

## **Commonly Asked Questions about assignments the AIM Alternative School**

### **Question: How are students assigned to the AIM Alternative School?**

Answer: Students are assigned to AIM for violations committed at their home schools or who were assigned to an alternative school outside of the MCSD.

### **Question: What is the process after a student has committed a violation?**

Answer: Parents have the opportunity to sign a waiver at their home school or the home school can file a referral for a tribunal hearing.

### **Question: What is the difference between a waiver and a tribunal?**

Answer: A waiver is a signed agreement between the home school, parents/guardians, and a student(s) that waive their right to a hearing once the waiver form is signed. Once signed, parents/guardians forego the tribunal hearing and accept the agreed upon consequences. Parents/guardians who sign a waiver are also waiving their right to an appeal. Again, you CAN NOT appeal a waiver even if additional or future evidence proves favorable for your child.

In a tribunal hearing, home schools provide evidence regarding a code violation. All parties will be afforded an opportunity to present and respond to evidence and to examine and cross-examine witnesses on all issues unresolved. The decision of the tribunal panel is based solely on the presented evidence. The school must prove the case. In this process, parents/guardians may bring a lawyer to the tribunal hearing. All tribunal hearing decisions may be appealed. Any decision by the Tribunal may be appealed to the Board of Education by filing a written notice of appeal within twenty (20) days from the date the decision is rendered. This right of appeal shall apply to the parents or guardian of the child. Finally, you may also bring a lawyer to the appeal hearing with the Board of Education. A tribunal hearing is NOT an automatic assignment to AIM.

### **Question: Who sits on the tribunal hearing panel?**

Answer: The tribunal panel is made up of between three (3) and five (5) members, and these members are appointed by the Board of Education and serve at its pleasure. MCSD principals and assistant principals are part of the panel.

### **Question: How do parents/guardians decide if a waiver or tribunal hearing is the best option for a child?**

Answer: If you believe your child is innocent, go through the tribunal process. If you believe your child may be innocent, go through the tribunal process. If you disagree with the number of days assigned by your child's home school on a waiver, go through the tribunal process. Remember, you CAN NOT appeal a waiver once it is signed.

If you know your child is 100% guilty of a violation at their home school or within the MCSD, sign the waiver.

**Question: Is there a difference in the completion time between a waiver and a tribunal?**

Answer: The timeframe of completion between a waiver and tribunal hearing is about the same. The MCSD completes the waiver packets for schools weekly. The MCSD also holds weekly tribunal hearings. There is NO advantage in regard to the time between a waiver and tribunal. Students are generally assigned to AIM within 5 days in a worst case scenario. Students assigned to AIM via waiver or tribunal report to AIM for orientation on Mondays.

**Question: What is the maximum number of days a school can assign a student to AIM by a signed waiver?**

Answer: 90 days ONLY. The district WILL NOT allow more than 90 days via a waiver.

**Question: If I refuse the waiver, will the tribunal hearing automatically be harsher for my child.**

Answer: Absolutely not. A tribunal hearing is based on evidence. The home school must prove its case against a child. The tribunal panel can decide to issue less assigned days, more assigned days, or no assigned days based on the evidence.