Student Courts

Board Directive—

The Board of Education has determined that it is in the best interest of the school district to establish the opportunity for students to participate in student courts to resolve issues of a limited nature. The purpose of this policy is to state the issues that may be addressed by student courts and to establish court procedure and jurisdiction.

Delegation of Authority—

The Board hereby delegates limited authority to conduct hearings to student courts. Student courts shall have the authority to act for the Board as first level hearing officers. All decisions by student courts shall be final for those participants who have elected to participate in the student court system, unless the school principal finds the student court's decision to be arbitrary and capricious, in which event the principal shall make an alternative decision which is binding upon the students.

Matters Which May Be Decided by Student Court—

Student courts are hereby delegated authority to resolve only those issues arising out of actions by students which may result in a suspension from school for less than 10 days. Student courts may not resolve issues related to suspensions for more than 10 days, which may require school transfer, or which involve actions under the safe school policy. In addition, student courts shall be open to address grievances of one student against another student that do not involve a school suspension.

Members of the Student Court System—

Student court judges shall be students who have been appointed by educators in the school where the students attend. A supervising educator shall be appointed to administer the student courts. A panel of 3 student judges shall be picked by a randomizing method from a pool of at least 9 student judges. A possible method is to put all of the names of student judges in a container and three names shall be drawn at random by the supervising educator.

Initiating a Complaint—

Any student who is subject to being suspended from school for less than 10 days shall be entitled to seek review of the decision to suspend by filing a grievance in writing with the supervising educator requesting review of the matter by a student court. In addition, any student having a grievance against another student may also file a written statement of grievance requesting review by a student court. A grievance is filed by delivering to the supervising educator in the school attended by the student a written statement requesting review by a student court of the decision to suspend providing a written statement of the cause of the grievance and identifying any witnesses that the grievant desires to

have in attendance at a hearing. When feasible, a hearing shall be convened as soon as practicable, usually within two days after receiving notice. The supervising educator shall notify the grieving student, all witnesses, the student judges and, if a student has been identified in the grievance as the person against whom the grievance is filed, then that person also shall be notified of the time and place of the hearing. Witnesses and students against whom grievances are filed shall not be compelled to attend if they choose not to participate in the student court process.

Hearings—

All hearings shall be held at times that do not interfere with classroom instruction or school programs and activities. The hearing shall be conducted by the panel of three (3)

student judges. The student participants do not have a right to representation or counsel from others in the hearing. Hearings shall be recorded.

If the hearing involves suspension of a student, then educators who have investigated the matter shall first state why the student was suspended and present documents and other evidence to support the decision to suspend. Thereafter the student shall be given an opportunity to make a statement, present witness and other evidence.

If the hearing involves a grievance against another student, then the grieving student shall have an opportunity to present his or her side of the case first, with panel judges conducting any interrogation they deem necessary to learn facts of the matter. The grieving student may call witnesses to make statements and answer questions and present any documents or other evidence they deem appropriate that is relevant to the matter before the student court. Thereafter, the student against whom the grievance is filed, if any, may make statements, call witnesses and prevent other evidence.

A decision of the panel must be decided by at last two of the three student judges sitting on the panel. The decision of the student panel of judges shall be rendered immediately and a written statement of the decision shall be delivered to the

school principal within 24 hours. The school principal shall give effect to the decision of the student panel unless, upon review of the record created in the hearing, the principal deems the decision to be arbitrary and capricious, in which event the principal shall make an alternative decision which is binding upon the students.

Source Traceability

Source	Use in this policy
USBA Model Policy FHB	Model retained for Board review as the student court framework.

Disposition Note

USBA FHB was retained without local insertion. I did not identify a separate adopted Millard student-court policy or local student-court procedure that adds value beyond the USBA model.