

STUDENT DUE PROCESS RIGHTS

The Board and school officials have the legal authority to deal with disruptive students and student misconduct. Due process, in the context of quasi judicial administrative proceedings carried out by school authorities, does not mean that the procedures used by the courts in juvenile proceedings must be followed.

Students will have clearly established means by which administrative due process is available for the protection of the individual's rights.

Due process procedures will conform to the following basic practices:

1. They must be fair.
2. They must apply equally to all.
3. They must be enforced in a fair manner, which involves:
 - a. adequate and timely notice and an opportunity to prepare a defense;
 - b. an opportunity to be heard at a reasonable time and in a meaningful manner;
 - c. the right to a speedy and impartial hearing on the merits of the case.

In cases of student suspension or expulsion, the specific due process procedures set by the Board's policy will be followed.

Adopted: March 19, 1992

LEGAL REFS.: ORC 3313.66; 3313.661
State Board of Education Minimum Standards
3301-35-03(G)(2)(c)

CROSS REF.: JGD/JGE, Student Suspension/Expulsion