

Disciplinary Hearing FAQ's

Question: My child has been suspended from school pending a disciplinary hearing, now what?

Answer: You will be contacted by the Security and Crisis Management Office to notify you of the date and time the disciplinary hearing will be held. The Security and Crisis Management Office will notify you by phone and by US Priority Mail. The hearing will be held within ten (10) school days from the start of the suspension.

Question: What is a disciplinary hearing?

Answer: A disciplinary hearing is a due process hearing which is required by board policy when a long term suspension or expulsion is recommended by an administrator. The Superintendent's designee, generally the Director of Security and Crisis Management, will oversee the Superintendent's Review Committee for the purpose of conducting a due process hearing.

Question: Who is present during the disciplinary hearing?

Answer: The hearing coordinator administrator (Director of Security and Crisis Management or their designee), and the Superintendent's Review Committee. The Director of Security and Crisis Management serves as the hearing coordinator and advises the Superintendent's Review Committee on all matters relating to policy, administrative guidelines, and disciplinary processes. The administrator who made the recommendation for the disciplinary hearing is present at the beginning of the hearing to read the chronology of events and answer any questions the committee may have. That administrator is then dismissed from the hearing and is not included in the discussion regarding appropriate discipline.

Question: Who makes up the Superintendent's Review Committee?

Answer: A committee of five individuals make up the Superintendent's Review Committee; three district administrators who are uninvolved in the incident, and two parent volunteers who are neutral to the incident.

Question: Do we need to attend the disciplinary hearing?

Answer: The student and a parent/guardian are required to attend the hearing.

Question: What do I do if my family is running late to the hearing?

Answer: If you are running late to the hearing, please notify the Security and Crisis Management Office. Due to statutory requirements, rescheduling of hearings is not allowed as all hearings must occur within ten (10) school days. Families not present after five (5) minutes from their scheduled hearing time will be treated as a "no show", and the hearing will commence without the family present.

Question: What if we don't show up for the hearing?

Answer: In the event the student and a parent/guardian do not show up for the disciplinary hearing, the hearing will proceed as scheduled, without the family. The Superintendent's Review Committee will proceed with only the information provided by the administrator recommending discipline. Failure to be

present at the hearing constitutes a waiver of the student's right to have their account of the event heard.

Question: What if my student qualifies for special education services, a 504, or an IEP?

Answer: If your child has qualified for special education services, a 504, or an IEP, the special education department and/or your child's school will hold a Manifestation Determination Review (MDR) prior to the disciplinary hearing. The purpose of the MDR is to determine whether the actions that led to a disciplinary recommendation are a manifestation of a previously identified disability. If the MDR determines the actions were not related to a disability, the findings are forwarded to the Superintendent's Review Committee and the disciplinary process proceeds. In some instances, the disciplinary committee will meet prior to conducting the MDR, but any decision by the committee will be delayed until after the MDR is conducted.

Question: Do we need to be represented by legal counsel during the disciplinary hearing?

Answer: You are not required to be represented by legal counsel, however, if you would like to be represented by legal counsel, you must notify the Security and Crisis Management Office in advance so arrangements can be made for the district's legal counsel to be present as well. If you show up to the hearing with legal representation without prior notification to the Security and Crisis Management Office, the meeting will be postponed to a later date.

Question: What are the possible consequences the committee could impose or recommend to the Board of Education?

Answer: Depending on the violation and the discussion with the Superintendent's Review Committee, the student *could* return to school the following day, be placed at a different school within WCS, be placed on a long term suspension, which could range from 10 school days to 59 school days, or be expelled anywhere from 60 to 180 school days. This list is not inclusive of all disciplinary options the district is afforded under state and/or federal law.

Question: Do we find out the results of the disciplinary hearing before leaving the meeting?

Answer: No. The committee will discuss the appropriate consequences after you are dismissed from the hearing.

Question: When will we be informed of the outcome of the disciplinary hearing?

