



MSHSL Investigation Checklist

- School Administrator receives information that a student has allegedly violated MSHSL Bylaws.
- Determine if information is:
 - Credible
 - Valid
 - Reliable
 - If yes, then proceed with school investigation procedures
 - If you don't have a clear investigation process develop one with your administrative team
 - How would you handle a fight in the bathroom?
 - Use the same process
- Review MSHSL Fair Hearing Procedure in the MSHSL Handbook (Bylaw 300)
- Review MSHSL Bylaws that pertain to alleged violation (Bylaw 205, 206, 209, 300,304)
- Begin investigation:
 - Review all information
 - Interview student regarding allegations
 - Use Tenison notice per you district practices
 - No automatic violations based on police report—you must investigate and interview student
 - If student confirms the violation, then proceed with determination of ineligibility
 - If student denies the violation, then weigh the information you have
 - Assume both versions are the truth
 - Credible, reliable, valid
 - *Preponderance of Evidence*
 - Evidence is such that reasonable person could draw the same conclusion then it becomes the burden for the student or family to present rebuttal information. For example, a picture of a student carrying a case of beer or is the student picking up litter. The student/family must provide information to their claim that the student is not in violation.
 - Investigation must conclude within 10 school business days
- Conclude investigation and determine the eligibility of the student:
 - No violation—inform student and parents
 - Violation
 - Inform student and student's parents verbally and in writing as per FHP
 - Send copy of FHP with letter of determination as well as Acknowledgement of Rights
 - Receipt of letter of determination/acknowledgement of rights by the parents (determine how you will verify receipt)
 - The provisions of the Fair Hearing Procedure assist the penalty process—remove unconditional ability to appeal
 - Admits to violation
 - Neither admits nor denies, but accepts penalty
 - Question of serving penalty greater than League standard
 - Principal's (or designee) decision on good standing

Sample Interview Language:

"This is a notice. The purpose of my questioning is to find out what happened here and impose proper discipline when necessary. Our School Discipline Policy requires that you cooperate. Non-cooperation may subject you to disciplinary action. Other than school officials, no one else (unless MSHSL is involved, and parents and guardians) will be receiving this information. Suspected criminal information will be submitted to the police."