

EXPULSION

1. The Board of Education may expel a student from school whenever it finds the student guilty of:
 - a. repeated refusal or neglect to obey the rules;
 - b. knowingly conveying or causing 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. engaging in conduct while at school or while under the supervision of a school authority which endangers the property, health, or safety of others;
 - d. engaging in conduct while not at school or while not under the supervision of a school authority which endangers the property, health or safety of others at school or under the supervision of a school authority or employees, or Board of Education members of the District;
 - e. endangering the property, health, or safety of any employee or Board of Education member of the District in which the student is enrolled and is satisfied that the interest of the school demands the students expulsion;
 - f. in addition, the Board of Education may expel from school a student who is at least sixteen (16) years old if the Board of Education finds 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 a-e, and is satisfied that the interest of the school demands the student's expulsion. 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.
2. The Board of Education shall commence proceedings under state law and expel a student from school for not less than one year whenever it finds that the student, while at school or while under the supervision of a school authority, possessed a firearm, as defined in 18 USC 921(a)(3). Annually, the Board of Education shall report to the Wisconsin Department of Public Instruction the information specified under 20 USC 8921(d)(1) and (2).
3. Prior to expelling a student, the Board of Education shall hold a hearing. Not less than five (5) days' written notice of the hearing shall be sent to the student and, if the student is a minor, to the student's parent/guardian that includes the following information as required by law;
 - ♦ the particulars of the alleged refusal, neglect, or conduct;
 - ♦ the time and place of the hearing and stating that the hearing may result in the student's expulsion;
 - ♦ upon request of the student, and if the student is a minor, the student's parent/guardian, the hearing shall be closed;

- ◆ the student and, if the student is a minor, the student's parent/guardian, may be represented at the hearing by counsel;
- ◆ the Board of Education shall keep written minutes of the hearing;
- ◆ upon the ordering by the Board of Education of the expulsion of a student, the District 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 expelled student or, if the student is a minor, the student's parent/guardian, may appeal the expulsion to the department;
- ◆ if the Board of Education's decision is appealed to the department within sixty (60) days after the date on which the department receives the appeal, the department shall review the decision and shall, upon review, approve, reverse or modify the decision;
- ◆ the decision of the Board of Education shall be enforced while the department reviews the decision;
- ◆ an appeal from the decision of the department may be taken within thirty (30) days to the circuit court of the county in which the school is located;
- ◆ the state laws related to student expulsion are State Statutes 119.25 and 120.13(1).

4. Education programs of students with disabilities can be modified only through the IEP Team process.

Legal Ref: 119.25, 120.13(1)(c)(e)(h) WSS
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