

Federal Appeals Court Highlights Due Process Risks in Long-Term K-12 Suspensions

A federal appeals ruling warns that long-term K-12 suspensions require heightened due process, clear notice, and a reviewable record.

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Why this matters for schools and families:

A recent federal appellate decision reinforces a basic but often-missed point: when a K-12 suspension becomes "long-term," the process can no longer be treated as a quick administrative formality.

While the legal standards vary by state and by the nature of the discipline, longer exclusions from school tend to trigger heightened expectations around notice, an opportunity to respond, and a fair record that can be reviewed on appeal.

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Process integrity is not optional; it is risk management.”

Keith Altman

What does the decision signal about "process integrity"? The opinion emphasizes that discipline systems work best when they are structured for consistency: clear charges,

timely notice, access to the core evidence relied upon, and a meaningful opportunity for the student (and parent/guardian) to respond.

For families, the decision is a reminder to focus on the record: what was provided, when it was provided, and whether the student had a real chance to tell their side before a consequential decision was finalized.

Compliance takeaways:

Districts should stress-test long-term suspension procedures against their written policies and



A federal appeals court decision underscores that long-term K-12 suspensions require clear notice, evidence access, and meaningful due process.

state law timelines, particularly where removals approach or exceed ten school days.

Schools should document: (1) the notice sent, (2) the evidence relied upon, (3) what the student was allowed to present, and (4) how the decision-maker addressed disputed facts.

Families should assume that the appeal body will look first to the written record, not post hoc explanations.

"When discipline decisions have high consequences, the safest posture for everyone is a clean, reviewable process, clear notice, a meaningful opportunity to be heard, and careful documentation. Process integrity is not optional; it is risk management." — [Keith Altman](#), Founder/Managing Partner



Keith Altman Founder of K Altman Law

What families and students should do now:

- Ask for the district's written discipline policy and the specific rule(s) alleged to be violated.
- Request the evidence the school relied on and confirm what procedures apply to long-term suspensions in your state.
- Prepare a concise timeline of events and identify any missing notices, missing evidence, or unclear standards.
- If the student has an IEP/504 plan, confirm whether any disability-related procedures are triggered in your jurisdiction.

Next step:

If your family is navigating a high-stakes discipline process, focus first on preserving the record and understanding the applicable procedure, then decide on the right next step for your situation.

About [K Altman Law](#):

K Altman Law is a national education law firm serving students, families, and educators in matters involving student discipline, special education (IEP/504), Title IX, and related civil rights issues. We help clients understand processes, preserve rights, and make informed decisions at critical moments.

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