

STUDENT BEHAVIOR AND DISCIPLINE

POLICY

It is the policy of the District that students be informed of the standard of behavior expected from students participating directly or indirectly in educational programs and opportunities provided by TTC. In addition, students should understand the disciplinary consequences that may attach when student behavior or conduct falls outside of permissible boundaries.

Adult and secondary students are subject to discipline for actions that are specified in the District's procedures. The District's procedures shall establish the process which must be utilized to ensure that students are aware of violations of the District's disciplinary code and the manner in which the student shall appeal the imposition of discipline involving suspension or, in the case of adult students, dismissal.

Secondary students who receive short or long-term suspensions may, dependent upon the reason for the suspension, be entitled to an education plan. Upon the completion of suspension a secondary student may return to school, in the manner and under the conditions provided by school law. Adult students may be removed from school for a limited or extended period or dismissed from school without a right to return to courses.

Student privileges, including participation in extracurricular activities, may be limited or extinguished based on the student's misconduct. Secondary students suspended from school have specially established due process procedures available to challenge the suspension. In contrast, students who are not suspended – but assigned some reduced discipline - are not entitled to utilize the appeal process applicable to student suspensions. The appeal process applicable to adult and secondary students is set out in the procedures established for each category.

Secondary and Adult Student Behavior and Discipline

Procedures

SECTION I. GENERAL EXPECTATIONS

The Board of Education recognizes that students do not surrender any rights of citizenship while in attendance at Tulsa Technology Center. The school is a community with rules and regulations. Those who enjoy the rights and privileges it provides must also accept the responsibilities that inclusion demands, including respect for and obedience to school rules.

SECTION II. BEHAVIORAL CODE

The following behaviors at school, while on school vehicles, when a nexus is established to school relations, or going to or from or attending school events will result in disciplinary action, which may include in-school placement options or out-of-school suspension:

1. Arson, attempted arson
2. Attempting to incite or produce imminent violence directed against another person because of his or her race, color, religion, ancestry, national origin, disability, gender or sexual orientation by making or transmitting or causing or allowing to be transmitted, any telephonic, computerized or electronic message
3. Attempting to incite or produce imminent violence directed against another person because of his or her race, color, religion, ancestry, national origin, disability, gender or sexual orientation by broadcasting, publishing or distributing or causing or allowing to be broadcast, published or distributed, any message or material
4. Cheating
5. Conduct that threatens or jeopardizes the safety of others
6. Cutting class or sleeping, eating or refusing to work in class
7. Disruption of the educational process or operation of the school
8. Extortion

9. Failure to attend assigned detention, alternative school or other disciplinary assignment without approval
10. Failure to comply with state immunization records
11. False reports or false calls
12. Fighting
13. Forgery
14. Gambling
15. Harassment, intimidation, and bullying, including but not limited to students, school employees and volunteers
16. Hazing (initiations) in connection with any school activity
17. Immorality
18. Inappropriate attire
19. Inappropriate behavior or gestures
20. Inappropriate public behavior
21. Indecent exposure
22. Intimidation or harassment because of race, color, religion, ancestry, national origin, disability, gender or sexual orientation, including but not limited to: (a) assault and battery; (b) damage, destruction, vandalism or defacing any real or personal property; or threatening, by word or act, the acts identified in (a) or (b)
23. Obscene language
24. Physical or verbal abuse
25. Plagiarism
26. Possession of a caustic substance

27. Possession of obscene materials
28. Possession, without prior authorization, of a wireless telecommunication device
29. Possession, threat or use of a dangerous weapon and related instrumentalities (i.e., bullets, shells, gun powder, pellets, etc.)
30. Possession, use, distribution, sale, conspiracy to sell or possess or being in the chain of sale or distribution, or being under the influence of alcoholic beverages, low-point beer (as defined by Oklahoma law, i.e., 3.2 beer) and/or controlled substances
31. Possession of illegal and/or drug related paraphernalia
32. Profanity
33. Sexual or other harassment of individuals including, but not limited to, students, school employees, volunteers
34. Theft
35. Threatening behavior (whether involving written, verbal or physical actions)
36. Truancy
37. Use or possession of tobacco in any form
38. Use or possession of missing or stolen property if property is reasonably suspected to have been taken from a student, a school employee, or the school
39. Using racial, religious, ethnic, sexual, gender or disability-related epithets
40. Using school technology (i.e. computers, internet, electronic mail and other technology) for personal use, in violation of school policies, or in manner not authorized by the school
41. Vandalism
42. Violation of the Board of Education policies, rules or regulations or violation of school rules and regulations
43. Vulgarity
44. Willful damage to school property

