

### Suspension Appeals Committee

A suspension appeals committee is hereby established which would consist of three to five administrators or teachers or combination thereof. The members of the committee shall be appointed by the superintendent. Three members shall consist of one certified teacher from each site. However, any member of the committee who initiated a suspension in a case shall be excused from the committee during appeal of that particular case.

#### Appellate Procedures

1. Any student has been suspended for **ten (10) days or less**, the student or the student's parent(s), may appeal the suspension to the suspension appeals committee. The following procedures shall govern the appellate process:
  - A. The student, or the student(s) parent(s), shall notify the superintendent within ten (10) days following the suspension or the notice of the intent to suspend of their intent to appeal the suspension.
  - B. Upon receiving notice of a student's intent to appeal, the superintendent shall advise suspension appeals committee. The suspension appeals committee shall hear the appeal with ten (10) days from the date the notice of intent is filed with the Superintendent. The Superintendent, at his/her discretion, may permit the suspended student to attend classes pending the outcome of the appeal of not suspended under item C. of this policy.
  - C. Students suspended for violent, bullying/harassment or acts of a criminal nature (possession of drugs/alcohol/ tobacco/weapons) shall not be permitted to attend school during the appeal.
  - D. During the hearing of the appeal before the suspension appeals committee, the student or the student's parent(s) shall have the right to provide evidence as to why the suspension, or the duration thereof, is appropriate.
  - E. The suspension appeals committee shall determine the guilt or innocence of the student, and the reasonableness of the term of suspension. The suspension appeals committee may uphold, overrule or modify the suspension. The student and the student's parent(s) shall be notified within five (5) days of the decision.
  - F. (Option 1) Decisions of the suspension appeals committee will be final on suspensions of less than ten (10) days.  
(Option 2) For appeals of ten (10) days or more, decisions of the suspension appeals committee may be appealed to the Board of Education, the BOE decision will be final.
  
2. Any student who has been suspended for **greater than ten (10) days**, the student's parent(s), may request a review of the suspension with the administration. If the administration does not withdraw the suspension, the student shall have the right to appeal the decision to the appeal committee and then on to the board of education. The following procedures shall govern the appellate process:
  - A. The student or student's parent(s), shall notify the superintendent within ten (10) days following the suspension or the notice of the intent to suspend of their intent to appeal the suspension.
  - B. Upon receiving notice of a student's intent to appeal, the superintendent shall advise the board of education. The board of education shall hear the appeal within ten (10) days from the date the

notice of intent is filed with the superintendent. The Superintendent, at his/her discretion, may permit the suspended student to attend classes pending the outcomes of the appeal. (Exception listed under item 1.C. of this policy).

- C. During the hearing of the appeal before the board of education, the student or the student’s parent(s) shall have the right to provide evidence as to why the suspension, or the duration thereof, is inappropriate. The student shall not have the right to be represented by legal counsel, unless the school district is represented by legal counsel.
- D. The board of education shall determine the guilt or innocence of the student, and the reasonableness of the term of the suspension. The board of education may uphold, overrule or modify the suspension. The student and the student’s parent(s) shall be notified within five (5) days of the decision. The decision of the board shall be final.

**Note: O.S. 70-24-101.3**

**E. States that a student who has been suspended from a public or private school in the state of Oklahoma or another state for a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or other students shall not be entitled to enroll in a public school of this state, and no public shall be required to enroll such student, until the terms of the suspension have been met or the time of suspension has expired**