

<b>BOARD POLICIES</b>	<b>METRO TECHNOLOGY CENTERS DISMISSAL OF ADULT STUDENTS (BP-10006)</b>	<b>The on-line version of the policy is official. Therefore, all printed versions are unofficial copies.</b>
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**1.0 POLICY:**

- A. An adult student may be dismissed for:
  - 1. An offense which is a felony in Oklahoma.
  - 2. An offense which is a misdemeanor in Oklahoma and is of such serious nature that the District would be jeopardized by allowing the adult student to remain in class.
  - 3. A repeated or flagrant violation of District rules and/or regulations.
- B. When a charge is made against a student, a hearing will be conducted as soon as practical, or in any case within five school days unless a longer period of time is requested by the accused student.
- C. The site director will be responsible for convening the hearing.
- D. The hearing will be presided over and conducted solely by the site director, or his/her designee.
- E. The hearing will determine the facts of the case and the applicable policy. The site director, or his/her designee, will set forth the facts and the applicable policy in his/her written opinion.
- F. If the site director determines that the presence of a student in the center jeopardizes the well-being of the students in the center, the student may be suspended until the hearing. Any student so suspended and later determined to be innocent of the charge will be given every opportunity to make up any missed classroom activity, and otherwise restored to whatever position that existed prior to the accusation.
- G. Prior to the hearing, the adult student must be:
  - 1. Advised of the charges. The charges should include a written summary of the evidence upon which the charges are based.
  - 2. Advised that the student is entitled to be represented during the course of the hearing by a person of his/her own choosing.
  - 3. Advised of the procedures to be followed at the hearing.
  - 4. Given a reasonable period of time to prepare for defense.
  - 5. Advised of the right to examine and cross-examine the accuser and advised that written statements of witnesses to the incident may be introduced by the accused and the accuser.

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- 6. Advised of the right to an appeal if found guilty of any charges, including notification of the proper appeal procedures.
- 7. Advised the hearing may be held with the accused student absent, if said student fails to notify the person who will be the presiding officer of the hearing that the student will not be present and has cause for the failure to appear.
- H. The director, or his/her designee, shall issue a written opinion and decision within five (5) days of the hearing. A copy of this decision shall be forwarded to the appropriate associate superintendent.
- I. The appeal procedure, which must be exercised within five (5) days of receipt of the opinion of the director or his/her designee, is as follows:
  - 1. The student shall be told how to contact the appropriate associate superintendent.
  - 2. The appropriate associate superintendent shall review the circumstances, talk to the student and the director, and render a written decision relevant to the dismissal.
    - a. The decision will be made within five (5) school days after the appropriate associate superintendent concludes his/her investigation.
    - b. A copy of this decision shall be forwarded to the superintendent.

**2.0 LEGAL REFERENCE:** 70 O.S. § 5-117.A.2

**3.0 CROSS REFERENCE:** N/A

**4.0 REVISION HISTORY:**

<u>Date:</u>	<u>Revision</u>	<u>Description of Revision:</u>
September 11, 1995	A	Adopted
May 20, 2002	B	Revised
September 22, 2003	C	Reformatted
December 15, 2003	D	Legal references reviewed and revised as necessary

**5.0 PCF FRAMEWORK #:** 11.4 Manage legal and ethical issues; 11.5.1 Manage relations with customers

**\*\*\* End of Policy \*\*\***