

Millwood Public Schools 6724 Martin L. King Oklahoma City, OK 73111	Policy: J-01 Adopted: 04/04/94 Revised: 6/30/97
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STUDENT DISCIPLINE

It is the purpose of this policy to ensure that all students of Millwood Public Schools be guaranteed the right to a free and appropriate education. It is the further intent that no student be deprived of this right without the benefit of procedural due process.

It shall be the responsibility of the Millwood Board of Education and the administration to provide parents and students copies of established discipline codes, specifying regulations and responsibilities governing student behavior, while attending schools within the district. Such regulations are mandatory and enforced uniformly at all education levels.

This policy is further intended to provide for methods of control and discipline of students, inclusive of student conduct as related to criminal acts, violations of school policies, administrative procedures, administrative disciplinary actions, and evidentiary hearings.

The administration shall review, revise, and modify established discipline codes at the varied levels, annually, and submit appropriate recommendations to the Millwood Board of Education.

DUE PROCESS

When students are referred to the administration for violations of board policies, discipline code, or criminal acts, the administrator will afford the student due process.

SHORT TERM SUSPENSION

A short-term suspension, also called summary suspension, is from one (1) to ten (10) days. The length of the suspension will be appropriate for the severity of the violation. The gathering and presentation of evidence for a short-term suspension is an informal process. The minimal

requirement of due process can be satisfied when the student is told and shown in writing what she/he is accused of doing, what the factual basis of the accusations are, and then given the opportunity to explain his/her version of the facts.

Before a student receives a summary suspension, the administrator must consider and apply, if appropriate, alternative in-school placement. The administrator must document consideration of alternative placement and record the reason alternative placement was or was not applied.

No student shall participate in extracurricular activities during a suspension. No student shall participate in extracurricular activities during placement in an alternative class, in-school suspension program, or other alternative education program.

When a student is suspended more than five days, the administrator will provide the student with an education plan designed for the eventual reintegration of the student into school. The plan will provide only for the core units in which the student is enrolled. Core units shall consist of English, mathematics, science, social studies, and arts units required for grade completion. The student's work will be graded. The grade(s) will be recorded and calculated according to approved grading procedures.

RIGHT TO APPEAL

Students suspended out-of-school for ten (10) days or less may appeal the decision to the school's discipline committee, a tribunal of two (2) teachers and one (1) administrator. The committee shall determine the guilt or innocence of the student and the reasonableness of the term of the out-of-school suspension.

LONG TERM SUSPENSION

A long term suspension is any suspension which exceeds ten (10) or more school days. The severity of the violation will determine if the suspension will extend to the remainder or the semester or to the end of the next succeeding semester.

Before a long term suspension takes effect the student is entitled to an evidentiary due process hearing to determine the

facts of the case and for the hearing officer to determine the guilt or innocence of the accused student.

Before a student receives a long term suspension, the administrator must consider and apply, if appropriate, alternative placement. The administrator must document consideration of alternative placement and record the reason(s) alternative placement was or was not applied.

No student shall participate in extracurricular activities during a long term suspension. No student shall participate in extracurricular activities during placement in an alternative class, in-school suspension, or other alternative education program.

Parents will be contacted by phone or U. S. Mail. A formal evidentiary hearing will be scheduled for the purpose of allowing the student and parents the opportunity of hearing the evidence within three (3) days.

Level One

This hearing is referred to as an Evidentiary Hearing or Administrative Hearing and is presided over by the principal or assistant principal.

- a. Charges will be presented in writing.
- b. Reasons for the hearing will be stated in line with the Discipline Code.
- c. Supportive evidence will be presented.
- d. Student testimony will be heard.
- e. If the evidence warrants, the student will be disciplined in line with the Discipline Code.

Level Two

If the parents/guardians are not satisfied with the Level One decision, the case may be taken to the next administrative level, Level Two. The written appeal must be made within three (3) days after the Level One decision is made. The

superintendent or superintendent designee will be the Hearing Officer.

Level Three

The final appeal, Level Three, within the district is to the Board of Education. The Board will only hear a case when the student appeals a Level Two decision. Request for a board hearing must be made within three (3) days after the Level Two decision. The appeal for a hearing with the Board must be in writing to the Clerk of the Board; the request should be left in the Office of the Superintendent.

The decision of the Board of Education is final within the district.

The Board will:

- a. Uphold the decision of the administrator or
- b. Modify the administrator's decision, or
- c. Overturn the decision of the administration.

At all hearings, the students and his/her parents or legal guardians will have the opportunity to present his/her side of the case and question any witnesses present. The student may or may not be represented by professional counsel. However, the parents must be present at all hearings unless the student is self-supporting. All necessary school personnel will be present at the hearing to present the school's position.

A student charged with a serious offense may be suspended until the time of the hearing. Students found innocent of the charge will be given the opportunity to make up any classroom work missed.

When student/parent-guardians are appealing a decision at any level the appellant/appealer must state specifically what they are appealing:

- a. Guilt or innocence of the student.
- b. Punishment administered by the administrator.