

## STUDENT PERSONNEL

### Series 500

POLICY TITLE STUDENT GOVERNMENT DISCIPLINE AND APPEALS No. 504.1A

The Board of Education recognizes the importance of participation in student government. Student Council Officers are leaders at Johnston High School and represent the interests of their classmates and peers. The Board recognizes that the Student Council should be permitted to make some rules for its own membership, subject to review by school officials.

The Student Council may take disciplinary action against its own officers for violating the Student Council Code of Conduct as defined in the Student Council Constitution, and also may take other disciplinary action for violating the JHS Good Conduct Policy as defined in the JHS Student Handbook. Disciplinary action may include, but is not limited to: disciplinary reprimand, probation with conditions, temporary suspension from officer status, and removal from officer status.

To ensure Student Council members are aware of this discipline process, each Student Council Officer must be provided a copy of the Student Council Constitution and this procedure at the start of their term. Each Student Council Officer must sign an acknowledgement that they understand the terms of the Constitution and this procedure, and they must return the acknowledgement to the adviser before they may participate in Student Council activities.

The process for discipline of a Student Council Officer consists of the following:

*I. Referral to the Executive Board.*

- A. Proceedings to discipline a Student Council Officer may originate by referral from a Student Council member, the JHS principal, or the Student Council adviser.
- B. Upon a referral, the Executive Board will meet in closed session to consider whether a hearing should be held to consider disciplinary action against a Student Council Officer.
- C. A majority vote by the Executive Board is necessary to advance a referral to a hearing. If an Executive Board member is the Officer facing discipline, he or she shall not participate in the closed session.
- D. If the Executive Board does not advance a referral to a hearing, the discipline proceedings end and will not be presented to the Student Council Officers.

*II. Executive Board hearing.*

- A. The Officer facing possible discipline is entitled to written notice of the allegations supporting discipline and a hearing before the Executive Board. If an Executive Board member has a conflict of interest, as determined by the adviser, the adviser must select an alternate Student Council Officer who will participate in and vote following the hearing.
- B. The hearing will not be in public and members will keep the proceedings confidential, unless the Officer facing discipline requests a public hearing.
- C. The Officer facing discipline will be permitted to be accompanied or assisted by another student at the hearing and will be permitted to present evidence or witnesses in his or her defense.
- D. The adviser will moderate the hearing but will not vote in a decision to discipline a Student Council Officer.
- E. A three-quarters vote of the Executive Board is required to determine: (1) if the student violated the Student Council Code of Conduct and/or the JHS Good Conduct Policy, and if so; (2) the recommended disciplinary action against the Officer. The Executive Board may deliberate in closed session but must record the vote of each member.
- F. The vote whether to recommend discipline of the Officer must be held within five school days of the hearing.
- G. If not recommending discipline, the Executive Board may propose an agreement setting forth expectations for the Officer facing discipline. The agreement may be accepted by the Officer and the adviser within five school days of the Executive Board hearing. If accepted, the discipline process will be concluded. The adviser, as directed by the Executive Board, will enforce the agreement.

*III. Vote by the Student Council Officers.*

- A. When the Executive Board recommends an Officer be disciplined, the entire body of Student Council Officers will consider the matter.
- B. The Student Council Officers will consider whether to discipline the Officer at the next regular weekly meeting of the Student Council Officers or at a special session. The adviser will assist in scheduling the hearing and vote.
- C. The Student Body President or Vice President will make the case for discipline. The adviser will moderate the hearing but will not vote on whether to discipline an officer.

- D. The Officer recommended for discipline may present his or her case against discipline at the hearing. The Officer will be permitted to be accompanied or assisted by another student at the hearing and will be permitted to present evidence or witnesses in his or her defense.
- E. A majority vote of all Student Council Officers in attendance at the hearing is necessary to discipline an Officer. Voting will be by written ballot. Votes may not be anonymous but the adviser may keep the written ballots confidential and announce the results. The Officer facing discipline may vote on the question of his or her discipline.
- F. Following a vote of the Student Council Officers to suspend or remove an Officer, the student will no longer hold officer status during the period of suspension or removal. The student, however, may elect to remain a general (non-voting) member of Student Council.

*IV. Appeal to the District Review Committee.*

- A. The disciplined Officer may appeal the decision of the Student Council Officers to the District Review Committee. Appeals will not stay enforcement of the disciplinary action taken by the Student Council Officers. The Executive Board may not appeal the decision of the Student Council Officers.
- B. A request for appeal to the District Review Committee must be submitted in writing to the adviser within ten school days of the decision by the Student Council Officers. The adviser will notify members of the District Review Committee.
- C. The District Review Committee consists of the Johnston High School principal, the Superintendent of Schools, the Student Council adviser, (or their designees) and three members of the JHS faculty. The three faculty members will be chosen by agreement of the Student Body President and the JHS principal or, if there is disagreement, then chosen randomly. If any of the members of the District Review Committee have a conflict of interest, the Superintendent will select a replacement.
- D. The District Review Committee will determine the procedures for an appeal and may request the parties meet informally, submit written statements, or may otherwise attempt to resolve the issue by agreement.
- E. The disciplined Officer will be permitted to be accompanied or assisted by another student at the proceedings before the District Review Committee. The Student Body President or Vice President will make the case for discipline before the District Review Committee.
- F. A majority vote of the District Review Committee can affirm the decision of the Student Council Officers or override the decision and terminate

discipline proceedings. In the event of a tie, the Student Council Officers' decision stands.

- G. The District Review Committee must vote to affirm or override the Student Council's decision within five school days. The disciplined Officer, Student Body President or Vice President may request a written decision that states the grounds for the District Review Committee's decision.

V. *Appeal to the Board of Education.*

- A. The disciplined Officer or Executive Board Member may appeal the decision of the District Review Committee to the Board of Education.
- B. A request for appeal to the Board of Education must be submitted in writing to the Superintendent or Board Secretary within ten school days of the District Review Committee's decision.
- C. The Board of Education will consider the matter at the next regular Board Meeting or schedule a special session. The appeal hearing will be held in closed session unless the student/parent waives the right to a closed session.
- D. At the hearing, the case for discipline will be made by the Student Council Advisor or designee. The Officer facing discipline may present his or her own defense or be represented by an advocate of his or her choosing.
- E. The Board President may determine the procedures for consideration of the appeal.
- F. The vote to affirm or override the District Review Committee must be a roll call vote in an open session.
- G. A majority vote of the Board of Education may affirm or override the decision of the District Review Committee and terminate discipline proceedings.
- H. The vote to override the District Review Committee will occur at the same meeting as the hearing or the next regularly scheduled Board Meeting. If the Board does not vote to affirm or override the decision within 30 days, the appeal is deemed denied and the District Review Committee's decision stands.

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