

DUE PROCESS

As a Christian institution of learning, it is our intent to teach students in a way that not only instructs them and enables them to be productive citizens, but also treats the student as an individual of worth. Because misunderstandings do occur from time to time, it is our purpose to provide a due process for the student and his/her parent(s). If informal attempts at understanding have proven to be ineffective, the following steps may be taken:

1. A student must be given an opportunity for a hearing if the student, student's parent(s) or guardian indicates a desire for one. A hearing shall be held to allow the student, parents or guardian to contest the facts which led to disciplinary action, or if the student, parent(s) or guardian allege prejudice or unfairness of the school authority.

a. The notice of request for a hearing shall be in writing and shall be signed by the student, parent(s) or guardian. This notice should specify the grounds for the hearing.

b. The notice shall be filed with the school principal within 15 school days of the disciplinary action.

2. The steps of appeal are:

a) The committee or group that made the initial disciplinary decision may be asked to review their decision in light of additional testimony from the student, parents, or witnesses.

b) Further steps of appeal are: the School Staff, the Academy Operating Board, and the Montana Conference K-12 Board of Education.

3. The hearing authority may request the student, the student's parent(s) or the student's guardian to attempt conciliation first, but if the student, parent(s) or guardian decline this request the hearing shall be held within 10 school days of the receipt of the notice.

4. The following procedural guidelines shall govern the hearings:

a. Written notice of charges against a student shall be supplied to the student, parent(s) or guardian prior to the hearing date.

b. The student, parent(s) or guardian shall be present at the hearing.

c. The student shall be given an opportunity to give his or her version of the facts and their implications. He or she should be allowed to offer the testimony of other witnesses and other evidence.

d. The student shall be allowed to observe all evidence offered against him or her. In addition, he or she shall be allowed to question any witness.

e. The hearing authority shall make his or her determination solely upon the evidence presented at the hearings.

f. A written finding by the hearing authority shall be filed with the superintendent within five school days after the hearing, and this finding shall be available to the student, the student's parent(s) or guardian.

g. The student and his or her parent or guardian shall be made aware of their right to appeal the decision of the hearing authority to the Conference K-12 Board of Education.

Conclusion

We trust that you will do your best to abide by the preceding regulations. Refer any questions about these policies, or the reasons behind them, to your dean or the principal. Writing a school handbook requires careful consideration. Changes demand careful thought. The staff periodically reviews. Changes may take place at any time. All changes to policies, announce and / or written, are as binding as those contained in this handbook.