45. Willful disobedience of a directive of any school official

In addition, conduct occurring outside of the normal school day or off school property that has a direct and immediate negative effect on the discipline or educational process or effectiveness of the school, will also result in disciplinary action, which may include in-school placement options or out-of-school suspension.

Students involved in illegal activities are subject to being reported to law enforcement authorities. Students who intentionally destroy or damage school property are financially liable for repair or replacement of the property.

SECTION III. FIREARMS, WEAPONS AND/OR ASSAULT OR ATTEMPTED ASSAULT ON AN EMPLOYEE OR VOLUNTEER

An assault or attempted assault is any willful and unlawful action or attempt or offer with force or violence to do a corporal hurt to another. Assault or attempted assault will result in disciplinary action which shall include out-of-school suspension.

Any student found to have committed assault, attempted assault, or acted in a manner that could reasonably cause bodily injury to a school employee or volunteer, shall be suspended by the campus administration (Director or Assistant Director), for the remainder of the current semester and the next consecutive semester. If the student is a secondary student, this suspension can be appealed to the Superintendent and may be modified by the Superintendent. If the student is a secondary student, this suspension may be appealed to the Board of Education and may be modified by the Board of Education. If the student is an adult student, the student may appeal to the Superintendent and may be modified by the Superintendent. If the student is an adult student, the decision of the Superintendent is final.

It is unlawful for any person to have in his or her possession on any public school property or while in any school bus or vehicle used by any school for transportation of students or teachers any firearm or weapon designated in Oklahoma Statutes § 21-1272 as a weapon (except as authorized by Oklahoma Statutes § 21-1280.1 Supp. 2004). Oklahoma Statutes § 21-1272 list firearms/weapons as: any pistol, revolver, shotgun or rifle whether loaded or unloaded or any dagger, bowie knife, dirk knife, switchblade knife, spring-type knife, sword cane, knife having a blade which opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, blackjack, loaded cane, billy, hand chain, metal knuckles, or any other offensive weapon, whether such weapon be concealed or unconcealed. Any student found in violation of this law shall be suspended out-of-school for a period of no less than one (1) year.

Weapons not designated as “dangerous” under Oklahoma Statutes § 21-1272 can also result in suspension. Examples include but are not limited to other knives, BB guns, stun guns, tasers, laser pointers, etc.

SECTION V. BEHAVIOR OR CONDUCT WHICH MAY RESULT IN SUSPENSION

Students who are guilty of any of the following acts may be suspended out-of-school for a period that shall not extend beyond the current semester and the succeeding semester by the administration of the School or the District for:

1. Violation of a school regulation, including the Behavioral Code
2. Immorality
3. Adjudication as a delinquent for an offense that is not a violent offense. For purposes of this section, "violent offense" shall include those offenses listed as the exceptions to the term "nonviolent offenses" as specified in Section 571 of Title 57 of the Oklahoma Statutes. "Violent offense" shall include the offense of assault with a dangerous weapon but shall not include the offense of assault
4. Possession of an intoxicating beverage, low-point beer, as defined by Section 163.2 of Title 37 of the Oklahoma Statutes, or missing or stolen property if the property is reasonably suspected to have been taken from a student, a school employee, or the school during school activities
5. Possession of a dangerous weapon or a controlled dangerous substance, as defined in the Uniform Controlled Dangerous Substances Act. Possession of a firearm shall result in out-of-school suspension as provided in the District's policy related to firearms.

