

## STUDENT DUE PROCESS RIGHTS

The Board and school officials have the legal authority to deal with disruptive students and student misconduct. Due process, in the context of administrative proceedings carried out by school authorities, does not mean that the procedures used by the courts in juvenile proceedings must be followed. The Ohio and Federal Rules of Evidence do not apply.

Students have clearly established means by which administrative due process is available for the protection of his/her rights.

Due process procedures are:

1. applied equally to all and
2. enforced in a manner which involves:
  - A. adequate and timely notice and opportunity to prepare a defense;
  - B. an opportunity to be heard at a reasonable time and in a meaningful manner and
  - C. the right to a speedy and impartial hearing on the merits of the case.

In cases of student suspension or expulsion, the specific due process procedures set by the Board's policy are followed.

[Adoption date: August 14, 2001]

LEGAL REFS.: ORC Chapter 2506  
3313.66; 3313.661; 3313.662  
OAC 3301-35-03(G)(2)(c)

CROSS REFS.: JB, Equal Educational Opportunities  
JFC, all subcodes  
JGD, Student Suspension  
JGE, Student Expulsion