

447.4 – STUDENT EXPULSION/PRE-EXPULSION POLICY AND PROCEDURE

I. Policy

Principals may request the District Administrator hold a pre-expulsion conference when, in their opinion, the student's presence is detrimental to the best interests of the students in school or if the student's presence is adversely affecting the safety and order of the school environment. The District Administrator will decide if the behavior in question warrants an expulsion hearing before the School Board. Implementation of this policy will be done in a manner that does not violate the District Non-Discrimination policy.

The School Board may expel a student when:

- A. The student is guilty of repeated refusal or neglect to obey the rules, or
- B. 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
- C. the student engaged in conduct while at school or while under the supervision of school authority which endangered the property, health or safety of others, or
- D. the student while not at school or while not under the supervision of the school authority engaged in conduct which endangered the property, health or safety of others at school or under the supervision of the school authority, or
- E. the student endangered the property, health, safety of any employee or Board member of the District, or
- F. the student, who is at least 16 years old, 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 the school authority and that such conduct does not constitute grounds for expulsion under one through five above, and the School Board is satisfied that the interest of the School demands the pupil's expulsion.

Furthermore, the Board of Education must be satisfied that the interest of the School District demands the student's expulsion for one through six. A student shall be expelled by the School Board when, while at school or while under the supervision of the school authority, the student possessed a firearm.

To expel a student, the Board of Education shall follow the procedures outlined in statute.

- A. A written notice will be sent to the student and the student's parent/guardian regarding the expulsion hearing. This notice must:
 - 1. Be sent at least five days before the hearing is scheduled.
 - 2. State the time and place of the hearing and that the hearing may result in the expulsion of the student.
 - 3. Contain a description of the specific charges and particulars of conduct of concern.

4. Contain all information required by law to be included.
- B. Once the notice is sent, the student may be suspended for up to 10 school days if the student is classified under special education or Section 504. Up to 15 days if the student is classified as a regular education student.
 - C. Hold a hearing at which the student and parent/guardian may be represented by counsel. Upon request of the student or of the parent/guardian of a minor student, expulsion hearing shall be closed. Written minutes shall be kept of the hearing and if the student is expelled, a copy of the expulsion order will be mailed to the student and to the parent/guardian. The expelled student may appeal expulsion to the State Superintendent of Public Instruction and the State Superintendent's decision to the Circuit Court of the county in which the school is located.
 - D. The Board of Education may provide limited programming for the expelled student, but is not obligated to do so.

Relative to admittance of expelled students:

A student who has been expelled from another school district and who seeks to enroll in the School District of Auburndale, shall have the District he/she is leaving provide a copy of the expulsion findings and order, a written explanation of the reasons why the student was expelled, and the length of time of the expulsion. The School District of Auburndale is not required to enroll a student during the term of the expulsion from another school district.

II. Procedures

Any student who is referred by the principal based on demonstrated behavior for which a pre-expulsion conference is listed in the Student Handbook shall have one scheduled with the District Administrator. The purpose of the conference is to determine whether or not the behavior of concern warrants a hearing before the School Board. It should be noted that any student in possession of a firearm will automatically go before the Board for a formal expulsion hearing.

Pre-expulsion is to be utilized only in cases where administration deems that is in the best interest of the student to have an opportunity to stay in school. Pre-expulsion will only be utilized in first-time offense cases.

