

DISCIPLINARY ACTION PROCEDURES

SECTION I: SUSPENSIONS AND EXPULSIONS

1. Principal's Authority to Impose Suspensions
 - a. The principal may suspend a student for no longer than 10 consecutive school days. Recommendations for suspensions of more than 10 days are reserved for serious disciplinary offenses. In such cases, a hearing before the School Appeals Committee will be held on or before the tenth school day after suspension is initiated.
 - b. In cases where the principal's recommended disciplinary action is suspension of 11 school days or longer or expulsion, the principal may suspend a student for no longer than 10 consecutive school days until a hearing by the committee.
2. Hearings and Procedure
 - a. Suspensions of 10 School Days or Less

Suspensions of at least one but not more than 10 consecutive school days shall be preceded by, and predicted upon an informal due process hearing conducted by the principal at the campus level, which will be the only hearing conducted in such cases. (See JCJ, Section I for procedure at informal due process hearing.)
 - b. Suspensions in Excess of 10 School Days and Expulsions

This section shall apply to cases in which the principal recommends to the superintendent or designee the suspension of a student for more than 10 consecutive school days or expulsion. The principal will first conduct an informal due process hearing. The principal will then determine what recommended disciplinary action, if any, is appropriate. If the principal determines that suspension of over 10 days or expulsion is in order, the student will be given a "Notice of Recommendation for Suspension or Expulsion and Statement of Rights Thereunder." The notice will contain a statement of the charges, date, time, and place of the hearing before the School Appeals Committee, and will advise the student of his right to legal counsel. A copy of the notice will be hand delivered to the student when possible and the original mailed to the parents unless delivery is made in person. In cases where the principal's recommended disciplinary action is suspension of more than 10 days or expulsion, the hearing shall automatically be scheduled no later than the tenth school day following the

date of notice. Pending the outcome of the appeals committee hearing, students may attend the alternative school.

Section II: HEARING BY THE SCHOOL APPEALS COMMITTEE

At the hearing, informal procedures shall be followed, and formal rules of evidence shall not apply. The accused student will be permitted to cross-examine any witnesses present, and will be permitted to present arguments and evidence both by himself and through his counsel. He may be represented by parent, legal guardian, or legal counsel at the hearing. The School Appeals Committee shall record all the facts considered before making a decision. If action of the board is required due to an appeal in writing of the decision by the student and his parent or legal guardian, the decision shall be rendered in writing (recorded) and presented at the next regular or called meeting of the board with its recommendations. Otherwise, the designee of the superintendent shall advise the parent of the student and principal of the school of the committee's decision verbally and in writing as soon as possible.

The record of proceedings and recommendations of the committee, for cases not requiring board action due to an appeal, shall be made available to the student, his parent or legal guardian, or attorney upon request. Failure of the student, his parent or legal guardian, or attorney to appear at the appointed time and place for the hearing shall waive the student's right to a hearing. In the event the hearing is waived, the School Appeals Committee shall consider the facts, take appropriate action or recommend appropriate action to the board along with a summary of the case. Parents who waive in writing their right to appear at the Student Appeals Committee hearing are deemed to have also waived their right to appeal the decision to the board.

Section III: REPORTING

An adequate supply of appropriate forms will be maintained in every school for reporting suspensions or expulsions. Such reports are to be completed with one copy being retained by the principal, and one copy being filed with the superintendent or designee on the day disciplinary action is taken. The purpose of these reports is to ensure the judicious use of these types of punishment and to serve as a record of causes and of disciplinary action.

SOURCE: JACKSON PUBLIC SCHOOL DISTRICT
LEGAL REF: Section 37-7-301; Mississippi Code of 1972
Tinker vs Des Moines, 393 U.S. 503 (1969)
Goss vs Lopez, 419 U.S. 565 (1975)
Ingraham vs Wright, 97 S. Ct. 1401 (1977)
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