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Legal Aspects of School Board Governance

PART A: QUASI-JUDICIAL DECISION MAKING

THE ROLE OF DISCIPLINE COMMITTEES

Discipline committees are responsible for making decisions regarding expulsions and suspension appeals. The following information will help you understand the structure and function of Discipline Committees, the concepts that shape decisions regarding expulsions and suspension appeals, and the grounds and consequences of expulsions and suspensions. As you read this, please remember that the Four Elements of Procedural Fairness must apply to decisions Discipline Committees make.

How are Discipline Committees structured?

- Discipline Committees are formed by the Board of Trustees and each committee must have at least three trustees. The committee can be a regular standing committee or the committee can be an ad hoc committee called to meet only when there is a discipline matter to decide on.
- The committee can have the same specific members make decisions and a specific chair, or it can have rotating panels and a chair for the specific discipline matter.
- When forming a discipline committee, School Boards determine what structure best meets their needs, and the needs of their community.
- It is important to note that a decision made by the Discipline Committee does not need to be approved by the Board of Trustees.

What is the function of the Discipline Committee?

- The Discipline Committee makes decisions about expulsions and suspensions. When hearing recommendations for expulsion, the Discipline Committee must use the process outlined in the *Statutory Power Procedures Act* to ensure procedural fairness.
- It is the Discipline Committee's job to decide whether or not the alleged infractions occurred and what their consequences should be, if any.
- In making its decision, the Discipline Committee must be sure to consider whether or not the elements of Progressive Discipline were applied and if other mitigating factors were considered.
- Any decision the Discipline Committee makes becomes a decision of the school board.

For more detailed information on this topic, please consult your board legal counsel or the appropriate Board Superintendent