III. Pre-expulsion Process

- A. Student infraction occurs.
- B. Building administration contacts the District Administrator to determine if a pre-expulsion conference is appropriate.
 - 1. If no pre-expulsion conference is to be held, the student may be suspended or be moved toward expulsion.
 - 2. If a pre-expulsion conference is to be held, the student may be suspended for up to fifteen (15) school days.
- C. Building administration informs parent/guardian of need for pre-expulsion conference within five (5) days. A date and time is chosen.
- D. The District Administrator/designee will send a letter informing the student and parent/guardian of the pre-expulsion conference.
 - 1. Letter will include:
 - a. Student name/address,
 - b. Parent/Guardian names/address,
 - c. Description of the infraction,
 - d. Dates of suspension,
 - e. Date and time of pre-expulsion conference,
 - f. Date and time of expulsion hearing (if necessary),
 - g. Names of Administration present for conference,
 - h. How the conference will be conducted.
 - 2. Certified letters are sent to the parent/guardian and student separately.
- E. At pre-expulsion conference, discuss the probability of going to expulsion, manifestation determination, and behavior agreement.
 - 1. Conference officer is the District Administrator/designee.
 - 2. The conference shall be conducted as follows:
 - a. A presentation by the principal and/or designee to outline evidence of charges in this case.
 - b. An opportunity for the student and/or parent/guardian to present evidence on their behalf.
 - c. The seeking of a stipulation to the facts of the charges.
 - d. The seeking of a willingness on the part of the student and/or parent/guardian to voluntarily accept an opportunity to avoid an expulsion hearing for this first-time offense.

- e. An agreement by the student and parent/guardian to conditions for return to school and have the expulsion hearing placed in abeyance.
- F. Parties come to an understanding of determinations made in conference.
- G. The District Administrator/designee provides a summary of the conference via a letter to the following:
 - 1. Student,
 - 2. Parent/guardian,
 - 3. Administrators involved,
 - 4. Student file.
- H. A report will be provided to the Board of Education at their next regularly scheduled meeting.
- I. The student and parent/guardian must sign summary statement.
- J. The student and parent/guardian must sign "Conditions of Continuance" statement.
- K. The student's expulsion hearing is held in abeyance for one (1) year if the student meets the conditions of continuance.

Legal Reference: 120.13(1)(e), WI Stats.

Adopted: March 21, 2018

Pre-Expulsion Worksheet

Date: _____

Students Name:

Parent/Guardian Name(s):

Address:

District Staff in attendance:

School Administrative Reps:

Person Conducting Hearing:

Purpose for the Pre-Expulsion Hearing:

1. To review with you and your parent/guardian the behaviors that have resulted in the school administrative team requesting this meeting.
2. To outline for you and your parent/guardian the possible future consequences if these behaviors do not cease or come to compliance with acceptable school behaviors as outlined in the student behavior handbook.
3. To work with you and your parent/guardian to identify possible additional resources to help you become a more productive student in the Auburndale Schools. To begin with, the purpose of this meeting is to identify the behaviors you have exhibited at school which are inappropriate and disruptive to the learning climate for yourself, other students, and the teachers and staff at school. If these behaviors do not change, a recommendation will be made to the School District of Auburndale Board of Education that you be expelled from school. If the Board of Education expels you from the School District of Auburndale they will determine the length of time during which you will not be permitted to be part of school programs. This expulsion precludes you from enrollment in any public school in the State of Wisconsin, unless the School Board were to elect to enroll you over our School Board's determination.

Any expulsion means you cannot attend school, be on school property, or participate in any school activities. School progress, if any, will be determined by the School Administration, with the possibility of you returning at the same grade level at which you were expelled. The School Administrative team will now review the behaviors that have caused you to be brought to this pre-expulsion hearing today.

We would like to hear from you on several issues:

1. Is this an accurate reflection of your behaviors at school?
2. Why did you act out in this manner?
3. What do you want to see happen here today? What are you going to do to help that occur?
4. Are you on probation? YES NO
5. Are you receiving any support from an outside counseling agency?
 YES NO

6. If so, with whom?

Student was: compliant/cooperative talked back/belligerent

Behaviors need to cease from this point forward.

A conference with the student, parent/guardian, administration and teachers is to be held when the student returns to school to outline school and classroom expectations for the student.

A referral for a special education evaluation may be made with the school psychologist.

A joint meeting with the student, parent/guardian, probation, teachers, and school administration to discuss expectations and progress will be held within the next 30 days.

Support from an outside counseling agency is to be sought. Help in arranging this process can be obtained from the building psychologist and/or school counselor.

Student apology to the affected individual(s).

The student should be recommended to the School District of Auburndale Board of Education for expulsion hearing due to nonparticipation and/or belligerence in this review of unacceptable school behaviors.

Other:
