

<b>Bartlett City Board of Education</b>		<b>6030</b>
Descriptor Term: <b>STUDENT DISCIPLINARY HEARING AUTHORITY</b>	Descriptor Code: <b>Student Services</b>	Issue Date: <b>06/23/2014</b>
	Rescinds:	Revised: <b>07/28/2016</b>

1 A Disciplinary Hearing Authority (DHA) shall conduct appeals for students who have been  
2 suspended more than ten (10) school days.<sup>1</sup> The Board shall appoint members to the DHA which  
3 shall consist of three (3) members, (maximum number must not exceed total membership of the  
4 Board), at least one (1) of whom shall be a licensed employee of the Board, and such  
5 appointments are for one (1) year terms and subject to reappointment. Board members shall not  
6 serve on the DHA.

7 The Superintendent shall appoint a Chairman of the DHA from the members appointed by the  
8 Board. The Chairman shall perform the following duties:

- 9 1. Set the time, place, and date for each hearing;
- 10 2. Maintain order and structure during each hearing; and
- 11 3. Prepare, sign, and disseminate the minutes of each meeting.

12 Upon receiving notification of the request to appeal the suspension decision, the DHA shall  
13 provide written notification to the parent or guardian of the student, the student, and any other  
14 appropriate person of the time, place, and date of the hearing. The hearing must be held no later  
15 than ten (10) days after the beginning of the suspension.<sup>2</sup>

16 The DHA may take the following disciplinary actions:<sup>3</sup>

- 17 1. Affirm the decision of the school Principal;
- 18 2. Order the removal of the suspension unconditionally;
- 19 3. Order removal of the suspension upon such terms and conditions as it deems reasonable;
- 20 4. Assign the student to alternative program; or
- 21 5. Suspend the student for a specified period of time. (*Note: Zero-tolerance offenses as set*  
22 *forth in Board Policy 6026 require mandatory calendar year expulsion or assignment to*  
23 *alternative placement for a calendar year unless modified by the Superintendent.*)

24 Within five (5) days of the DHA rendering a decision, the student, Principal, Principal-Teacher, or  
25 Assistant Principal may request a review by the Superintendent, and the Superintendent shall  
26 review the record. The Superintendent may exercise any disciplinary authority granted to the DHA  
27 in responding to such an appeal. Within five (5) days of the Superintendent rendering a decision,  
28 the student, Principal, Principal-Teacher, or Assistant Principal may request a review by the  
29 Board, and the Board shall review the record. Following the review, the Board may affirm or  
30 overturn the decision of the DHA or grant an appeal hearing. The Board shall not impose a more

---

<sup>1</sup> T.C.A. §49-6-3401(c)(4)(A)

<sup>2</sup> T.C.A. §49-6-3401(c)(4)(D)

<sup>3</sup> T.C.A. §49-6-3401(c)(5)

- 1 severe penalty than that imposed by the DHA without first providing an opportunity for a hearing  
2 before the Board.<sup>4</sup>
- 3 The notice of hearing shall include a statement that, unless the student's parent or guardian  
4 requests an open hearing in writing within five (5) days of receipt of the notice, the hearing shall  
5 be closed to the public.

---

<sup>4</sup> T.C.A. §49-6-3401(c)(6)