

Policies of the Board of Education

Series 400: Students

STUDENT DISCIPLINE, SUSPENSION AND EXPULSION – STUDENTS WITH DISABILITIES

447.5

1. Suspension

In the instances where an identified student with disabilities is suspended, the District shall document the basis for the suspension. In appropriate cases, the District will also consider convening an IEP Team meeting to determine if program modifications are necessary.

2. Expulsion

If a student with a qualifying disability is subject to possible expulsion, a meeting will be convened to determine whether the student's behavior(s) are a manifestation of his/her disability and if the student's placement is appropriate. If the student's behavior is determined to be a manifestation of his/her disability, the student shall not be expelled. If the student's behavior is determined to be a result of inappropriate placement, but not a manifestation of his/her disability, the student shall not be expelled unless expulsion is permitted by law.

The suspension of a student with a qualifying disability may be extended to not more than ten (10) days if a notice of expulsion hearing has been sent. Additionally, a student with a qualifying disability may be placed in an interim alternative educational setting for up to 45 days while a due process hearing is pending if the student's behavior(s) involved a weapon or drugs.

Legal Ref.:

Sections 115.787 (3)(b)1

118.13 Wisconsin Statutes

120.13(1) PI 11

Individuals with Disabilities Education Act

Section 504, Rehabilitation Act

Cross Ref.: 411-Rule (1), Student Discrimination/Harassment Complaint Procedures

Special Education Handbook

447.3, Student Suspension

447.4, Student Expulsion

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Waunakee Community School District