

## NJSBA POLICY SERVICES

FILE CODE: 5114

X Monitored

X Mandated

X Other Reasons

### Exhibit: Sample Letter

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#### DUE PROCESS NOTIFICATION LETTER – LONG-TERM SUSPENSION

Date:

Dear Parent/Guardian/Adult Student,

Your child has been suspended from \_\_\_\_\_ School, effective \_\_\_\_\_ (date). The period of suspension shall be for \_\_\_\_\_ full school days and your child shall be permitted to return to school on \_\_\_\_\_ (date). During the period of suspension your child shall not be allowed on school property, in school buildings or at school activities.

Be advised that further conduct warranting expulsion shall amount to a knowing and voluntary waiver of the student's right to a free public education, in the event that the board determines to expel the student.

The specific charges in violation of the district code of student conduct (*attached or https://*) are as follows:

***\*Note: the specific charges should be consistent with the district code of student conduct and the district code of student conduct should be attached or a link provided. Information below should be transferred from the applicable sections of the most recent revision of the N.J. Dept. of Ed. "Violence Vandalism and Substance Abuse form (VV-SA) Incident Report Form" (E00-00317)***

1. *The charge/incident;*
2. *The date, time and location of the incident;*
3. *The name of the violation category on the district code of student;*
4. *The disciplinary range for the violation category listed on the code of student conduct;*
5. *The disciplinary measures assigned for the specific incident.*

These charges were based on the following facts (*fully describe the incident with justification*):

***\*Note: May include but not be limited to the following:***

1. *The date, time and location of the incident;*
2. *A description of the circumstances of the incident;*
3. *The number of people involved;*
4. *Number of witnesses to the incident;*
5. *Description of how the incident was reported;*
6. *Description of how the incident was investigated.*

The following individuals shall be witnesses at the board hearing:

1. *Name, title*
2. *Name, title*

Your child is entitled to the following:

1. *The right to impartial officials – no official hearing the case can be involved in the incident;*
2. *The right to a translator (if needed);*
3. *The right to comparable educational services no later than 5 days after the student has left the education program;*

PARENT NOTIFICATION (exhibit continued)

4. *The right to be notified of the charges against him/her;*
5. *The list of witnesses and their statements 5 days prior to the formal hearing;*
6. *The right to have an attorney present and available legal resources in the community;*
7. *The right to the names of the witnesses;*
8. *The right to copies of the statements and affidavits of those witnesses;*
9. *The right to be heard in his/her own defense;*
10. *The right to present witnesses and evidence in his/her own defense;*
11. *The right to the opportunity to cross-examine witnesses; and*
12. *The right to appeal the board's decision in writing to the:*

Commissioner of Education  
 Division of Controversies and Disputes  
 New Jersey State Department of Education  
 P.O. Box 500  
 Trenton, New Jersey 08625  
 Telephone: (609) 292-5705; or the

New Jersey Division on Civil Rights  
 31 Clinton Street  
 Newark, New Jersey 07102  
 Telephone: (973) 648-2700

Please review the attached board policy and procedure 5114 Suspension and Expulsion and 5131 Code of Student Conduct which fully explain your child's rights.

\_\_\_\_\_  
 (Principal/Chief School Administrator Signature)

\_\_\_\_\_  
 (Date)

Attachments: 5131 District Code of Student Conduct  
 5114 Suspension and Expulsion Policy  
 5114 Suspension and Expulsion Regulation

I have been notified of the specific charges against my child and the facts related to those charges and informed of my child's due process rights.

☐ I shall attend the board hearing set for \_\_\_\_\_ (date, time and location).

☐ I am unavailable on the scheduled date of the board hearing and request the date be rescheduled.

☐ I am waiving my right to a board hearing.

\_\_\_\_\_  
 (Parent/Guardian Signature)

\_\_\_\_\_  
 (Date)

\_\_\_\_\_  
 (Student Signature)

\_\_\_\_\_  
 (Date)