

## MONONA GROVE SCHOOL DISTRICT

Board Policy 447.2

### STUDENT SUSPENSIONS/EXPULSIONS

#### Suspensions

The Board recognizes that during the course of a school year certain student behaviors may occur that constitute flagrant violations of the authority and policies of the school or Board or that endanger the property, health or safety of others. State statute permits a building principal/designee to suspend a student for a period not to exceed five (5) school days. Although the Board regards the suspension of a student from school as an extreme disciplinary measure, its use is deemed appropriate if the building principal/designee determines that the student is guilty of one or more of the following and that the student's suspension is reasonably justified:

1. Noncompliance with school or Board rules.
2. Conduct while at school or while under the supervision of a school authority that endangers the property, health or safety of others. Conduct that endangers a person or property includes making a threat to the health or safety of a person or making a threat to damage property.
3. Conduct while not at school or while not under the supervision of a school authority that endangers the property, health or safety of others at school or under the supervision of a school authority or endangers the property, health or safety of any employee or school board member of the school district in which the student is enrolled. Conduct that endangers a person or property includes making a threat to the health or safety of a person or making a threat to damage property.
4. Knowingly conveying any threat or false information concerning an attempt or an alleged attempt being made or to be made to destroy any school property by means of explosives.

In addition, a student shall be suspended if the building principal determines that the student possessed a firearm (as defined by federal law) while at school or while under the supervision of a school authority.

A conference involving the student's parent(s)/guardian(s), the student and the building principal or designee shall be held as soon as possible after the action to suspend the student is taken. The goal of this conference shall be to modify the student's behavior and return the student to school a better and more positively motivated learner and citizen.

Suspended students shall be allowed to make up any examinations or class work missed during the suspension period in accordance with the district's student attendance procedures.

All student suspensions shall be administered in accordance with state law.

#### Expulsions

In very serious instances, the district administration may consider recommending expulsion. If a determination to proceed to an expulsion hearing is made in the affirmative, a student may be suspended for not more than a total of 15 consecutive school days except as otherwise specifically provided by law. If an expulsion determination has not been made within the 15 days, the student shall be readmitted to school pending an expulsion determination.

The Board may expel a student from school for the following conduct if it is determined that the interest of the school demands it:

1. The student is guilty of repeated refusal or neglect to obey rules.

2. The student knowingly conveyed or caused to be conveyed any threat or false information concerning an attempt or an alleged attempt being made or to be made to destroy any school property by means of explosives.
3. The student engaged in conduct while at school or while under the supervision of a school authority that endangered the property, health or safety of others. Conduct that endangers a person or property includes making a threat to the health or safety of a person or making a threat to damage property.
4. The student engaged in conduct while not at school or while not under the supervision of a school authority that endangered the property, health or safety of others at school or under the supervision of a school authority or endangered the property, health or safety of any employee or school board member of the school district in which the student is enrolled. Conduct that endangers a person or property includes making a threat to the health or safety of a person or making a threat to damage property.
5. The student 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 (1) through (4) above. (This provision is applicable to students who are at least 16 years old.)

In addition, the Board shall expel a student from school for not less than one year whenever it finds that the student possessed a firearm (as defined by federal law) while at school or while under the supervision of a school authority. This requirement may be modified on a case-by-case basis.

Prior to expelling a student, a hearing shall be held. Not less than five days' written notice of the hearing shall be sent, by certified mail, to the student and, if the student is a minor, the student's parent/guardian. The notice shall specify the specific grounds and the particulars of the alleged misconduct and also set forth the date, time and location of the hearing and state that the hearing may result in the student's expulsion. The notice shall:

1. Advise that upon request of the student and, if the student is a minor, the parent/guardian, the hearing shall be closed.
2. Advise that the Board/hearing officer or panel shall keep a full record of the hearing.
3. Advise that the student and, if the student is a minor, the student's parent/guardian, may be represented by counsel and may confront and cross-examine any witness against the student.
4. Include additional information required by law.

The building principal, Director of Pupil Services and/or other personnel specified by the Superintendent shall be present at the hearing to substantiate the school administration's recommendation for expulsion of the student.

If the Board orders the student's expulsion, the Board Clerk shall mail a copy of the order to the student and, if the student is a minor, to the student's parent/guardian.

The Board may adopt a resolution, which is effective only during the school year in which it is adopted, authorizing the appointment of a hearing officer or hearing panel to determine student pupil expulsions from school, instead of using the procedure outlined in section 120.13(1)(c)3 of the state statutes. During any school year in which a resolution has been adopted, the hearing officer or panel appointed by the Board may expel a student from school whenever the hearing officer or panel finds that the student engaged in conduct that constitutes grounds for expulsion in accordance with state law. The hearing officer or panel shall expel a student for not less than one year whenever the hearing officer or panel finds

the student possessed a firearm (as defined by federal law) while at school or while under the supervision of a school authority. This requirement may be modified on a case-by-case basis.

If the Board adopts a resolution authorizing the use of a hearing officer or hearing panel, the expulsion notice shall state that the Board President or his/her designee shall select and assign a hearing officer or panel to the student's case, inform each party of the right to a complete record of the proceeding and include additional information required by law. Upon request, the hearing officer or panel shall direct that a transcript of the record be prepared and that a copy of the transcript be given to the student and, if the student is a minor, the student's parent/guardian.

If the hearing officer or panel orders the student's expulsion, the district shall mail a copy of the order to the Board, the student and, if the student is a minor, the student's parent/guardian. The district shall also send a notice to the student and, if the student is a minor, the student's parent/guardian, which indicates that the student may request the opportunity to appear and present information to the Board at the meeting at which the Board reviews the order of expulsion and may send to the Board prior to such meeting any information the student feels is appropriate including, but not limited to, the reasons the student believes all or part of the hearing officer's or panel's decision should not be affirmed or why the student should not be expelled. Within 30 days after the date on which the order is issued by the hearing officer or panel, the Board shall review the order and shall, upon review, approve, reverse or modify the order. The order of the hearing officer or panel shall be enforced while the Board reviews the order.

The expelled student, and if the student is a minor, the student's parent/guardian, may appeal the Board's decision to the State Superintendent of Public Instruction. 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.

All student expulsions shall be administered in accordance with state law.

LEGAL REFERENCE:	Section 120.13(1) Wisconsin Statutes
CROSS REFERENCE:	Board Rule 431, Student Attendance Guidelines and Procedures
BOARD APPROVAL:	January 14, 2004