

## **STUDENT SUSPENSION AND EXPULSION PROCEDURES**

**R 447.2**

### STUDENT SUSPENSION

A student who is assigned to suspension may be suspended from school for a maximum of five (5) days. When a student misses any part of a school day due to suspension, that counts as a day of suspension. If a parent or guardian is able to pick up the student on the day the suspension is assigned, that day is counted as a day of suspension. A high school student who walked or who drove him or herself to school may be released from school to begin a suspension after the parent or guardian has been contacted and the parent or guardian has authorized the release of the student to walk or drive home.

When a student is suspended from school, the parent or guardian of the student will be notified as soon as is practicable. Follow up suspension notification will be provided to the parent or guardian in a written format. The written notification will include the specific behavior offense and the date(s) of the suspension.

A student who is suspended from school is not eligible to attend or participate in school-sponsored activities on the days of suspension.

School administration should consider a re-entry meeting with the student, a parent or guardian, and relevant school staff when a student is assigned a multi-day suspension for on-going or significant behaviors. The focus of the early re-entry meeting should be to clarify expectations, identify triggering circumstances, and determine any steps or supports that are needed to avoid future behaviors. School administration are authorized to put additional interventions or supports in place that will assist the student in meeting behavior expectations while at school, provided those interventions and supports are in compliance with applicable law and policy.

### STUDENT EXPULSION

A student who has engaged in an expellable offense may be suspended from school initially for five (5) days. This suspension may be extended an additional ten (10) days if the administration is preparing for or engaging in expulsion proceedings.

When a school administrator is considering expulsion proceedings as a result of student behavior, the administrator should contact the Director of Student Services for notification so that the Director can verify if the student has an educational disability.

### Firearms on School Grounds

If a student brings a firearm on school grounds or to a school-sponsored activity, an expulsion hearing before the Board of Education will be scheduled according to the processes and timelines outlined in State Statute. If the student has a disability, the Director of Student Services will first direct a manifestation hearing to be conducted according to applicable law and policies. The student will remain on suspension during this process.

### School Threats

When a student has engaged in threatening behavior, the school administration will use the Wisconsin Department of Justice School Threat Assessment Process to make a clear differentiation between if the student *made* a threat or if the student *poses* a threat.

If the result of the threat assessment process is that the student *poses* a threat, an expulsion hearing before the Board of Education will be scheduled according to the processes and timelines outlined in State Statute. If the student has a disability, the Director of Student Services will first direct a manifestation hearing to be conducted according to applicable law and policies. The student will remain on suspension during this process.

### Other Expellable Offenses

When a student has engaged in a serious behavior that could result in pupil expulsion, the school administration will collaborate with a minimum of one other administrator from another building to review the facts and circumstances using the below process.

- 1) School administration will consider if the act is one of the expellable offenses as defined in Wisconsin State Statute 120.13(c)(1-2):
  - a) A student knowingly conveyed or caused to be conveyed 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.

- b) A student engaged in conduct while at school which endangered the property, health or safety of others at school or under the supervision of a school authority.
  - c) A student engaged in conduct while under the supervision of a school authority which endangered the property, health or safety of others at school or under the supervision of a school authority.
  - d) A student engaged in conduct while not at school which endangered the property, health or safety of others at school or under the supervision of a school authority.
  - e) A student engaged in conduct while not under the supervision of a school authority which endangered the property, health or safety of others at school or under the supervision of a school authority.
  - f) A student repeatedly refused or neglected to obey the rules.
  - g) A student who is at least 16 years old repeatedly engaged 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 maintain an educational atmosphere at school or at an activity supervised by a school authority.
- 2) If the school administration determines that the student *has* committed an expellable offense according to Wisconsin State Statute 120.13(c)(1-2), the school administration, in collaboration with a minimum of one other administrator from another building, will then determine if the interest of the school demands the student's expulsion. Factors that may be considered in this determination may include but may not be limited to:
- a) Whether or not the student's behavior is resulting in physical, mental, or emotional harm towards other members of the school community (staff or students).
  - b) Whether or not the student's behavior is directly interfering with the education of other students.
  - c) Whether or not the student's behavior is resulting in feelings of fear among other members of the school community (staff or students).
  - d) Whether or not the student's presence in the school poses a legitimate safety or security concern.

- e) Whether or not the student's behavior is part of an ongoing series of similar behaviors and lower level interventions have not improved the behavior.
  - f) Whether or not the student has been engaged in an abeyance contract previously.
- 3) If the administration determines that a student has committed an expellable offense *and* that the interest of the school demand's the student's expulsion, the administration will contact the Director of Student Services. The school administration and the Director of Student Services will review all circumstances and determine if an expulsion hearing before the Board of Education will be scheduled according to the processes and timelines outlined in State Statute or if the student will be given the opportunity to participate in a pre-expulsion meeting.
- 4) If a pre-expulsion meeting is to occur, the Director of Student Services will facilitate the meeting and the administration, student, and parent(s) will participate.
- a) School administrators will provide the information about the expellable offense, the student's educational history, and the behavioral interventions that had been tried up to that point.
  - b) The student and family will provide the Director of Student Services with any additional or different information relevant to the situation.
  - c) The Director of Student Services will have the opportunity to ask any attendee questions that he / she feels are relevant to his / her decision.
  - d) Upon conclusion of the meeting, the Director of Student Services will determine if an expulsion hearing before the Board of Education will be scheduled or if the student will be offered an expulsion abeyance contract.

### Expulsion Abeyance Contracts

An expulsion abeyance contract may be used when a student has committed an expellable offense per state statute, but the actual expulsion is deferred upon agreement to and compliance with certain behaviors and conditions. The conditions should be relative to the incident or ongoing behavior concerns. These conditions may include but are not limited to:

- Random searches of person and / or belongings
- Limits on personal possessions that may be brought to school
- Counseling participation
- Scheduled check-ins with specific school staff
- Compliance with truancy laws
- Agreement not to engage in any behaviors that individually or collectively would result in suspension from school

The abeyance contract will clearly state that a violation of the contract will result in the student being brought forward for expulsion for the original expellable offense.

Upon return to school with an abeyance contract, the school administration, the family, and relevant school staff will meet for a re-entry meeting prior to the student resuming attendance at school. There will be three goals of this meeting:

- 1) Clear understanding among all of the expectations of the abeyance
- 2) Determination of student supports needed for a successful transition back to school
- 3) Determination of on-going student supports needed moving forward

### Alternative School Setting

Where an abeyance contract would be an appropriate alternative to expulsion, the Director of Student Services is authorized to offer the family an alternative educational delivery option according to available resources and applicable law and policy. Examples could include full or partial day participation in a virtual learning program, a modified schedule, or participation in an alternative program.

### Expulsion Procedures

Any expulsion hearing will be conducted according to the procedures outlined in state statute. The school administration shall prepare for and communicate the procedures as follows. The school administration may consult with the Office of the Superintendent as needed.

- 1) The student and each parent / guardian will receive written notification of the hearing at least five days prior to the hearing.
- 2) The school administration shall send the written notification via regular mail and certified mail.
- 3) The school administration shall also attempt phone contact of the parent or guardian for notification.
- 4) The school district shall hire a school law attorney to serve as the hearing officer.
- 5) A notice of the expulsion hearing shall be posted as a special meeting according to the Board's open meeting posting procedures. The Board Secretary shall post the notice.
- 6) The expulsion hearing shall be conducted with a quorum of the Board and, in order to comply with FERPA, shall be conducted in closed session as permitted by statute.

**Adopted: 01/05/22**