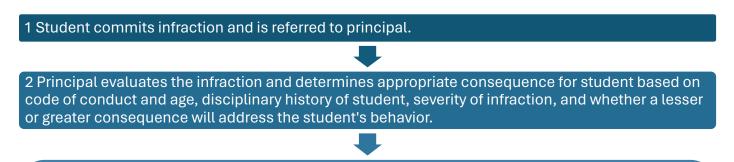
Student Discipline Due Process Procedure as Mandated by HB188 Enrolled (2024), effective October 1, 2024

Full text of HB188 Enrolled (2024)

This document is for general informational purposes only and should not be considered final guidance.



3 If the principal decides that the appropriate consequence for the infraction should be long-term alternative school placement, long-term suspension, or expulsion, the following due process procedure should be followed:

- •The student must receive a discipline hearing before the local board of education or its designee
- •The student and his parent/guardian must receive written notice of the hearing, which must include the time, date and location of the hearing; a short and plain statement of the infraction and proposed consequence; a statement of the student's rights at the hearing; and the option to waive the hearing and assent to the infraction and proposed consequence.
- •The hearing can be waived if no response is heard from the parent/guardian. If the parent/guardian does respond, the board must convene the hearing within 10 days of the original infraction.
- •At least 5 days before the hearing, the board must allow the student/student's counsel to review any audio or video of the incident and any relevant documents, in compliance with relevant laws.

4 At the hearing

- The school representative will provide evidence of the infraction committed by the student.
- The student/student's counsel may present a defense and question witnesses present at the hearing.
- The student/student's counsel may request a record of the hearing.

5 The board will provide its decision to the student in writing within five days after the hearing, which will include the basis for the decision and a reference to the student code of conduct section and/or state laws that the student violated. The board's statement must also include a disclosure of the student's right to appeal the decision pursuant to the code of conduct and Code of Alabama Section 12-15-115, as well as the procedures necessary to file an appeal. A copy of the board's decision shall be included in the student's record.

LONG-TERM ALTERNATIVE SCHOOL PLACEMENT Alternative school for more than 15 school days, per incident

LONG-TERM SUSPENSION

Suspension for more than 10 and fewer than 90 days, per incident

EXPULSION Exclusion from school for more than 90 and fewer than 180 days, per incident