

## DUE PROCESS

All students are entitled to due process when they are subjected to disciplinary actions such as suspension or expulsion. Due process refers to the hearing procedures established by the SD Board of Education. A basic ingredient of legal due process is that one who is not satisfied with a decision may appeal to a higher authority. Thus, the student may appeal a decision of a teacher to the principal, and the principal's decision to the superintendent. If still not satisfied, the superintendent's decision may then be appealed to the Brandon Valley Board of Education. Any school board action may be appealed to circuit court. The Board and school officials have the legal authority to deal with disruptive students and student misconduct.

Brandon Valley School District due process procedures conform to the following basic practices:

- 1) They must be fair.
- 2) They must apply equally to all.
- 3) They must be enforced in a fair manner, which involves
  - \*adequate and timely notice and an opportunity to prepare a defense;
  - \*an opportunity to be heard at a reasonable time and in a meaningful manner;
  - \*the right to a speedy and impartial hearing on the merits of the case.