

STUDENT PERSONNEL

Series 400

Policy Title . . . EXPULSION

Code No. 447.31

The School Board may, by majority vote, expel any student consistent with the requirements of Wisconsin Statutes 120.13(1)c, e, or 119.25 “from school whenever it finds them guilty of repeated refusal to obey rules, or finds that they engaged in conduct while at school or while under the supervision of a school authority which endangers the property, health or safety of others, and is satisfied that the interest of the school demands his/her expulsion.”

The Burlington Area School District supports and is committed to the principle of nondiscrimination. Therefore the District will not discriminate in any of its policies, practices, or procedures on the basis of race, color, religion, creed, age, sex, national origin or ancestry, marital status, parental status, veteran status, physical or mental disability, sexual orientation, arrest or conviction record, membership in the National Guard, State Defense Force or any reserve component of the military forces of the United States, use or non-use of lawful products off the employer’s premises during non-working hours, or any other protected status as required by law.

Date of Adoption:

April 5, 1976

Amended:

October 13, 1980

February 12, 1991

November 9, 1992

Reviewed:

May 12, 2008

Legal Reference: Code of WI

Section 118.13; 120.13 (1)

Cross Reference: Policy 112

ADMINISTRATIVE REGULATION TITLE PRE-EXPULSION PROCEDURES

Code No. R-447.31

PRE-EXPULSION PROCEDURES

Purpose:

A pre-expulsion hearing will be held in every situation that could lead to an expulsion. The best interests of the student body, the staff, and the student who is the subject of the hearing will be the focus of this process. The administrative team, led by the superintendent or designee, will determine if the student should be brought forward to the Board of Education for an expulsion hearing, based on the determination of whether or not the student engaged in:

- Conduct that endangered the property, health or safety of others at school or under the supervision of a school authority, OR
- Repeated conduct at school or 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.

Participants:

The hearing will include the superintendent/designee, building administrator(s), student, parents(s)/guardian(s)/student Advocate, AODA counselor if warranted, and the Police Liaison Officer if the police liaison officer was involved in an investigation of the student or incident(s).

Process:

1. The building administrator will contact the superintendent when a student has committed any expellable offense, based on established school district policies. The student will be suspended at that time and a pre-expulsion meeting will be scheduled.
2. The superintendent or designee will convene the meeting, begin the introductions. Notes will be taken at the meeting.
3. At the meeting, the building administrator will present information relative to the procedure violation, including the details of what occurred, statements that were taken, witnesses that provided corroboration, investigations conducted by the school administrators and/or school resource officer, etc.
4. After the administrative presentation the student and/or parent(s)/guardian(s) will present information relative to the procedure violation including the details of what occurred and any other statements that may provide further details of the procedure violation.
5. Responses to the following questions will be obtained through discussion and dialog or by questions directed by Superintendent/designee:
 - Did you violate the procedure?
 - Were you aware of the school's rules and consequences for breaking these rules?
 - Are the facts that were presented by the administration correct? Anything you want to add or change?
 - Are there any statements that you or your parent/guardian would like to make regarding this situation and the reason for your being here today?
 - Has the student violated this procedure or other school policies before? If yes, what were the consequences for the student?
 - Are there other factors that should be considered in making a decision as to whether or not to recommend this student to the Board of Education for expulsion?
6. An open discussion will be held among the administration, student, and parents(s)/guardian(s). Effort will be made to establish consensus regarding the details of the event and the resulting consequences of the event. Possible consequences, including placement in AODA programs, student assistance programs, anger management programs, counseling, etc.
7. The student, parent(s)/guardian(s) and Police Liaison Officer will be excused from the meeting while the superintendent and building level administrator determine the resolution (i.e.: expulsion hearing, alternative program placement, etc.)
8. The superintendent, and two administrators will share with the student and parent(s)/guardian(s) the outcome of the group's decision.
9. If the administrative group determines the student should be brought forward to the Board of Education for expulsion, the student will be suspended pending the outcome of the expulsion hearing, the superintendent will schedule an expulsion hearing with the Board of Education, the building administrator will compile the necessary documentation for the expulsion hearing, and the building administrator will comply with state laws regarding notifications. If the student has an identified disability, a manifestation hearing must be held.
10. If the administrative group determines not to take the student forward for expulsion, the superintendent will send a letter to the student and parent(s)/guardian(s) confirming the decision of the group regarding consequences and notifying the student that failure to adhere to the consequences as outlined or repeated violation of school district procedure will lead to an expulsion hearing before the Board of Education.
11. A timely report of any hearings held under this procedure will be reported to the Board of Education in a manner which does not divulge personally identifiable information.