suspension decision, the DHA shall provide written notification to the parent(s)/guardian(s) of the student, the student, and any other appropriate person of the time, place, and date of the hearing. The hearing shall be held no later than ten (10) days after the beginning of the suspension.[2]

The DHA may take the following disciplinary actions:[3]

1. Affirm the decision of the principal;
2. Order removal of the suspension unconditionally;
3. Order removal of the suspension upon such terms and conditions as it deems reasonable;
4. Assign the student to an alternative school or program; or
5. Suspend the student for a specified period of time.*

Within five (5) days of the DHA rendering a decision, the student, principal, principal-teacher, or assistant principal may request a review by the Board, and the Board shall review the record. Following the review, the Board may take the following actions.

Grant Request for Hearing[4]

If the Board grants a hearing, it shall provide notice to the student and/or his/her parent(s)/guardian(s). The notice of the hearing shall include a statement that, unless the student or the student's parent(s)/guardian(s) requests an open hearing in writing within five (5) days of receipt of the notice, the hearing shall be closed to the public.

The Board may affirm, overturn, or modify the decision of the DHA.

Deny Request for Hearing[4]

If the Board does not grant a hearing, it may affirm, overturn, or modify the decision of the DHA. The Board shall not impose a more severe penalty than that imposed by the DHA without first providing an opportunity for a hearing before the Board.

* Note: Zero-tolerance offenses as set forth in statute require mandatory calendar year expulsion unless modified by the Director of Schools.

Legal References

1. TCA 49-6-3401(c)(4)(C)
2. TCA 49-6-3401(c)(4)(D)
3. TCA 49-6-3401(c)(5)
4. TCA 49-6-3401(c)(6)

Cross References

Procedural Due Process 6.302
Zero Tolerance Offenses 6.309
Suspension 6.316
Alternative Education 6.319
Student Records 6.600