



Board Appeals and Hearing Process: Student Suspensions

1. Context and Purpose

Disciplining students—especially when considering removal from the educational environment—involves a comprehensive, multi-tiered framework designed to protect student and family due process rights. Rather than a singular administrative decision, our system provides multiple layers of procedural safeguards. This work session is designed to walk through those layers, clarify operational boundaries, and highlight how policy translates into practice when suspensions and reassignments occur.

2. Types of Appeals & Hearing Structures—[Visual Guide of Board Appeals Process](#)

Not all disciplinary reviews follow the same path. The type of appeal or hearing depends on the action taken and the specific legal threshold involved:

Disciplinary Reassignment Appeals: Student assigned by DRC

- **Initiating Event:** A student is assigned to an alternative educational setting (e.g., Connections Academy) rather than returning to their base school.
- **The Review Body:** Heard first by the Superintendent's Panel (retired educators/staff not under direct supervision of principal) in a non-evidentiary 30 to 60 minute meeting to determine the appropriate learning setting.
- **Board Role: If appealed by the parent,** a 3-Member Board Panel reviews the record to determine if the reassignment decision stands, is modified, or is overturned.

Long-Term Suspension Appeals: DRC/Superintendent has not assigned to Alternative School

- **Initiating Appeals:** A suspension exceeding 10 school days imposed by the Superintendent following a recommendation from a building principal and initial action by the Discipline Review Committee (DRC).
- **Board Role:** Families can appeal directly to a 3-Member Board Panel. The panel acts as an appellate body, reviewing the established record under the substantial evidence standard. The panel may Uphold, Modify (reduce duration or drop specific event codes), or Overturn the suspension. *Board panels cannot increase penalties or dictate school placements.*

Special Statutory Proceedings

1. **365-Day Firearm Suspensions & Readmissions:** State law mandates a 365-calendar-day suspension for firearms. After serving 180 calendar days, families may request readmission (evaluated first by the Superintendent). If appealed to a Board panel, the Board gains explicit statutory authority to grant/deny return AND designate the returning educational setting.
2. **Expulsions:** Permanent removal from attendance in the school system is an authority reserved exclusively for the full Board. Expulsion requires finding clear and convincing evidence that the student's presence constitutes a clear threat to safety. Uncontested recommendations require a Board narrative review; appealed recommendations trigger a full evidentiary Board hearing.

3. KEY TAKEAWAYS & POLICY FOUNDATION

- **Grounded in Law & Policy:** Every step in this framework is strictly governed by North Carolina General Statutes and Board Policy.

- **Established Boundaries:** The Discipline Review Committee (DRC) sets the upper boundary of any penalty; no entity can increase a punishment beyond what was recommended by the principal.
- **Due Process Safeguards:** Student due process exists to ensure transparency, neutrality, and fundamental fairness. These layers guarantee that families are heard and administrative decisions are thoroughly vetted before final actions take effect.

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