

APPEALS OF NONADMISSION, SUSPENSION OR EXPULSION  
PROCEDURES

Section I: GROUND FOR DISCIPLINE AND ACTION TO BE TAKEN

The principal of a school has the right to suspend or deny admission of a student to that school for any reasons for which a student might be suspended, dismissed, or expelled, subject to the limitations on the authority of principals herein expressed.

A. Student given opportunity to express himself

In each case requiring possible disciplinary action, the principal will afford the student or students full opportunity to express the student's version of the incident. The principal, after initially determining the facts, shall in each case advise the student or students of the charge or charges against him or them and the basis. The basis may include the Mississippi Code, which contains among other things, the powers of the school board, the Policy Handbook, bulletins or memoranda from the office of the superintendent, student code of conduct handbooks and other appropriate official school directives.

B. When immediate action is necessary

In case the principal sees a need to take immediate action, as when it is necessary to restore order and to resume the orderly discharge of normal school functions, and only then, he may immediately eject a disorderly student or students. The student or students sent home under these circumstances will be instructed to return the following day, with or without parents as the principal may determine. Should the student not return the following day, a "Notice of Suspension" (for five days or less) will be mailed the parent.

- a. In cases where the principal's recommended disciplinary action is a suspension of less than 20 school days, the principal may suspend a student for no longer than five consecutive school days.
- b. In cases where the principal's recommended disciplinary action is a suspension of 20 school days or longer, or expulsion, the principal may suspend a student for no longer than 10 consecutive school days. Recommendations for suspensions of 20 days or more, or expulsion, are reserved for more serious disciplinary offenses. In such cases, the principal is given

authority to suspend a student for additional five days, i.e. up to 10 school days and the parties are allowed more time to prepare for the school admissions appeal committee hearing, which in such cases will be held on or before the tenth school day.

2. Hearings and Procedure
  - a. “At-home” suspensions of five school days or less  
“At-home” suspensions of at least one but not more than five consecutive school days shall be preceded by, and predicated upon an informal due process hearing conducted in such cases. (See JCJ, Section I for procedure at informal due process hearing.)
  - b. “In-school” suspensions of at least one but not more than 10 school days shall be preceded by and predicated upon an informal school due process hearing conducted by the principal, which will be the only hearing conducted in such cases. (See JCJ, Section I for procedure at informal due process hearing.)
  - c. “At-home” suspensions in excess of 5 school days  
“In-school” 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 “at-home” suspension of a student for more than five consecutive school days or the “in-school” 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 such suspension 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 Admission 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 an “at-home” suspension of more than five but less than 20 school days, the hearing

shall automatically be scheduled on or about the fifth school day following the date of notice. In cases where the principal's recommended disciplinary action is an "in-school" suspension of more than 10 days, the hearing shall automatically be scheduled no later than the tenth school day following the date of notice. In cases where the principal's recommended disciplinary action is an "at-home" suspension of 20 school days or longer 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 Admission Appeals Committee hearing, students except those who have been charged with offenses identified in School Board Policy JCB, Section 5, may be offered temporary placement at Capital City Alternative School.

C. Student awaiting hearing

Should the principal determine that suspension for longer than five days is appropriate, the student may be allowed to remain in school pending a hearing, if the principal determines that his continued presence is not detrimental to the school program. In the case of a student remaining in school, the hearing may be held at any appropriate time and not subject to the 10-day limitation.

Section II: SCHOOL ADMISSION APPEALS COMMITTEE

Students, or parents of students who are denied admission, who have been recommended for suspension for a period of time to exceed five consecutive school days, or who have been recommended for expulsion by the principal, are entitled to a hearing before an appeals committee designated as the School Admission Appeals Committee.

A. Composition

The School Admission Appeals Committee will be composed of three or more school administrators, none of whom may be on the staff of the school from which the student charged or denied admission is enrolled or is eligible for enrollment. The designee of the superintendent will serve as the investigator, convener and administrative officer of the committee, but shall not vote.

B. Duties and powers

The School Admission Appeals Committee will hear, consider and make recommendations on all cases heard by the committee. By majority vote, the School Admission Appeals Committee shall approve or disapprove the admissions of a student, concur in the suspension and confirm or specify the duration of same, remove the suspension or recommend expulsion to the Capital City Alternative School to the superintendent, subject to an appeal to the board if requested in writing by the student and parent or legal guardian. The committee may establish any limiting factors governing readmission, if readmission is to be permitted for the student. A written summary of each case will be made.

All aspects, circumstances, and records of the case will be confidential and available only to authorized school officials dealing directly with the student or to parents, legal guardian or attorneys for the student or for the board. The committee is empowered to suspend a student for no more than 20 consecutive school days. The board reserves power to take final action on any case involving the suspension of a student for more than 20 consecutive school days or expulsion.

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