

Due Process Rights

Policies and Procedures

It is the policy of the Board of Education to adhere to the basic tenets when carrying out the procedures for due process. Furthermore, the Board and the education staff employed by the Board will comply with the legal elements of due process, which include procedural due process and substantive due process. With regard to procedural due process, the student should:

1. Be informed of the rules and regulations applicable to them;
2. Receive adequate notice of any charges that they have violated those rules and regulations;
3. Be given an appropriate opportunity to be heard on any disciplinary matter;
4. Be given written notice of intent to suspend, including the reasons for suspension; and
5. The principal or his/her designee, within one school day after the time of a student's suspension shall notify in writing the parent or guardian of the student stating the reasons of the suspension and the right of the student or his parent or guardian to appeal the suspension to the Superintendent. Furthermore, the letter must inform the parent or guardian that he/she has the right to be represented in the appeal, to request the board hear the appeal in an executive session and to explain that the Superintendent may seek permanent exclusion if the suspension was based on a violation listed in RC3313.662(A) that was committed when a student was age 16 or older and if the student was convicted or adjudicated a delinquent child for a violation.

With regard to substantive due process, the rules and regulations adopted by the Board should be reasonably related to the legitimate purpose and function of the school system. The Board requires principals (or their designees) to familiarize their staffs with the basic tenets of due process and provide them with a copy of the Discipline Code Book.