

DUE PROCESS

The Terrebonne Parish School Board mandates that all students shall be treated fairly and honestly in resolving grievances, complaints, or in the consideration of any suspension or expulsion.

Due process shall be defined as fair and reasonable approaches to all areas of student grievance and discipline on the part of all school officials in order not to arbitrarily deny a student the benefits of the instructional process.

Due process requires, at a minimum, the school administration to impose fundamentally fair procedures to determine whether misconduct or other improper action has occurred before any disciplinary action may be taken by the school administration except in the case of imminent danger or disruption of the academic process. In these instances, proper procedures shall be put into effect as soon as removal of the student has occurred.

Under due process, each student shall be guaranteed a fair hearing, a fair judgment, a written record of the decision, and notice of the right to appeal the decision. The degree of procedural due process afforded in any disciplinary situation shall be dependent upon two factors: (1) the gravity of the offense a student is alleged to have committed; and (2) the severity of the contemplated penalty. For example, a much greater degree of procedural due process shall be applicable in an expulsion situation than in one where the penalty is a short-term suspension.

Full protection of procedural due process shall be afforded any student facing possible long-term suspension or expulsion. The parent and/or legal guardian has the right to appeal to the Board on behalf of their child.

April 1999

Revised: January 2013

Ref: U.S. Const. amend. XIII; U.S. Const. amend. XIV, §1; Ingraham v. Wright, 97 S.Ct. 1401 (1977); Goss v. Lopez, 95 S.Ct. 729 (1975); Carey v. Piphus, 98 S.Ct. 1042 (1978); Board minutes, 4-20-99, 01-15-13.