

## **DUE PROCESS RIGHTS**

Any student facing the possibility of an external suspension from school is entitled to the rights of due process. External suspensions may be short-term, ten (10) days or less, or long-term, more than ten (10) days.

The Principal or his/her designee will conduct an informal hearing for students facing a possible short-term suspension. The student will be informed of the allegations or charges and will be provided with an opportunity to respond by presenting his/her version of the events to a school administrator. Witnesses possessing knowledge of the conduct in question may be present.

The Principal or his/her designee will decide whether to suspend the student based upon the evidence presented at the informal hearing. If a decision is made to suspend the student, the student and his/her parents will be notified of the length of the suspension and the reasons for the suspension. The student may appeal the suspension to the Superintendent within ten (10) days of the suspension decision.

If a student's presence in school presents a danger to himself/herself or to other students and/or staff, or disrupts the educational process, an immediate suspension may be imposed prior to instituting the aforementioned steps.

In the case of a long-term suspension (more than ten (10) days) or permanent expulsion from the Granby Public Schools students will be afforded the due process rights listed above in addition to written notice of the following:

1. A formal hearing to determine whether or not to impose a long-term suspension or permanent expulsion including the date, time, and place of the hearing.
2. The charges and a description of the evidence to support the charge.
3. The right to be represented by a lawyer or advocate (at the student's expense).
4. The right to present evidence and witnesses.
5. A reasonably prompt written decision, including specific grounds for the action.
6. The right to appeal a decision for a long-term suspension or expulsion to the Superintendent within ten (10) days of receipt of the written decision. In instances covered by M.G.L. c.71, § 37H1/2, the student shall notify the Superintendent in writing of his/her request for an appeal no later than five (5) calendar days following the effective date of the suspension.

File: JIA

Depending upon the severity of the conduct, a report may be made to the Granby Police Department. A student and/or parent/guardian may not require the Principal to remove reports of disciplinary incidents, including criminal acts with which the student was charged or conduct for which the student was suspended, from the student's school file or records, pursuant to M.G.L. Ch. 71 § 37H and § 37H ½.

LEGAL REFS.: M.G.L. 71:37H; 71:37H ½

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Granby Public Schools – 2004

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