In the event of a suspension for any of the reasons listed above, an education plan as discussed in the Individualized Plans for Out-of-School Suspension section of this policy, below, shall be applicable for acts which fall within parts “1” through “4,” above. No education plan shall be necessary for acts which fall within part "5," above.

Students suspended for a violent offense directed toward an instructor shall not be allowed to return to the instructor’s classroom without the instructor’s prior approval. Whether an offense is considered a violent offense, requiring an instructor’s approval as a condition of return to a particular classroom, shall be based on applicable provisions of the Oklahoma school law regarding student suspension and applicable Oklahoma criminal law distinguishing between violent and nonviolent offenses. Oklahoma law states “felony charges may be filed against any person(s) committing an aggravated assault or battery upon any school employee.”

SECTION VI. STUDENT PRIVILEGES WHILE UNDER OUT-OF-SCHOOL SUSPENSION OR UNDER OTHER DISCIPLINARY OR CORRECTIONAL MEASURES

Participation in the extracurricular activities of the school is a privilege and not a right. Accordingly, when a student's behavior results in a determination by the administrator of an out-of-school suspension, the student immediately, notwithstanding the filing of an appeal, forfeits the privilege of participating in all extracurricular activities of the school. In addition, when an administrator determines to impose alternative in-school disciplinary or other correctional measures against a student, then the student will not be permitted to participate in any extracurricular activities offered by the school during the term of the discipline unless, in the sole judgment of the administrator, such participation is appropriate given the nature of the offense committed by the student.

"Extracurricular activities" include, but are not limited to, all school sponsored teams, clubs, organizations, ceremonies, student government, and all other school sponsored activities and organizations.

Secondary Student Behavior and Discipline

Procedures

SECTION VII. SECONDARY STUDENT SAMPLE DISCIPLINARY OPTIONS

Detention

Detention is a correctional measure used when it is deemed appropriate. Students are to report to the appropriate instructor/administrator at the specified time with class work. Detention may be assigned on a week-day or on a Saturday, as deemed appropriate.

Alternative In-School Placement

Alternative in-school placement is an optional correctional measure that may be used by the school when deemed appropriate. It involves assignment to a school site, for a prescribed course of education as determined by school representatives.

Other Alternative Measures

1. Behavior contract
2. Conference with parent(s) or guardian(s)
3. Conference with student
4. Letter to parent(s) or guardian(s)
5. Probation
6. Referral to counselor
7. Restriction of privileges
8. Sent home from CTSO activity at student/parent/guardian expense

Student Suspension

The judicial extension of Fourteenth Amendment protection to students in the public school emphasizes the need for school administrators to protect the procedural due process rights of students in discipline cases. The policy of the school district must be consistent with the due process rights of students and must provide proper procedures for fair and consistent treatment of students. The term "out-of-school suspension" refers to removal out of school for a period not to exceed one calendar year for offenses involving firearms and the remainder of a current semester and the succeeding semester for all other offenses. **ALTERNATIVE IN-SCHOOL PLACEMENT, DETENTION, AND SIMILAR DISCIPLINARY OPTIONS OR CORRECTIONAL MEASURES ARE NOT CONSIDERED BY LAW TO BE OUT-OF-SCHOOL SUSPENSION AND DO NOT REQUIRE OR INVOLVE THE DUE PROCESS PROCEDURES SET FORTH HEREIN.**

Reference to "parent" in this section of the policy refers to a student's parent or legal guardian.

Reference to "administrator" means an assistant superintendent or the TTC staff member to whom the administrator has delegated the responsibility for student discipline.

