

OUTLINE OF THE HEARING BEFORE THE BOARD

Student # Grade:

Family/Representative Name(s):

Introduction

BOARD CHAIR:

Today we have convened for a hearing in the case of **(STUDENT NAME)**, a **(AGE)** year-old student at **(SCHOOL NAME) School**. **(STUDENT NAME)** has been charged with a violation of **(Rule #)** of the **King George County Schools Code of Conduct**. The principal, **(NAME)** and superintendent, **(NAME)**, have recommended that **(STUDENT NAME)** be brought before this Board for a hearing to determine if **(STUDENT NAME)** violated **(Rule #)** and to assign any appropriate disciplinary action beyond the suspension already assigned by the school.

During the adjudicatory phase of the hearing, the student, parent, and/or representative may: (a) stipulate that the student did violate the rule(s) as charged and proceed directly to the Dispositional Phase; or (b) ask that the adjudicatory phase be conducted to determine if the student violated the rule as charged.

During each phase of the hearing, the administration and **(STUDENT NAME)** will have an opportunity to make an opening statement, present evidence, cross-examine evidence presented, and make a closing statement. The School Board reserves the right to hear testimony from any or all student witnesses outside the presence of **(STUDENT NAME)**, **his/her** parent(s), and their representatives if the Board believes that doing so is necessary to protect the identity of the student witness. Evidence offered by either party will be received into evidence by the Board and will be marked and made part of the official record.

After each side has had the opportunity to make a closing statement, the school board shall excuse all participants from the room and enter into deliberation as to whether **(STUDENT NAME)** has or has not violated the rule(s) as charged and/or if additional consequences are warranted.

Will **(STUDENT NAME)** be represented by legal counsel or other representative?

The school will be represented by **(NAME)**.

The following people are present: **(List persons at hearing)**:

This will be conducted as an informal hearing, and no strict rules of evidence will apply. The representatives of the parties may make objections to testimony or documentation as they see fit and the Board Chairman will consider such objections. The Board members may ask questions of the student, school representative, and any witnesses however questions may not be asked of the Board members.

Both phases of the hearing will be conducted in closed session. Upon returning to open session, the King George County School Board will vote on whether to approve the disciplinary action as discussed and documented in closed session.

I will now poll the Board to determine if each member can make a fair and impartial decision based only on the evidence presented at this hearing. **(Ask each member)**

(SCHOOL REPRESENTATIVE NAME) is **(STUDENT NAME)** identifiable as a student who receives services through special education? *(If yes, ask the following: if no, move to the next paragraph.)*

Has a manifestation determination review meeting been completed? *(If yes, ask the following: if not, move on to the next paragraph.)*

What was the determination?

*(If the determination at the meeting was that the behavior was **NOT** a manifestation of the student's disability, the hearing may proceed. If the determination at the meeting was that the behavior was a manifestation of the student's disability, the hearing **MAY NOT PROCEED**).*

Are there any questions regarding the procedures to be followed for this hearing?

PHASE ONE - Adjudicatory Phase

(STUDENT NAME), you have been charged with violating (Rule #). You have the option to:

A. stipulate that you did violate the rule as charged and proceed directly to the disposition phase of this hearing

or

B. request that the adjudicatory phase be conducted to determine if you have violated the rule as charged

IF CHOICE A IS SELECTED, PROCEED TO PHASE II, IF CHOICE B IS SELECTED CONTINUE WITH PHASE ONE OF THE HEARING.

We will now proceed with Phase One of this hearing, (School Representative); you may present your opening statement.

OPENING STATEMENT (School)

OPENING STATEMENT (Student and/or Representative)

EVIDENCE/TESTIMONY (School)

CROSS-EXAMINATION (Student and/or Representative)

BOARD QUESTIONS

EVIDENCE/TESTIMONY (Student and/or Representative)

CROSS EXAMINATION (School)

BOARD QUESTIONS

CLOSING STATEMENT (School)

CLOSING STATEMENT (Student and/or Representative)

The Board will now deliberate upon the evidence we have heard and will render a decision as to whether the student has or has not violated the rule(s) as charged. We will communicate the decision as quickly as possible and, if necessary, commence with phase two of the hearing.

(The Board may deliberate alone, i.e., without anyone present except the Board members and clerk/deputy clerk.)

PHASE TWO (Dispositional Phase)

(STUDENT NAME), this Board has determined that you did violate **(Rule(s) #)** included in the King George County Student/Parent Handbook. We will now proceed with phase two of this hearing.

The same procedures will be followed for Phase Two of the hearing as were followed for Phase One. Each party will be permitted to make an opening statement, present evidence or witness testimony, cross-examine evidence or testimony presented, and make a closing statement. Once each side has had the opportunity to make a closing statement, the Board will deliberate and determine if **(STUDENT NAME)**'s behavior warrants disciplinary action beyond the suspension already assigned.

