

## Discipline Appeal Protocol

1. Upon receiving a discipline referral from a teacher or other school personnel, the principal or assistant principal, may discipline a student after:
  - a. giving the student oral or written notice of the charges against him
  - b. if the student denies the charges, an explanation of the facts as known to school personnel
  - c. an opportunity to present the student's version of what occurred
2. Upon suspension of a student, the principal or assistant principal responsible for such suspension shall report the facts of the case in writing (suspension letters) to:
  - a. the division superintendent or his designee and
  - b. the parent of the student suspended.
3. If the parent or guardian requests to appeal a discipline decision: (The division superintendent or his designee shall review forthwith the action taken by the principal or assistant principal, upon a petition for such review by any party in interest, and confirm or disapprove such action based on an examination of the record of the student's behavior.)
  - a. If the discipline was administered by an assistant principal, and the principal was **not** involved:
    - i. the principal would hear the first appeal
    - ii. after an appeal is heard by the principal, the parent/guardian may appeal to Mr. Guill, Director of Support Services who will assign the appeal to a hearing officer.
  - b. In cases in which the principal was involved in administering discipline, the parent may contact Mr. Guill to request an appeal. Mr. Guill would then assign the appeal to a hearing officer.
4. The appeal must be made within five (5) days of receiving notice of the disciplinary action. (*\*Needs to be included in the suspension letter, see attached sample.*)
5. The appeal decision of the division superintendent or his designee shall be final in suspensions of 10 days or less.
6. Minor disciplinary consequences such as after school detention or in-school suspension shall not be appealed; the appeal decision of the principal in such cases shall be final. (The division superintendent or his designee shall review minor disciplinary consequences only when the principal was involved in administering the disciplinary consequences.)

(Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-277.04; ACPS School Board Policy JGD/JGE)

**Sample Suspension Letter**

(Date)

Dear (parent)

Your (son/daughter), (name of student), has been involved in the following incident(s):  
(Here describe the facts)

The following action has been taken:  
(Here describe length of suspension and other disciplinary action)

I regret to advise you that I am suspending (name of student) for (state the period of time) for the reasons stated above. You and your (son/daughter) have the right to appeal regarding this recommendation. You must request an appeal within five (5) days after receipt of this notice.

A conference with you concerning this suspension was held on\_\_\_\_\_. In the event you cannot attend the conference on the date specified in this letter, please contact the principal or his/her designee for an alternate conference date. No student shall be reinstated in school until a parental conference is held.

You are hereby notified, pursuant to Section 18.2-128 of the Code of Virginia, as amended, that the student is prohibited from entering upon or remaining upon the school property of the Amherst County Public Schools during the term of the suspension. Violation is subject to prosecution as trespass pursuant to Section 18.2-128 of the Code of Virginia, as amended.

If school is closed for any reason (IE. inclement weather) during the day(s) of suspension, the suspension will carry over to the next day(s) school is in session.

**Pupil Data:**

Date of Birth:	Grade:	Sex:
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No community-based educational, alternative education, or intervention programs are available during this suspension.

The following community-based educational, alternative education, or intervention programs are available to your son/daughter during the suspension period:

Sincerely,

Principal

pc: Superintendent  
Student