

The Transylvania County Board of Education recognizes that each student has the right to due process. Before a student is suspended from school for more than ten days, the parent/guardian shall be notified of the suspension and the effective date of the suspension.* However, if the student's continued attendance in school for either the remainder of the school day or subsequent days prior to notification to the parent/guardian poses a threat to the well being of other students, faculty or administrators, he shall be immediately suspended or referred to the law enforcement officers.

If the parent/guardian wishes to appeal the long-term suspension, the following procedure shall be used:

Step I - Within one school day from the effective date of the suspension, the principal will request that the superintendent appoint an impartial hearing officer to hear evidence related to the suspension. (This hearing will take place within five school days from the effective date of the suspension.)

Step II - The hearing officer will present his findings along with a recommendation to either support or deny the principal's request for a long-term suspension within one school day from the date of the hearing.

Step III - Within three school days after receiving the hearing officer's report, the superintendent will notify the parent/guardian of his decision to either approve or deny the principal's request for a long-term suspension.

Step IV - Within three school days after receiving the decision of the superintendent to approve the principal's request for a long-term suspension, the parent(s)/guardian(s) may request a hearing before the Board of Education. This hearing will be conducted prior to or immediately after the next regularly scheduled Board of Education meeting. If the superintendent and the Board of Education chairperson decide that an earlier hearing is necessary, a special meeting will be called at the earliest possible date that a majority of the Board can be present to hear the case. The decision of the Board will be given to the parent/guardian at the end of the hearing.

Step V - Appeal to Superior Court.

**The notification shall be in the exact format as shown in Exhibit JGD-E.*

An appeal may be made personally by any emancipated student or any student who is at least 18 years of age.

If the long-term suspension is overruled, the student will not be recorded as absent and will be allowed to make up all class assignments, examinations, homework, etc. At the time the

suspension is overruled the student will be allowed to return to school immediately if there are any days remaining on the suspension.

APPROVED BY BOARD
AND EFFECTIVE 8/19/85
REVISED 4/6/92
REVISED 11/22/93
REVISED 12/10/97

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