Answer: The Security and Crisis Management Office will contact you via telephone after receiving the final determination of the Superintendent's Review Committee. Decisions are typically rendered within 48 hours after the hearing. You will also receive a letter in the mail with the results, as well as a copy of the committee report.

Question: If my child is placed on a long term suspension, can my child still complete class work and take tests/quizzes?

Answer: Yes. You will need to contact the school to request school work for your child, and to make arrangements for tests/quizzes to be completed. However, in accordance with Administrative Guideline 5610, "failures shall be given for any classroom work that cannot be attended such as laboratories or skill sessions."

Question: If the committee recommends that my child be expelled from WCS, does it take effect immediately?

Answer: No. The committee can only *recommend* an expulsion to the Board of Education. The Board of Education will have to consent to the recommendation during open session at a Board of Education meeting. Until the Board of Education takes action at a Board of Education meeting, the student will remain suspended from school.

Question: How will my child's expulsion recommendation be presented to the Board of Education?

Answer: During the consent portion of the Board of Education meeting, one of the members of the Board of Education will ask the Board of Education if they accept the expulsion recommendation of the Superintendent's Review Committee to expel the student from Warren Consolidated Schools.

Question: Will my child be identified by name at the Board of Education meeting?

Answer: No. Your child will be identified by the school they attend.

Question: Can I address the Board of Education at the Board meeting to discuss my child's expulsion?

Answer: There is no discussion on the expulsion recommendation during the Board meeting. If you wish to address the Board of Education during the meeting, you will need to do so during public audience participation. *Please keep in mind, the meeting is open to the public and is televised. Individuals who wish to speak during audience participation are required to state their full name, home address, and will then speak publicly to the board members.* Audience members are limited to the governing time limit of three (3) minutes during audience participation. The Board of Education is not obligated to respond publicly to any comments or questions during audience participation.

Question: If the committee makes the recommendation to the Board of Education to expel my child, can my child receive school work/tests/quizzes to complete at home?

Answer: Yes. You may contact the school to pick up school work, and make arrangements for tests/quizzes. In accordance with Administrative Guideline 5610, "failures shall be given for any classroom work that cannot be attended such as laboratories or skill sessions." If/when the Board of Education upholds the expulsion recommendation, school work and tests/quizzes will no longer be provided for your child.

Question: If my child is expelled, how do they continue their education?

Answer: It is the parent's responsibility to enroll the child in an alternative educational setting. WCS will provide a list of alternative educational options to your family. The list includes charter schools, alternative schools, private schools, and on-line programs. The district cannot provide you any assistance with locating, recommending, or enrolling in a school, other than providing a list of alternative educational options.

Question: If the committee recommends that my child seek counseling, where can I take them?

Answer: Generally, if counseling is recommended for your child, you will need to take your child to see a licensed therapist at no expense to the district, or the district can provide you with a free CARE Student Assistance Referral. With the CARE Referral, a qualified clinician will conduct initial screenings

and assessments to determine what resources will best help your child and family. You are welcome to request a CARE Student Assistance Referral for your child.

Question: If my child is expelled from WCS, when will they be eligible to return?

Answer: Approximately 60 days prior to the end of the student's expulsion, you may request a Reinstatement Packet from the Security and Crisis Management Office. The student's parent or guardian is responsible for completing the packet, providing all requested information, and returning the packet to the Security and Crisis Management Office. After the packet and **all** requested information is received and reviewed by the Director of Security and Crisis Management, a reinstatement hearing will be scheduled. If there are any missing requested documents (i.e. missing letter of recommendation, missing transcript, proof of counseling, etc.), the Reinstatement Packet will be denied and a reinstatement hearing will not be scheduled. Expelled students are not eligible to return to WCS until a recommendation of reinstatement is made by a Reinstatement Committee to the Board of Education. Students cannot return to WCS until after their full expulsion has been served, regardless of recommendation of the Reinstatement Committee.