

Students

Attendance

Suspension and Expulsion Procedures

The School Board recognizes the importance of maintaining proper order and discipline in the schools and holding students accountable for their actions and compliance with Board policies and school rules. The Board also recognizes and actively supports the primary mission of the public schools to help ensure all students receive a proper education and graduate from high school.

With that in mind, the Board directs the Superintendent and building principals to utilize disciplinary strategies that keep students in school while maintaining a safe and positive school environment for student learning. These disciplinary strategies may include, but are not necessarily limited to, positive behavioral interventions and supports, after-school detentions and in-school suspensions.

Out-of-school suspension is a serious consequence which should be reserved for situations where the student's behavior is disruptive to the school environment, poses a safety or health danger to the student or others, is damaging to school property or the property of others, knowingly conveys a threat or false information, or shows complete or repeated defiance or refusal to comply with school rules or policies. The building principal and/or designee may administer an out-of-school suspension under these circumstances when it is reasonably justified and is carried out in accordance with state law requirements. A student shall also be suspended from school when required by law (i.e. possessing a firearm in violation of state law and Board policy).

Suspension

The school principal or designee may suspend a student for not more than five (5) school days or, if a notice of expulsion hearing has been sent, for not more than a total of 15 consecutive school days for noncompliance with such rules or school board policies.

Prior to any suspension, the student shall be advised of the reason for the proposed suspension. The parent or guardian of a suspended minor student shall be given prompt notice of the suspension and the reason for the suspension. The suspended student, the student's parent or guardian may, within five (5) school days following the commencement of the suspension, request a conference with the school district administrator or his or her designee who shall be someone other than a principal, administrator or teacher in the suspended student's school, for the purpose of appealing the decision to suspend the pupil.

If the school district administrator or his or her designee finds that the student was suspended unfairly or unjustly, or that the suspension was inappropriate, given the nature of the alleged offense, or that the student suffered undue consequences or penalties as a result of the suspension, reference to the suspension on the student's school record shall be expunged. Such finding shall be made within 15 days of the conference.

A student suspended under this paragraph shall not be denied the opportunity to take any quarterly, semester or grading period examination missed during the suspension period or to complete coursework missed during a suspension.

Any consideration of suspension for students identified to have a disability as defined by IDEA or Section 504 of the Rehabilitation Act, will conform to federal and state law.

Expulsion

Except when required by law, student expulsion from school should be considered the last resort after other discipline alternatives have been considered. A student may be referred to the District Administrator for possible expulsion when he/she have engaged in any of the following types of conduct:

1. Repeated refusal or neglect to obey District policies or school rules.
2. Knowingly conveying any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives.
3. Conduct while at school or under the supervision of a school authority which endangered the property, health or safety of others.
4. Conduct while not at school or while not under the supervision of a school authority which endangered the property, health or safety at school or under the supervision of the school authority, or of any District employee or Board member.
5. The student repeatedly engage in conduct while at school or while under the supervision of a school authority that disrupted the ability of school authorities to maintain order or an educational atmosphere at school or at any activity supervised by a school authority and such conduct does not constitute grounds for expulsion under any of the other reasons for expulsion outlined above. This last reason for expulsion only applies to students 15 years of age or older.

The Superintendent will review the circumstances and refer the matter to the Board for expulsion consideration, if the circumstances involved warrant. All legal requirements regarding student expulsion hearings and expulsions shall be followed.

The Board shall expel a student from school only if the interest of the school demands the student's expulsion or in cases where expulsion is required by law (i.e. possessing a firearm in violation of state law and Board policy).

When determining whether to expel a student and the length of expulsion, the following factors may be considered in each individual case:

1. The degree of danger the student poses to others or property, including consideration of past conduct.
2. The age of the student.
3. The effect a term of expulsion will have on the student's education.
4. The desire of the student to make good use of the educational services provided.
5. Whether the student has made good use of educational services in the past.
6. The degree of responsibility and remorse the student feels regarding his/her offending conduct.

If the Board determines that the interest of the school demands the student's expulsion, the student shall be expelled from school.

All student expulsions, including those involving students with disabilities as defined by IDEA or Section 504 of the Rehabilitation Act, shall follow all statutory procedures and requirements.

The Board may specify conditions in a student's expulsion order that would allow the student to be reinstated to the school early before the end of the term of his/her expulsion. The early reinstatement condition(s) shall be related to the reason(s) for the expulsion and shall be enforced in accordance with state law requirements.

The District may provide continued educational services to expelled students during the term of their expulsion as deemed reasonable and appropriate. The educational services provided to expelled students with disabilities shall be provided consistent with applicable legal requirements.

Prior to such expulsion, the Board shall hold a hearing. Not less than five (5) days written notice of the hearing shall be sent to the student and, if the student is a minor, to the student's parent or guardian, specifying the particulars of the alleged refusal, neglect or conduct, stating the time and place of the hearing and stating that the hearing may result in the student's expulsion. Upon request of the student and, if the student is a minor, the student's parent or guardian, the hearing shall be closed. The student and, if the student is a minor, the student's parent or guardian, may be represented at the hearing by counsel at the expulsion hearing.

The Board shall keep written minutes of the hearing. Upon the ordering by the Board of the expulsion of a student, the school district clerk shall mail a copy of the order to the student and, if the student is a minor, to the student's parent or guardian.

The expelled student or, if the student is a minor, the student's parent or guardian, may appeal an expulsion to the state superintendent. If the Board's decision is appealed to the state superintendent, within 60 days after the date on which the state superintendent receives the appeal, the state superintendent shall review the decision and shall, upon review, approve reverse or modify the decision. The decision of the board shall be enforced while the state superintendent reviews the decision. An appeal from the decision of the state superintendent may be taken within 30 days to the circuit court of the county in which the school is located.

Any consideration of expulsion for students identified to have special education needs or a disability as defined by IDEA or Section 504 of the Rehabilitation Act, will conform to federal and state law.

Annually the board will report to the Department of Public Instruction an assurance that the school district is in compliance with state law; and a description of the circumstances surrounding any expulsions imposed by the school board including: the name of the school concerned; the number of students expelled from the school and the reasons for expulsion.

Legal Reference: Wisconsin Statute – Section 118.127
Wisconsin Statute – Section 118.16(4)(b)
Wisconsin Statute – Section 120.13(1)
Federal Law – Individuals with Disabilities Education Act

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