SECTION VIII. TTC'S OBLIGATION APPLICABLE TO ALL SECONDARY STUDENT OUT-OF-SCHOOL SUSPENSIONS

Alternative In-School Placements:

Before TTC, through its designated representatives, recommends out-of-school suspension, alternative in-school placements including, but not limited to: placement in an alternative school setting, reassignment to another classroom, placement in in-school detention, or other available disciplinary or correctional options shall be considered. These shall not be considered as an out-of-school suspension but shall be treated as disciplinary or correctional actions that may be used, if warranted, as an alternative to out-of-school suspension. **STUDENTS IDENTIFIED AS DISABLED UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT OR SECTION 504 OF THE REHABILITATION ACT OF 1973 AND WHO ARE SUSPENDED OUT-OF-SCHOOL OR RECEIVE DISCIPLINARY REMOVAL FROM THE CLASSROOM MAY REQUIRE ADDITIONAL PROCEDURAL CONSIDERATIONS.**

Pre-Out-of-School Suspension Conferences:

1. When a student violates board policy or a school rule or regulation or has been adjudicated as a delinquent for an offense that is not a violent offense (as set out in Oklahoma Statutes title 57, § 571), the administrator shall conduct an informal conference with the student.
2. At the conference with the student the administrator shall read the policy, rule or regulation which the student is charged with having violated and shall discuss the conduct of the student which is a violation of the policy, rule or regulation.
3. The student shall be asked whether he/she understands the policy, rule or regulation and be given a full opportunity to explain and discuss his/her conduct.
4. If it is concluded that an out-of-school suspension is appropriate, the student shall be advised that he/she is being suspended and the length of the out-of-school suspension.
5. The administrator shall immediately notify the parent by phone and in writing that the student is being suspended out of school and that alternative in-school placement or other available options have been

considered and rejected. The written notice should state what alternative in-school placement or other available options have been considered and why they were rejected.

Immediate Out-of-School Suspension Without a Pre-Out-of-School Suspension Conference:

1. A student may be suspended out-of-school without the above pre-out-of-school suspension conference with the student only in situations where the conduct of the student reasonably indicates to the administrator that the continued presence of the student in the building will constitute an immediate danger to the health or safety of the students, or school employees, or to school property, or a continued substantial disruption of the educational process.
2. In such cases, an out-of-school suspension conference with the student and the parent or guardian will be scheduled as soon as possible after the student has been removed from the building.

Conferences With Parents:

1. The administrator will seek to hold a conference with the parent or guardian as soon as possible after the out-of-school suspension has been imposed. The parent should be advised of his/her right to a conference with the administrator at the time he/she is notified that an out-of-school suspension has been imposed. The conference will be held during the regular school hours, Monday through Friday, with consideration given whenever possible to the hours of working parents.
2. At the conference, the administrator will read the policy, rule or regulation which the student is charged with having violated and will briefly outline the conduct or behavior on the part of the student. The administrator will also explain the basis for an out-of-school suspension rather than the use of alternative options. The parent should be asked by the administrator if he/she understands the rule and the charges against the student.
3. At the conclusion of the conference the administrator shall state whether he/she will terminate or modify the out-of-school suspension. In all cases the parent will be advised of his/her right to have the out-of-school suspension reviewed by the Superintendent of Schools, the Board of Education, or the out-of-school suspension review committee as provided by this policy. If the parent is in agreement with the administrator's decision, he/she will be requested to sign a waiver of review.

Out-of-School Suspension Requirements:

1. An out-of-school suspension shall be long-term or short-term. A long-term out-of-school suspension shall be an out-of-school suspension in excess of ten (10) school days. A short-term out-of-school suspension shall be a period of ten (10) or fewer school days.
2. In no event should an out-of-school suspension extend beyond the current school semester and succeeding semester, except in the case of possession of a firearm, in which case an out-of-school suspension for up to one calendar year is appropriate. Out-of-school suspensions involving firearms are governed by TTC's Gun-Free Schools Policy. Out-of-school suspensions should have a definite

commencement and ending date; indefinite out-of-school suspensions are not permitted. It is recommended that out-of-school suspensions beyond ten (10) days be imposed only in serious situations.

3. Out-of-school suspensions should be consistent; that is, one student should not be suspended out of school for a few days and another student suspended out of school for an extended period for the same or similar offense. However, the administrator may take previous conduct and previous disciplinary actions and out-of-school suspensions of the student into consideration.
4. Out-of-school suspensions until the student performs some remedial act are not permitted; however, the student may be advised that an out-of-school suspension of definite length will be terminated at an earlier date if he/she performs a prescribed remedial act or acts.

