



MEMORANDUM

TO: Christian County Board of Education Board Members

FROM: Melanie A. Barrett, Director of Pupil Personnel

DATE: August 6, 2020

RE: Addendum to Code of Acceptable Behavior & Discipline

Please review proposed Addendum to the 2020-2021 Code of Acceptable Behavior & Discipline. The proposed includes the following revisions:

2020-2021 Out of School Suspension Appeals

- Parent/Guardian may appeal out of school suspensions to the District Discipline Committee (DDC)
- Suspension Appeal Form delivered to the Director of Pupil Personnel (DPP) and/or Director of Alternative (DAP) Programs
- Parent/Guardian shall have one school day from the date of the referral to file an appeal and turn to the DPP or DAP
- Appeal shall identify the suspension being appealed and submit documentation
- Within one day of receipt of appeal the referring administrator will have opportunity to submit a written response (not required)
- DPP and/or DAP shall promptly submit the record on appeal to the DDC
- Within 3 days of receiving appeal the DDC shall convene and consider appeal by reviewing the record of appeal and such records relevant to the appeal
- DDC determines the appeal should be denied a written statement will be issued denying the appeal and promptly transmitted to the parent/guardian
- DDC determines the appeal should be granted the DDC will issue a written determination with brief summary
- DDC granting appeal may (1) reverse the decision and return to the student back to school or (2) remand referral back to the referring administrator for further action consistent with the decision of the DDC
- The decision of the DDC is the final decision and may not be appealed.

2020-2021 Alternative School Suspension Appeals

- Parent/Guardian may appeal out of placement for disciplinary reasons to the District Discipline Committee (DDC)
- An Appeal Form for disciplinary reasons will be delivered to the Director of Pupil Personnel (DPP) and/or Director of Alternative (DAP) Programs
- Parent/Guardian shall have one school day from the date of the referral to file an appeal and turn to the DPP or DAP
- Appeal shall identify the referral being appealed and submit documentation
- Within one day of receipt of appeal the referring administrator will have opportunity to submit a written response (not required)
- DPP and/or DAP shall promptly submit the record on appeal to the DDC
- Within 3 days of receiving appeal the DDC shall convene and consider appeal by reviewing the record of appeal and such records relevant to the appeal
- DDC determines the appeal should be denied a written statement will be issued denying the appeal and promptly transmitted to the parent/guardian
- DDC determines the appeal should be granted the DDC will issue a written determination with brief summary
- DDC granting appeal may (1) reverse the decision and return to the student back to school or (2) remand referral back to the referring administrator for further action consistent with the decision of the DDC
- The decision of the DDC is the final decision and may not be appealed.

Out of School Suspension Appeals:

