

SCHOOL DISTRICT OF WAUKESHA
Waukesha, WI

#5114.2

STUDENT EXPULSION

In accordance with state statutes, students may be expelled from school by the board if:

- I. It finds the student guilty of repeated refusal or neglect to obey school rules and school board policies; or finds 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; or finds that while the student was at school, on school premises, at school-related functions, or under the supervision of a school authority, he/she endangered the property, health, or safety of others; or endangered the property, health or safety of any employee or school board member; or finds a student who is at least 16 years old who 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; or finds a student, while at school or while under the supervision of a school authority, possessed a firearm; and
- II. It is satisfied that the interest of the school demands a student's expulsion.
- III. In addition to the grounds for expulsion as stated above, the board may expel from school a pupil who is at least 16 years old if it finds that the pupil 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 preceding paragraph and is satisfied that the interest of the school demands the pupil's expulsion.

The superintendent will develop a checklist to assist administrators in the preparation of an expulsion case.

Prior to expulsion, the board or subcommittee/panel of the board if authorized by an annual resolution under Wisconsin Statute 120.13 (1)(c) and (e), will hold a hearing regarding the proposed expulsion. Written notice of the hearing will be sent by certified mail (return receipt requested) or hand delivered to the pupil and his/her parent or guardian at least five days prior to the hearing date. An adult student may request that the parent(s) not be notified. The notice will state the reason for the proposed expulsion, the time and place of the hearing, the fact that expulsion may result in exclusion from school, and the right to legal representation. A special education student and his/her parents must be notified of their rights under state and federal laws.

At the hearing, a record will be kept of all proceedings.

(continued)

Upon the board's or panel's decision to expel a student, a copy of the expulsion order will be mailed to the pupil and his/her parent or guardian unless an adult student requests that the parent not be notified. The pupil will have the right to appeal the expulsion to the state superintendent. An appeal of the state superintendent's decision may be made within 30 days to the county circuit court.

If the board panel authorizes an expelled student for early re-instatement, the administration (unless otherwise directed by the panel) may consider a return to the previously attended school or another school, or alternate placements or programs during the period of expulsion. When indicated, expulsion orders shall contain any conditions for receipt of service during the expulsion period and any conditions the student is expected to follow during an early re-instatement. The board also authorizes the administration to notify the state education agency of the expulsion, and the appropriate circumstances, in accordance with legal requirements.

In accordance with federal law, any student who has been determined to have brought a firearm to school will be expelled for a one year minimum period and will be referred to the appropriate criminal or juvenile justice system. The superintendent may recommend modification of such an expulsion for firearms on a case by case basis.

The administration shall present for approval the expulsion resolution prior to the start of the school year.

Reference: Wisconsin Statutes, Section 120.13 (1)(c) and (e)

Cross-Reference: Policy 5131 - Student Rights and Responsibilities
Policy #5131G – Guidelines to Student Rights and Responsibilities
Policy #5131.6 – Student Alcohol and/or Other Drug Use

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