Individualized Plans for Out-of-School Suspension:

An Individualized Plan (the Education Plan) for Out-of-School Suspension is required when a student is suspended for five (5) or more days. In the event an Education Plan is required, the Education Plan will contain information for a suspended student who is enrolled in courses for which the student is to receive credit for core units. The student shall be afforded the opportunity to complete work in core unit courses only. Core units, as applied to TTC, consist of the minimum English, mathematics, Science, Social Studies and Art units required by the Oklahoma State Department of Education for high school graduation in grades nine through twelve. If the suspended student is not enrolled in any core units, no individualized education plan is required unless the student is a special needs student. In the event the student is a special needs child with an IEP, the requirements of IDEA will be complied with by TTC.

An Individualized Plan, when required, shall describe either a home-based school work assignment setting or other appropriate work assignment setting. The Plan shall be prepared by the administrator with the assistance of other school employees who have knowledge of the core units for which the Plan is provided.

Any hands-on work missed during a student's suspension can be made up through scheduled make-up time or other method provided in the Individualized Plan (the Education Plan) for Out-of-School Suspension.

A copy of the Plan, when one is required, shall be provided to the student and the student's parent or guardian. The parent or guardian shall be responsible for provision of a supervised, structured environment in which the parent or guardian shall place the student. The parent or guardian shall bear responsibility for monitoring the student's educational progress until the student is readmitted into school. The Plan shall set out the procedure for education and shall also address academic credit for work satisfactorily completed.

Records and Reports:

The administrator will keep written records of each out-of-school suspension conference containing the date of the conference, the names of the persons present, the time duration of the conference, and the basis for rejection of alternative disciplinary options. Also, the administrator shall maintain records related to the Education Plan and the student and/or parent's compliance or non-compliance with the Plan.

SECTION IX. LONG-TERM OUT-OF-SCHOOL SUSPENSIONS, OUT-OF-SCHOOL SUSPENSIONS IN EXCESS OF TEN (10) SCHOOL DAYS FOR A SECONDARY STUDENT

Right of Appeal:

A parent or the student may appeal the administrator's out-of-school suspension decision in excess of ten (10) school days to the Superintendent of Schools and the Board of Education.

Method of Appeal to the Superintendent of Schools or His/Her Designee:

1. An appeal can be presented by letter to the Superintendent of Schools.
2. If no appeal is received within five (5) calendar days after the administrator's decision is received by the parent or student, the administrator's out-of-school suspension decision will be final and nonappealable.
3. The Superintendent of Schools or his/her designee should hold a conference with the parent or guardian as soon as possible after receipt of the appeal. The conference will be held during the regular school hours, Monday through Friday, with consideration given to the hours of working parents whenever possible.
4. At the conference, the Superintendent of Schools or his/her designee will read the policy, rule or regulation which the student is charged with having violated and will briefly outline the conduct on the part of the student. The parent should be asked by the Superintendent of Schools or his/her designee if he/she understands the rule and the charges against the student.
5. At the conclusion of the conference the Superintendent of Schools or his/her designee will state whether he/she shall uphold, terminate, or modify the out-of-school suspension. In all cases the parent shall be advised of his/her right to have the out-of-school suspension reviewed by the Board of Education and shall be advised of the procedures for a review by the Board.

6. If the parent is in agreement with the decision of the Superintendent of Schools or his/her designee, he/she shall be requested to sign a waiver of review by the Board of Education.

Method of Appeal to the Board of Education:

1. An appeal can be requested by letter to the Superintendent of Schools or to the Clerk of the Board of Education.
2. If no appeal is received within five (5) calendar days after the decision of the Superintendent of Schools or his/her designee is received by the parent or student, the decision of the Superintendent or his/her designee will be final and nonappealable.

