



HILLTOWN COOPERATIVE CHARTER PUBLIC SCHOOL

HCCPS Head of School (Superintendent) Hearing Procedures

I. Purpose

This procedure outlines the process for disciplinary hearings conducted by the Head of School (acting as Superintendent) in accordance with M.G.L. c. 71, § 37H3/4. The hearing process ensures due process and fairness when reviewing appeals of long-term suspensions or expulsions.

II. Hearing Notification and Scheduling

1. Right to Appeal
 - A student placed on a long-term suspension (more than 10 consecutive school days) has the right to appeal the Director of Teaching and Learning's decision to the Head of School within five (5) calendar days of the suspension determination.
 - A parent/guardian may request an extension of up to seven (7) additional calendar days for filing the appeal.
2. Hearing Schedule
 - The hearing must be held within three (3) school days of receiving the appeal request, unless an extension of up to seven additional calendar days is granted.
3. Notification Requirements
 - The school will provide written notice of the hearing, which must include:
 - Date, time, and location of the hearing
 - The right of the student and parent/guardian to present evidence and witnesses
 - The right to be represented by counsel or an advocate at their own expense
 - The right to review the student's record and documents relied upon by the school before the hearing
 - The right to an interpreter, if necessary.

III. Conduct of the Hearing

1. Hearing Officer
 - The Head of School will act as the Hearing Officer and preside over the appeal.
2. Rights of the Student & Parent/Guardian
 - The student and parent/guardian shall have the same rights as they did in the initial hearing with the Director of Teaching and Learning, including:
 - The right to cross-examine witnesses presented by the school
 - The right to present witnesses and evidence on their behalf
 - The right to have the hearing recorded (audio recording available upon request).



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3. Evidence and Deliberation

- The Head of School will review the case based on the preponderance of evidence and may consider mitigating circumstances, alternative disciplinary measures, and the student's academic record and behavior.

IV. Decision & Notification

1. Written Determination

- Within five (5) calendar days of the hearing, the Head of School will issue a written decision, which must include:
 - The disciplinary offense and hearing details
 - A summary of key facts and findings
 - The length of the suspension and expected return date (if applicable)
 - Any alternative educational services available to the student during the suspension
 - A final determination of the consequences, which may uphold, reduce, or overturn the Director of Teaching and Learning's decision.

2. Finality of Decision

- The decision of the Head of School is final and not subject to further appeal within the school.

V. Special Considerations

1. Emergency Removals

- In cases where a student is removed on an emergency basis, the Director of Teaching and Learning must conduct a formal hearing within two (2) school days unless an extension is agreed upon.
- The Head of School may review emergency removals through this appeal process if a long-term suspension or expulsion follows.

2. Educational Services During Suspension

- Students suspended for more than ten (10) days are entitled to access educational services as outlined in the school's Education Services Plan to continue making academic progress.

3. Students with Disabilities

- Additional procedural protections apply to students with disabilities under the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act.
- If a student has an IEP or a 504 Plan, the school must hold a Manifestation Determination Review (MDR) before implementing a suspension that exceeds ten (10) cumulative school days