Guide to Disciplinary Tribunals



The Tribunal Process

Pursuant to the provisions of the *Official Code of Georgia Annotated, Section 20-2-753* et. Seq., (Ga. Laws 1984 VI, p. 908), the Richmond County Board of Education shall appoint a student disciplinary hearing officer/panel to hold disciplinary hearings.

Due Process

In Richmond County, Tribunal Hearings are conducted by a Hearing Officer and a Panel of Administrators who reviews evidence related to allegations of student misconduct that, if substantiated, may warrant disciplinary consequences exceeding a ten (10) school-day suspension. The Hearing Officer and Hearing Panel Members have no prior involvement in, or knowledge of, the incident or charges under consideration.

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When a Tribunal Hearing is scheduled, the student and the student's parent or guardian will be provided both verbal and written notice of the hearing date, time, location, specific charges, and a list of potential witnesses. All Tribunal Hearings are confidential proceedings and are not open to the public.

The student, parent or guardian, and their witnesses may attend the hearing. Relatives, friends, or other individuals not directly involved in the proceedings will not be permitted to attend. All hearings are electronically recorded to ensure an accurate record of the proceedings.

The school may summon witnesses to testify on its behalf. The student and parent or guardian may also present witnesses. If the student or parent/guardian wishes to have School District personnel testify at the hearing, they must contact the Department of Student Discipline in advance so that appropriate summonses may be issued.

Witnesses who testify in a Tribunal Hearing are not permitted to have legal counsel present during their testimony unless the witness is, or may become, a subject of criminal or disciplinary charges arising from the incident under review.

The Tribunal Hearing

The tribunal hearing is conducted in three phases:

Phase I is the evidentiary phase of the hearing process. During this phase, the school administration and the student may present evidence and call witnesses to testify regarding the alleged misconduct. The Hearing Officer and Hearing Panel will review the evidence and determine whether the student has violated the Student Code of Conduct or other applicable school rules.

If the Hearing Officer and Hearing Panel determines that no violation has occurred, the matter will be dismissed, and the student may return to school on the next scheduled school day. If a violation is substantiated, the hearing will proceed to Phase II, the Records Phase, during which the student's academic, attendance, and disciplinary records will be reviewed

Phase II is the records phase of the hearing process. During this phase, a representative from the Department of Student Discipline presents the student's educational records, including academic performance, attendance history, and prior disciplinary record. These records are reviewed and considered as part of the overall hearing process before a disciplinary decision is rendered.

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Phase III is the final stage of the hearing process. During this phase, the student, parent or guardian, and school representatives are provided an opportunity to present closing statements or final comments. Following these remarks, the Hearing Officer deliberates and renders a decision regarding the findings and any disciplinary consequences, as appropriate.

Waiver

A parent/guardian and student may choose to waive the due process hearing and accept the appropriate consequences for the incident by completing and signing a District Due Process Hearing Waiver. By submitting this waiver, the parent/guardian and student agree to the decision and waive any future challenges and appeals relative to that incident.

Any decision of the student disciplinary hearing officer/panel may be appealed to the Board of Education by filing a written notice of appeal within 20 days from the date the decision is rendered.

Why a tribunal?

According to Georgia law, the local school principal may suspend a student for up to 10 days. If the principal recommends a suspension longer than 10 days, the student must be referred to a disciplinary tribunal because only the Richmond County Board of Education (BOE) is authorized to issue a suspension of greater than 10 days under state law (O.C.G.A. § 20-2-753, 2014).

At the disciplinary tribunal, a tribunal officer/panel (acting on behalf of the BOE) will determine whether the student violated the code. The tribunal officer/panel will issue a consequence for the rule violation(s).

Who attends the tribunal and what happens?

The principal and/or assistant principal of the student's school will attend the disciplinary tribunal. The administration may bring school witnesses, including, but not limited to, teachers, students, or staff, to testify about the alleged misconduct.

It is important that the student and a parent/ guardian attend the disciplinary tribunal so that the student has an opportunity to provide his or her version of the incident, provide evidence, and mount a defense to the charges.

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The student is permitted to have witnesses come and testify on his or her behalf. A copy of any supporting evidence (photograph, video, etc.) may be submitted at the tribunal hearing.

A tribunal officer/panel may render a recommendation to the BOE for permanent expulsion in the most serious cases. A student who has been permanently expelled may not return to their school or attend any district school, including the Alternative Educational Center at Morgan Road.

What if I have additional questions?

Families with additional questions may contact the Office of Student Discipline at 706-826-1000. Additional information is also included in the Student Code of Conduct and Discipline.

What are the possible consequences?

The consequences can be serious, and may include detention, suspension, expulsion, assignment to the Alternative Education Center and/or a referral to Juvenile Court.

What is permanent expulsion?

A tribunal officer/panel may render a recommendation to the BOE for permanent expulsion in the most serious cases. A student who has been permanently expelled may not return to their school or attend any district school, including the Alternative Educational Center at Morgan Road.

I am not happy with the decision of the tribunal panel. What is my next course of action?

Any decision of the tribunal panel may be appealed to the Board of Education by filing a written notice of appeal within 20 days of the date from the date the decision is rendered. Please click on the link to learn more: Tribunal Appeal Process (/fs/pages/9449)