Hearing the Appeal:

1. The Board of Education will hear the appeal as soon as possible. The Board of Education decision is final and nonappealable.
2. The parent and student will be notified in writing of the date, time and place of the hearing.
3. The parent and student will have the right to an "open" or "closed" hearing, at their option.
4. The parent and student will have the right to have legal counsel present during the hearing.
5. Reasonable efforts will be made to accommodate the work schedule of parents.

Procedure for a Secondary Student Out-of-School Suspension Appeal Hearing Before the Board of Education:

1. The Board President shall:
 - a. Announce that the next agenda item is an out-of-school suspension review hearing for the student stating her/his name
 - b. Ask whether the parents/student wish the hearing to be open to the public or in executive session. The offer of an open hearing and their response is to be made a part of the minutes of the meeting. If parents/student request a closed hearing, a motion to go into executive session per their request should be made and voted on.

2. The Board President shall advise the parents/student:
 - a. That they are entitled to legal counsel if they desire it
 - b. That the administration will present its witnesses first and that after each witness the parents or their legal counsel will be given an opportunity to cross examination by legal counsel for the administration
 - c. That the parents/student will be given an opportunity to call any relevant witnesses and present any relevant evidence they may wish, subject to cross examination by legal counsel for the administration
 - d. That the Board will consider the evidence and documents and reach a decision which will be recorded by vote in open session
 - e. That the parents/student may ask any questions about the procedure
3. Following presentation of 1 and 2 above, all administration witnesses and documents shall be presented subject to cross examination.
4. Parents/student may call any witnesses and present any documents subject to cross examination.
5. After each witness is presented, School Board members may ask the witness any questions.
6. Parents'/student's will present a closing statement.
7. Administration will present a closing statement.
8. The Board will deliberate in private. (If the hearing is not in executive session, the Board may deliberate in executive session only with permission of the parents or student.).
9. The Board will return to open session and vote. After adopting a motion making certain findings of fact, the Board must make a motion to: (1) affirm the out-of-school suspension; (2) modify the out-of-school suspension (increase or decrease severity of the out-of-school suspension); or (3) revoke the out-of-school suspension.

Attendance at School Pending Appeal Hearing:

Pending the appeal hearing of an out-of-school suspension to the Board of Education, the student will have the right to attend school under such "in-house" restrictions as the administrator deems proper, except that at the discretion of the administrator, the student may be prohibited from attending school pending any appeal hearing if in the judgment of the administrator:

- a) the conduct for which the student was suspended out of school reasonably indicates that continued attendance by the student pending any appeal hearing would be dangerous to other students, staff members or school property; or

- b) the conduct for which the student was suspended out of school reasonably indicates that the continued presence of the student at the school pending any appeal hearing would substantially interfere with the educational process at the school.

**SECTION X. SHORT-TERM OUT-OF-SCHOOL SUSPENSIONS
OUT-OF-SCHOOL SUSPENSIONS OF TEN (10) OR
FEWER SCHOOL DAYS FOR A SECONDARY STUDENT**

The Board of Education recognizes that student out-of-school suspensions of ten (10) or fewer school days (referred to as "short-term out-of-school suspensions") involve less stigma and require less formal due process procedures than are required for out-of-school suspensions of greater than ten (10) school days. Appellate rights in such instances are satisfied in an effective and expedient manner by giving the student the right to appeal the out-of-school suspension decision to a committee composed of administrators and/or instructors. The committee shall be appointed by the superintendent.

Right of Appeal:

A student who has been suspended out of school for a period of ten (10) or fewer school days is entitled to all pre-appeal rights presently accorded by TTC policy to students who have been suspended out of school for periods of greater than ten (10) school days. A student who has been given a short-term out-of-school suspension and that student's parent have a right to appeal an out-of-school suspension decision to a committee composed of administrators and/or instructors. A student with a short-term out-of-school suspension and his/her parent shall be informed by the administrator of this right and the method of submitting an appeal.

