

### STUDENT DUE PROCESS RIGHTS

All students will be afforded due process as guaranteed by constitutional provision. The process will be in accordance with state law, and with the provisions outlined in the Board's policies and regulation on student suspension and student expulsion.

Parental involvement is critical in correcting inappropriate student behavior; and therefore is solicited.

If a teacher or a principal assigns a student to a detention, the parents should be informed by telephone, letter, or note prior to the date the student is expected to serve the detention. Only in an emergency situation will a principal detain a student without parental notification.

A student shall be given oral or written notice of any charges against him/her.

If a student denies the charges, he/she shall be given an oral or written explanation of the facts which form the basis of the proposed disciplinary action (detention, suspension, or recommendation to the Superintendent for review).

The student shall be given the opportunity to present his/her version of the incident.

When a student is suspended, an administrator will contact the parent by telephone, followed by written confirmation. If a parent cannot be reached, written notification is sent home with the student. The principal will continue efforts to contact a parent to discuss the suspension.

The Superintendent will schedule a hearing for all suspensions greater than ten days to verify the facts and provide the student and parents/guardians with an opportunity to present additional data or share extenuating circumstances. The Superintendent or his designee will determine whether the conditions of the suspension will be upheld or modified in any way.

In the event of an appeal of a suspension for more than ten days, the suspension shall be stayed until the Board of Education renders its decision. If in the judgment of the Superintendent the student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, the student may be immediately removed and the hearing shall follow as soon as is practical.

Additional due process measures shall be taken as required by law with respect to students with disabilities.

Parents/guardians shall be required to participate in a conference with teachers and/or administrator or administrator's designee prior to al student's return to school following a suspension for greater than ten (10) days or at the principal's discretion after suspensions for ten (10) days or less.

Student discipline records are a part of a student's file and will be shared with the receiving school when a student transfers within the guidelines of the 1996 Missouri Safe Schools Act (HB 1301-1298).

A student who has been suspended or expelled from one district may have that suspension and/or expulsion upheld by another district upon transferring.

Parents are encouraged to initiate telephone calls/conferences with staff members when they have concerns about their child's behavior in school.

Adopted: June 30, 1981

Revised: November 12, 1996

Legal Refs.: §167.161-.171, RSMo. 1978

Cross Refs.: JGD, Student Suspension/Expulsion  
JGE, Discipline of Disabled Students