

DUE PROCESS

Code **JIA** Issued **DRAFT/05**

Purpose: To establish the basic structure for due process rights for students.

The board and its administrators will treat all students with fairness.

Before school authorities administer disciplinary measures, they will make reasonable inquiry to determine the truth of what happened. The nature of the inquiry will vary with the seriousness of the offense and the consequences.

The board directs school authorities to adhere to due process requirements when making decisions directly affecting students' protected rights under federal and state law.

Such requirements may include the following.

- sufficient notice of charges and of hearing rights
- the opportunity to be heard
- hearing before an impartial body (i.e. not subject to the same person for both prosecution and decision)
- punishment as prescribed by the General Assembly, state board of education and/or board policy with the right to judicial review

If a student feels that teachers, principals, the superintendent or any of the board's agents have injured his/her rights, he/she may appeal the action in accordance with the district grievance procedure (policy JII.)

Adopted 7/1/75; Revised 8/13/91, ^