

STUDENT DISCIPLINARY HEARING
MINIMUM PROCEDURES CHECKLIST
FOR PRINCIPALS AND/OR ASSISTANT PRINCIPALS
(BEFORE, DURING, AND AFTER)

BEFORE

- _____ Suspend student pending the hearing and notify parents/guardians¹ of the suspension and the intent to schedule a hearing before the Board of Education (or Board-appointed hearing officer).
- _____ Notify Superintendent of suspension and intent to schedule a hearing². (The notification may be in the form of a copy of the letter sent to parents/guardians but, in addition, must also include information as to whether police testimony will be requested.)
- _____ Once date, time, and location of hearing has been determined, have a dated letter mailed by Certified Mail (Return Receipt Requested) and have it hand delivered by the Visiting Teacher to the parents/guardians. The letter shall contain:
- _____ a statement of the specific charges (i.e., specific reasons for suspension and hearing);
 - _____ the student's rights;
 - _____ the date, time, and location of the hearing;
 - _____ the fact that the hearing will be before the Board of Education (or a Board-appointed hearing officer); and
 - _____ the Certified Mail reference number
- _____ Enclose with the letter a copy of the Board's Student Expulsion regulation (JGE-R)
- _____ Identify witnesses to be called to testify at the hearing and, in general, the questions to be asked.
- _____ Inform witnesses (including the Visiting Teacher) that they are to appear at the hearing and that they will be called on to testify and, possibly, be cross-examined.
- _____ If you plan to testify as a witness, identify another administrator who will attend the hearing and question you (as well as, perhaps, providing you with some assistance during the hearing).
- _____ Identify exhibits to be introduced at the hearing (and provide at least eight copies). Among the exhibits there must be:
- _____ copies of the student's academic, attendance, and behavior records
 - _____ dates of student-guidance counselor meetings, conferences, or interactions
- _____ Prepare an opening and a closing statement

DURING

- _____ Bring all necessary documentation (including documentation that the hearing notification was sent), exhibits, and any written reference notes to the hearing.

¹ If the student is eighteen years of age or older, the letter is to be addressed and sent (and hand delivered) to the student rather than the parents/guardians.

² Student disciplinary hearings are to be scheduled no less than ten school or teacher work days nor more than fifteen school or teacher work days after the date the letter to parents/guardians notifying them of the suspension has been mailed and/or hand delivered. (The letter is to be dated the same day it is mailed and/or hand delivered.)

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- _____ Have present to testify as a witness anyone whose evidence you are using to support the case against the student and/or who may need to provide information that could facilitate board decision making (e.g., Visiting Teacher, guidance counselor, etc.) As a matter of course, call the Visiting Teacher as a witness to testify regarding hand delivery of the hearing notice to the parent/guardian. If the Visiting Teacher is unavailable to testify, a notarized statement containing the date and time of the delivery of the notice will suffice. As a general rule, all staff members who witnesses the incident giving rise to the recommendation for expulsion or its immediate aftermath should be called as witnesses.
- _____ When called to do so, give an opening statement.
- _____ When introducing exhibits, first show a copy to the hearing officer and the student (and his/her representative, if present). Only distribute exhibits to the Board and the Superintendent after the Hearing Officer has ruled admissibility.³ (Note: Always introduce as an exhibit the receipt obtained from the post office for the certified letter that is sent to the parent/guardian.)
- _____ Question the witnesses you call (preferably from some type of written script), and be prepared to ask follow-up questions if any witness is cross-examined.
- _____ (As appropriate) cross-examine student witnesses.
- _____ (As appropriate) object to Student Exhibits that are attempted to be introduced, making such objections brief and stating the grounds for the objection.
- _____ When called upon to do so, make a closing statement, which is to include the recommendations relating to the expulsion. These recommendations shall:
 - _____ be in writing and introduced as the final exhibit;
 - _____ include the recommended number of school days to be expelled
 - _____ (as appropriate) a recommendation that the student be placed in the Sussex County Opportunity Program in Education (S.C.O.P.E.)
 - _____ (as appropriate) a recommendation that there be counseling from a non-Seafood School District staff member during period of expulsion
 - _____ stipulate that the student is prohibited from being on Seafood School District property unless in the company of a parent/guardian (if under eighteen years of age) and, then, only with the prior approval of the principal
 - _____ (as appropriate) a condition that the student is responsible for the restitution/replacement of damaged and/or stolen school district property; and
 - _____ require the creation of a behavior contract (that shall include a counseling component) when the student re-enrolls.

AFTER

- _____ Determine whether the conditions of the expulsion have been met.
- _____ If the conditions of the expulsion have been met,
 - _____ develop a behavior contract; and
 - _____ determine appropriate grade level/class placement
- _____ Monitor student adherence to behavior contract.

³ It may or may not be helpful to number the exhibits as, for example, "School Exhibit #1", etc., writing the appropriate numbers on each exhibit to be introduced. (This will save time and avoid confusion unless the Hearing Officer rules that an exhibit is not admissible.) Exhibits are to be numbered consecutively.