Method of Appeal to a Committee:

1. An appeal to a committee can be requested by letter to the administrator which must be received within five (5) calendar days after the administrator's out-of-school suspension decision is received by the student or his/her parent. The out-of-school suspension decision will become final and nonappealable if a request is not timely submitted.
2. Upon receipt of the request, the administrator shall confirm that the student's out-of-school suspension falls within the category of out-of-school suspensions to which an appeal to the committee is authorized. If the administrator determines that the period of out-of-school suspension is greater than ten (10) school days, or if for any reason, the short-term out-of-school suspension is extended beyond ten (10) school days prior to the committee hearing, the procedures applicable to long-term out-of-school suspensions must be followed and the student must be given the opportunity to appeal any adverse decision to the Board of Education.

Hearing the Appeal:

1. The Superintendent of Schools shall appoint a review committee consisting of not less than three School District employees who shall be certified administrators and/or instructors, and shall designate a chairperson for the committee. No administrator or instructor is eligible to serve on the committee who was a witness to the student's conduct, nor is any instructor eligible to serve who has the student in his/her class for the current school term.
2. The Superintendent of Schools shall schedule the committee hearing as soon as possible during regular school hours, Monday through Friday. Reasonable consideration shall be given to accommodate the work schedules of the parent or guardian whenever possible. The student and his/her parent or guardian will be notified in writing of the date, time and place of the hearing. The administrator who issued the out-of-school suspension decision shall attend the committee hearing. Either party choosing to have legal counsel at the committee hearing shall give the other party twenty-four (24) hours advance notice of that decision. The failure to give such notice will preclude the party's right to have counsel attend the hearing.
3. The committee will conduct a full investigation of the student's out-of-school suspension in an informal manner. The administrator will briefly outline the student's conduct, read the policy, rule or regulation which the student's conduct violated, and present any evidence and witnesses that support the administrator's decision to suspend the student. The student and his/her parent or guardian will be asked by the committee if they understand the rule and charges against the student. The student and his/her parent or guardian will then briefly explain the student's conduct, and present any evidence and witnesses that support the student's position.
4. At the conclusion of the presentation of the evidence, the committee shall retire to render a decision by a majority vote as to the guilt or innocence of the student. The committee shall also determine the reasonableness of the term of the out-of-school suspension. The committee's decision shall be confirmed in writing and a copy will be mailed to the parent or guardian of the student, the administrator and the Superintendent of Schools.
5. The decision of the committee shall be final and nonappealable.

SECTION XI. SUSPENSION IMPOSED ON A SECONDARY STUDENT BY A SENDING SCHOOL DISTRICT

When a sending school district suspends a student who is, at the time of the suspension, is enrolled in TTC – the Superintendent or his/her designee shall promptly review the available information and determine whether the suspension shall also result in a suspension from TTC. In the event the student shall be suspended from TTC, for a reason involving suspension by the sending school, TTC shall follow its procedures for suspension including notice of the suspension, opportunity to respond, and (where applicable) right to a hearing. When TTC suspends a secondary student, it will likewise notify the sending school district of the suspension. Treatment accorded TTC's suspension shall be the decision of the sending school district.

Adult Student Behavior And Discipline

Procedures

SECTION I. REMOVAL OF AN ADULT STUDENT

Whenever an alleged violation of the *Student Discipline Code* is reported to an administrator, he or she will ascertain whether the immediate removal of the student is required. This determination will be based on whether the student's continued presence on campus would create, in the administrator's judgment, a dangerous and/or disruptive situation with regard to the continued operation and management of the school system. If removal is found necessary, the administrator shall document the justification in a report and immediately forward it to the Superintendent, and also immediately contact the student.

SECTION II. EVIDENTIARY HEARING FOR AN ADULT STUDENT

Upon notice of an alleged violation, the administrator will review the evidence relevant to the violation. If removal of the student is necessary before a hearing can be conducted, the hearing must be conducted as soon as possible, but not later than 72 hours of the removal. In case of waiver of the hearing by the student, summary disposition of the matter will be indicated in letter form and forwarded to the student with a copy to the Superintendent.

