

# Oneida Special Board of Education

|                                                      |                                                   |                                  |                            |
|------------------------------------------------------|---------------------------------------------------|----------------------------------|----------------------------|
| Monitoring:<br><b>Review: Annually,<br/>in March</b> | Descriptor Term:<br><b>Procedural Due Process</b> | Descriptor Code:<br><b>6.302</b> | Issued Date:               |
|                                                      |                                                   | Rescinds:<br><b>6.302</b>        | Issued:<br><b>03/13/03</b> |

## General

Before school authorities administer disciplinary measures, reasonable inquiry shall be made to determine the truth of what happened.<sup>1</sup> The nature of this inquiry will vary in degree with the seriousness of the offense and the consequence.

## MINOR OFFENSES

For minor offenses where corrective measures are taken by the classroom teacher, no formal procedure is required. The teacher shall ensure the following:

1. The offender is accurately identified;
2. That he/she understands the nature of the offense; and
3. That he/she understands the consequences for the offense.

## SEVERE OFFENSES

In cases of severe offenses where there is a possibility of suspension, the student shall be advised of the nature of his/her misconduct, questioned about it, and allowed to give an explanation.<sup>2</sup>

If a student is suspended more than ten (10) days, he/she shall receive notice of the right to appeal to the Disciplinary Hearing Authority.<sup>3</sup>

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### Legal References

1. *Ingraham v. Wright*, 430 U.S. 651 (1977)
2. *Goss v. Lopez*, 419 U.S. 565 (1975)
3. TCA 49-6-3401(c)(4)(A)—(B)

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### Cross References

Code of Conduct 6.300  
Interrogations and Searches 6.303  
Suspension 6.316  
Disciplinary Hearing Authority 6.317