1. A parent/guardian (or adult student) may appeal a suspension in writing (preferably using the Suspension Appeal Form in 09.434.AP.2) to the **District Discipline Committee ("DDC")** by delivering the written appeal to the **Director of Pupil Personnel ("DPP") and/or the Director of Alternative Programs ("DAP")** setting forth grounds for the appeal. There shall be no appeal rights for a suspension made by the superintendent or designee of the superintendent.
2. The parent/guardian or adult student shall have **one school day** from the date of the referral to file a written appeal (using the Suspension Appeal Form in 09.434.AP.2) with the **DPP and/or DAP (via email or hand-delivery) at the central office (200 Glass Avenue, Hopkinsville, Kentucky).**
3. The written appeal shall identify the suspension referral being appealed, the date of the referral, and the basis of the appeal with any documentation or other items the parent/guardian/adult student believes is relevant to the appeal.
4. When the written appeal is received **by the DPP and/or DAP, a copy of the written appeal will be delivered within one school day to the referring administrator**, to the Director of Special Education (if the student has an IEP or a Section 504 Plan), and to the Superintendent.
5. Within **one school day** of receiving the written appeal from the **DPP or DAP**, the referring administrator **may, but is not required to, provide an explanation and supporting materials to the DPP and/or DAP. The written appeal and the explanation and supporting materials from the referring administrator shall constitute the record on appeal.**
6. The **DPP and/or DAP shall promptly submit the record on appeal to the DDC.**
7. Within 3 school days of the filing of receiving the record on appeal, the **DDC** shall convene to consider the appeal **by reviewing the record on appeal and such other records as the DDC considers relevant to the appeal.**
8. If the **DDC** determines the appeal should be denied, the **DDC** will issue a written statement (preferably using the Suspension Appeal Form in 09.434.AP.2) denying the appeal, which will be promptly transmitted to parent/guardian or adult student and the referring administrator by regular mail, certified mail, email, or hand-delivery.
9. If the **DDC** determines the appeal should be granted, the **DDC** will issue a written determination (preferably using the Suspension Appeal Form in 09.434.AP.2) granting the appeal and briefly summarizing the reasons for granting the appeal. If the **DDC grants the appeal**, the **DDC** may (1) reverse the referral and return the student to the school building from which he was suspended or (2) remand the referral back to the referring administrator for further action consistent with the decision of the **DDC.**
10. **The decision of the DDC shall be final and may not be appealed.**

Alternative School Appeal Procedures

1. A parent/guardian (or adult student) may appeal in writing (preferably using the Alternative Education Form in 09.4341.AP.21) a referral **to an alternative placement for disciplinary reasons to the District Discipline Committee ("DDC")** by delivering the written appeal to the **Director of Pupil Personnel ("DPP") and/or the Director of Alternative Programs ("DAP")** setting forth grounds for the appeal. There shall be no appeal rights for a referral made by the superintendent or designee of the superintendent or by the board of education.
2. The parent/guardian/adult student shall have **one school day** from the date of the referral to file a written appeal (preferably using the Alternative Education Form in 09.4341.AP.21) with the **DPP and/or the DAP (via email or hand-delivery) at the central office (200 Glass Avenue, Hopkinsville, Kentucky).**
3. The written appeal shall identify the referral being appealed, the date of the referral, and the basis of the appeal with any documentation or other items the parent/guardian/adult believes is relevant to the appeal.
4. When the written appeal is received **by the DAP and/or DPP, a copy of the written appeal will be delivered within one school day to the referring administrator,** to the Director of Special Education (if the student has an IEP or a Section 504 Plan), and to the Superintendent.
5. Within **one school** of receiving a copy of the written appeal from **DPP or DAP,** the referring administrator **may, but is not required to, provide an explanation and supporting materials to the DPP and/or DAP. The written appeal and the explanation and supporting materials from the referring administrator shall constitute the record on appeal.**
6. The **DPP and/or DAP shall promptly submit the record on appeal to the DDC.**
7. Within 3 school days of receiving the record on appeal, the **DDC** shall convene to consider the appeal **by reviewing the record on appeal and such other records the DDC considers relevant to the appeal.**
8. If the **DDC** determines the appeal should be denied, the **DDC** will issue a written statement (preferably using the Alternative Education Form in 09.431. AP21) denying the appeal. The **DDC** will transmit the written determination denying the appeal to parent/guardian or adult student and the referring administrator by regular mail, certified mail, email, or hand-delivery.
9. If the **DDC** determines the appeal should be granted, the **DDC** will issue a written determination (preferably using the Alternative Education Appeals Form in 09.431. AP21) granting the appeal and briefly summarizing the reasons for granting the appeal. If the **DDC grants the appeal,** the **DDC** may (1) reverse the referral and return the student to the school building from which he was referred or (2) remand the referral back to the referring administrator for further action consistent with the decision of the **DDC.** The **DDC** will transmit the written determination granting the appeal to parent/guardian or adult student and the referring administrator by regular mail, certified mail, email, or hand-delivery.
10. **The decision of the DDC shall be final and may not be appealed.**