

Dyer County Board of Education

Descriptor Term:

Student Disciplinary Authority

Descriptor Code:

JCCCA

Rescinds:

JCCCA

Board Approved:

9/30/03

Board Approved:

3/2/93

1 If the principal determines that an offense has been committed which, in the judgement of the principal,
2 would justify a suspension for more than ten (10) days, he or she shall refer the case by way of the
3 Director of schools or his/her designee to a disciplinary hearing authority. The Director of schools shall
4 recommend community members to the Board of Education appointed to one year terms and subject to
5 reappointment.

6
7 The Director of schools or his/her designee shall serve as ex officio chairman of the DHA and shall
8 perform the following duties:

- 9
- 10 1. Identify the members of the DHA assigned to hear each individual case;
- 11 2. Provide personnel for preparing and disseminating the minutes of each meeting;
- 12 3. Set the time, place, and date for each hearing;
- 13 4. Notify appropriate persons of each meeting;
- 14 5. Vote in case of a tie; and
- 15 6. Sign copy of minutes of meeting.

16
17 Each hearing shall be conducted by three members of the DHA, one of which must be a building
18 principal, but not from the home school of the suspended student. Each hearing must be held no later
19 than ten (10) days after the beginning of the suspension. The parents and/or student and the
20 principal shall be notified within five (5) days of the decision of the DHA, including notification
21 of the right of either party within five (5) days of receiving the decision to request a review by the
22 board of education.

23
24 The DHA may take the following disciplinary actions:

- 25
- 26 1. Order removal of the suspension unconditionally;
- 27 2. Order removal of the suspension upon such terms and conditions as it deems reasonable;
- 28 3. Assign the student to alternative program;
- 29 4. Suspend the student for a specified period of time.
- 30 5. Suspend/expel the student for the remainder of the school year

31
32 If a review of the hearing is requested by either the student or principal, the board shall review the
33 record and make one of the following decisions:

- 34
- 35 1. Affirm the decision of the hearing authority;
- 36 2. Modify the decision to a lesser penalty; or
- 37 3. Grant a hearing before the Board.

38
39 If the Board chooses to grant a hearing it may:

- 40
- 41 1. Affirm the decision of the hearing authority;
- 42 2. Modify the decision in any manner; or
- 43 3. Impose a more severe penalty than that of the hearing authority.