

447.2 STUDENT SUSPENSION AND EXPULSION

Students will be expected to conform to all rules established or approved by the Board, in accordance with state law.

Suspension

Students may be suspended from school for the following reasons:

- a. Noncompliance with school district rules and regulations;
- b. For 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;
- c. For conduct by the student while at school or while under school supervision which endangers the property, health or safety or others, including threats; or
- d. For conduct while not at school or while not under school supervision which endangers the property, health or safety of others at school or under school supervision, including threats.
- e. For conduct while not at school or not under the supervision of a school authority which endangers the property, health or safety of any employee or school board member of the school district in which the student is enrolled.

A student shall be suspended for firearm possession, as defined by federal law, while at school or while under the supervision of a school authority.

A student may be suspended for a period not to exceed five (5) days school days as provided by law. A student may be suspended for up to fifteen consecutive school days, when an expulsion hearing is pending. Students with a disability may be suspended for a period of time consistent with state and federal laws.

A suspended student shall not be denied the opportunity to take any quarterly, semester or grading period examinations missed during the period of suspension.

Expulsion

The Board may expel a student from school whenever the Board finds:

- a. The student is guilty of repeated refusal or neglect to obey school rules;
- b. The 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;
- c. The student engaged in conduct while at school or while under the supervision of a school authority which endangered the property, health or safety of others, which includes a threat to endanger the property, health or safety of others;
- d. The student, while not at school or while not under the supervision of a school authority, engaged in conduct which endangered the property, health or safety of others at school or under the supervision of a school authority, which includes a threat to endanger the property, health or safety of others;

- e. The student, while not at school or while not under the supervision of a school authority, endangered the property, health or safety of any employee or school board member of the school district in which the pupil is enrolled;
- f. The student is in possession of a firearm as defined in 18 U.S.C. 8921(d)(1) and (2); or
- g. For any pupil who is at least 16 years old, the pupil is found to have 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 an educational atmosphere at school or at an activity supervised by a school authority and that such conduct does not constitute grounds for expulsion under the other statutory grounds, if the Board is satisfied that the interests of the school demand the pupils expulsion.

In addition, the school board **MUST** find that the interests of the school district demand the student's expulsion from school.

Both suspension and expulsion of students shall be carried out in accordance with state law and established guidelines.

Early Reinstatement of Expelled Student

The Wisconsin Rapids Public Schools Board of Education, or independent hearing officer may specify one or more early reinstatement conditions in an expulsion order if such conditions are related to the reasons for the student's expulsion.

The reinstatement condition is defined as:

1. A condition that a student is required to meet before he/she may be granted early reinstatement, or
2. A condition that a student is required to meet after his/her early reinstatement but before the expiration of the term of expulsion specified in the expulsion order.

Determining Whether Expelled Student Has Met Early Reinstatement

If the district administrator or designee determines that a student has met the early reinstatement condition(s) that he/she is required to meet before reinstatement, the student may be granted early reinstatement. The district administrator's designee must be someone other than a principal, administrator or teacher in the student's school. The determination of the district administrator or designee is final.

If a student violates an early reinstatement condition that the student was required to meet after his/her reinstatement but before the expiration of the term of expulsion, the district administrator or designee may revoke the student's early reinstatement. Before revoking the student's early reinstatement; however, the district administrator or designee must do all of the following:

1. Advise the student of the reason for the proposed revocation, including the early reinstatement condition alleged to have been violated;
2. Provide the student an opportunity to present his/her explanation of the alleged violation; and
3. Make a determination that the student violated the early reinstatement condition and that revocation of the student's early reinstatement is appropriate.

If the student's early reinstatement is revoked, prompt written notice of the revocation and the reason for the revocation (including the early reinstatement condition violated) must be given to the student and, if the student is a minor, to the student's parent/guardian.

Within five (5) school days after the revocation of a student's early reinstatement, the student or parent/guardian may request a conference with the district administrator or designee. If requested, the conference must be held within five school days of the request.

If, after the conference, the district administrator or designee finds that the student did not violate an early reinstatement condition or that the revocation was inappropriate, the student must be reinstated to school under the same reinstatement conditions as the expulsion order and the early reinstatement revocation must be expunged from the student's record.

If the district administrator or designee finds that the student violated an early reinstatement condition and that the revocation was appropriate, he/she must mail separate copies of the decision to the student and, if the student is a minor, to the student's parent/guardian. The decision of the district administrator or designee is final.

If a student's early reinstatement is revoked, the student's expulsion must continue to the expiration of the term of expulsion specified in the expulsion order unless the student or parent/guardian and the School Board, or independent hearing officer agree in writing to modify the expulsion.

LEGAL REF.: Section 120.13(1) Wisconsin Statutes
 120.44
 Gun Free Schools Act

CROSS REF.: 342.2, Homebound Instruction

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