If the student is unable to attend the original time and day specified by the administrator for the evidentiary hearing, the matter may be continued only once and in such case, will be reset to be conducted within the next 24 hours. Any further request for continuance will result in immediate disposition of the matter with notification in writing sent to all parties involved.

SECTION III. DECISION FOR AN ADULT STUDENT

Once the evidentiary hearing has been held, the administrator will summarize the findings in a written report, which will include the decision as to the student's innocence or guilt and recommended discipline, if applicable. This decision will be announced orally at the conclusion of the hearing with a written report to follow, or within three business days of the conclusion of the hearing, by issuance of the written report. The imposition of discipline will commence following announcement of the decision or issuance of the written report, whichever occurs first.

Should the punishment be one of suspension or dismissal, the administrator will notify the Superintendent of the action.

SECTION IV. APPEAL FOR AN ADULT STUDENT

If all or any portion of the administrator's decision is not agreed to by the student, he/she has the right to appeal the decision to the Superintendent by requesting, in writing, an appeal, within 72 hours of the decision rendered by the division administrator. The division administrator, upon receipt of the appeal, will forward the report of the hearing to the Superintendent for review of the matter. The Superintendent shall have the authority to sustain, overrule, or modify the division administrator's decision.

If the student desires an appeal to the Superintendent, he or she shall be permitted to remain in school unless the circumstances delineated under the "Removal" section, above, are met. At the hearing, the division administrator shall first present his/her evidence and be subject to cross-examination by the Superintendent. This will be followed by the student's evidence. The decision of the Superintendent shall be final. Such decision shall be communicated orally after the hearing **or** in writing to all parties, within three business days following the decision. An oral decision, when rendered immediately following the hearing, shall be followed by issuance of the Superintendent's written decision, which shall be placed in the mail within three (3) business days of announcing the oral decision.

SECTION V. DISCIPLINE FOR AN ADULT STUDENT

Any imposition of punishment is subject to modification upon the recommendation of the division administrator at any time prior to the hearing before the Superintendent. The punishment imposed by the division administrator is based on one or more of the following guidelines:

1. Seriousness of the offense
2. Student's disciplinary record during the course of the school year or in prior years
3. Any final action taken by civil authorities
4. Cooperation and assistance of student during the disciplinary proceedings
5. Other circumstances as the administrator may deem relevant

SECTION VI. READMISSION FOR AN ADULT STUDENT

A dismissed student is eligible to be readmitted upon proper application for readmission. However, the administration may consider the student's prior disciplinary and incident record in determining whether to grant a student's request for readmission.

SECTION VII. NOTIFICATION OF POLICY FOR ADULT STUDENTS

Copies of the foregoing procedural regulations and the *Student Discipline Code* shall be distributed to all adult students annually, and students are responsible for compliance with the District's behavior and conduct standards. Questions as to the interpretation of any part of the policy should be presented to the appropriate administrator.

SECTION VIII. ADMINISTRATIVE ACTIONS

Administrative actions called for in this policy may be taken by the administrator designated by this policy or the Superintendent. An administrator, whether a division administrator, superintendent, or other administrator in charge, may appoint a designee to act in his/her place. With the exception of the Superintendent, designees must be approved by the Superintendent.

SECTION IX. ADULT STUDENTS ATTENDING THE TECHNOLOGY CENTER BY VIRTUE OF SPECIAL PROGRAM

In some instances, adult students are participating in programs offered by Tulsa Technology Center as a result of their eligibility established by terms of a federal or state program. In these instances the programs frequently establish eligibility requirements as well as minimum standards that students must meet in order to remain a part of the program and a recipient of its benefits. In these instances, student participation as well as dismissal of the student may be governed by the program criteria. In such instances, students may be dismissed by written notice to the program or project director, notifying of the student's dismissal and providing reasons for the adverse action. Students have no property interest in these programs and, as a result, students who violate expectations related to attendance, participation, and otherwise fail to meet the obligations that accompany participation, may be removed from the program with notice to the student and the program director. Whether to allow the student to return to the program and, if so, under what conditions, will be a joint decision of the designated school representatives and the designees for the federal or state program.