OPENING STATEMENT (School)

OPENING STATEMENT (Student and/or Representative)

EVIDENCE/TESTIMONY (School)

CROSS EXAMINATION (Student and/or Representative)

BOARD QUESTIONS

EVIDENCE/TESTIMONY (Student and/or Representative)

CROSS EXAMINATION (School)

BOARD QUESTIONS

CLOSING STATEMENT (School)

CLOSING STATEMENT (Student and/or Representative)

The Board will now deliberate and determine if **(STUDENT NAME)**'s behavior warrants the disciplinary action recommended or other disciplinary measures. The decision of the Board will be communicated directly to the student and his/her representatives in closed session. The decision will also be voted on in open session.

Disciplinary Hearing Greeting Form (delivered by mail and in person to the family/student prior to the hearing)

The purpose of this document is to explain the procedures used by the King George County School to conduct student hearings and to help you prepare preliminary information.

Hearing Procedures

The hearing is conducted in two phases: 1) The Adjudicatory Phase and 2) The Dispositional Phase. The Introductory Phase allows for all participants to be introduced and an overview to be provided by the person chairing the meeting. The purpose of The Adjudicatory Phase is to determine whether your student did or did not violate the rule(s) as charged. If the Board affirms a violation, or, if the student agrees or admits that he/she did violate the rule as charged, then the Dispositional Phase will be conducted. The Dispositional Phase helps the School Board determine if an appropriate consequence is warranted for your student.

Sometimes there is no contention that a student violated a rule as charged, however families and students want an opportunity to address the Board regarding the recommended consequence. If you agree with the school's position that your student did violate the rule(s) as charged, you have the right to waive The Adjudicatory Phase of the hearing and proceed directly to The Disposition Phase. If you choose to waive the Adjudicatory Phase, please sign below and bring the form to the hearing.

I agree that my student **(NAME)**, did violate **(Rule #)** as charged. Consequently I choose to waive Phase One of this hearing and proceed directly to Phase Two of the hearing. I understand that the School Board will only hear statements, consider evidence, and hear testimony pertaining to disciplinary consequences during Phase Two of the hearing.

Parent, Family Member Signature

Date

Student Signature

Date

BOARD FORUM

Often Board members are willing to share their personal and professional testimony to students and families after the official hearing has concluded. The Board Forum is not part of the hearing record. It is offered as an opportunity for students and families to bring a more personal sense of closure to the circumstances with the School Board and/or members of the School Board.

If you choose to participate in the Board Forum, it will commence immediately after the phase two decision is communicated to you privately prior to returning to open session.

_____ Yes, we would like to participate in a Board Forum session

_____ No thank you, we would like to hear the decision only

Request for Permission to Attend a Closed Session Hearing (KGCS Policy BDC)

King George County School Board policy requires those seeking permission to attend a closed session disciplinary hearing to make their request known to the School Board Chair. Please complete the following if you would like to attend the closed session hearing:

As parent(s)/guardian(s) or representative(s) with interest in the matter of this hearing, we respectfully request permission to attend the closed-session of the _____ **date** _____ special meeting of the King George County School Board.

Date of meeting: **Date of Meeting**

Name _____

Signature _____

Relationship to student _____

Name _____

Signature _____

Relationship to student _____

Permission to attend affirmed: School Board Chair _____

King George County Schools
Student Disciplinary Hearing Process

Introductions

- The Chairman of the School Board will explain the hearing process
- All participants will introduce themselves
- The Chairman will explain the procedural ground rules
- The Chairman will ensure that procedural safeguards have been observed if the student receives services through special education.
- The hearing proceeds to Phase I

Phase I, Adjudicatory Phase

- The Chairman will ask the family and/or the student if they would like to admit that the student did violate the rule(s) as charged. Such an admission means that the student accepts responsibility for the violation, but would like the School Board to consider other testimony or evidence prior to imposing a disciplinary consequence.
- If the family and/or student believe the student has not violated the rule as charged, then the hearing begins with Phase I.
- The purpose of Phase I is solely to determine whether the student violated the rule as charged.
- Phase I will allow each side, the school and the student, an opportunity to make an opening statement, enter evidence and/or testimony, and ask questions about any evidence presented by the other side.
- After both sides have had an opportunity to make a closing statement, the School Board will deliberate and deliver a decision about whether or not they believe the student violated the rule as charged.

Phase II, Dispositional Phase

- The purpose of Phase II is solely to determine the consequence to be assigned.
- Phase II is conducted in the same manner as Phase I; each side is given an opportunity to make an opening statement, enter evidence and/or testimony, and ask questions about any evidence presented by the other side.
- After both sides have had an opportunity to make a closing statement, the School Board will deliberate and deliver a decision about the disciplinary consequence to be imposed on the student.
- The decision will be communicated to the family and/or student in closed session and then voted on (referred to by number) in open session of the School Board with no mention of the students name or the specific punishment.