



**Wednesday, August 23, 2023
Board of Education Work Session**

**APPLETON AREA SCHOOL DISTRICT
BOARD OF EDUCATION WORK SESSION
Scullen Leadership Center
131 E. Washington Street, Suite 1A
Appleton, WI 54911
Time: 9:00AM**

Board of Education Work Sessions are not broadcast via live stream but are open to the public unless otherwise noticed. Any special needs or any requests for accommodations related to accessing the meeting should be sent to Kayla Malott, at malottkayla@aasd.k12.wi.us or (920) 852-5300 ext. 60111, at least 24-hours in advance of the meeting.

1. Meeting Opening

Subject	A. Roll Call
Meeting	Aug 23, 2023 - Board of Education Work Session
Category	1. Meeting Opening
Type	Discussion, Information, Report

2. Board Development

Subject	A. Expulsion Process
Meeting	Aug 23, 2023 - Board of Education Work Session
Category	2. Board Development
Type	

Mike Hernandez, Sheree Garvey, Laura Jackson, and Amy Steiner will present the Expulsion Process.

File Attachments
[Board Work Session. Expulsion Process .pptx.pdf \(1,218 KB\)](#)

3. Adjourn

Subject	A. Adjournment of Work Session
Meeting	Aug 23, 2023 - Board of Education Work Session

Category

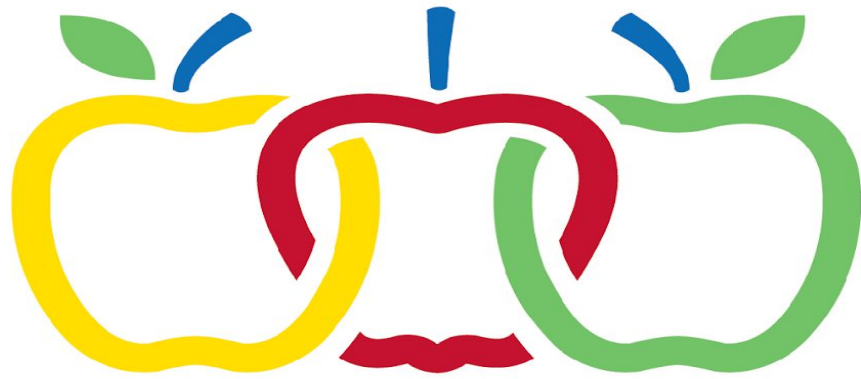
3. Adjourn

Type

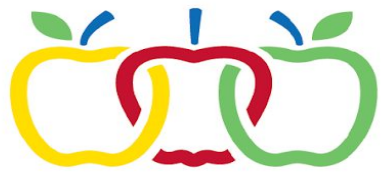
Information, Procedural

Board Work Session

August 24, 2023



APPLETON AREA
SCHOOL DISTRICT



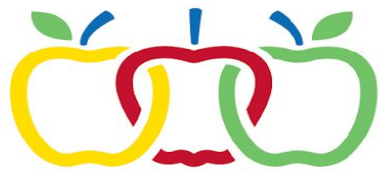
Introductions and Purpose

Mike Hernandez - Assistant Superintendent of School Services-High Schools

Sheree Garvey - Assistant Superintendent of School Services-Middle Schools

Laura Jackson - Executive Director of Student Services

Amy Steiner - Executive Director of Special Education



AGENDA

❑ Why : Compliance/Law

- ❑ Review State Statute and School District Authority
- ❑ Review DPI and legal guidance

❑ What: Incident Review and Facts

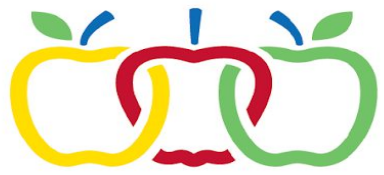
- ❑ Review the Administrative Guidance and Process in the AASD

❑ How: Support for Student

- ❑ Opportunity for abeyance
- ❑ Opportunity for learning
- ❑ Support to address the concern

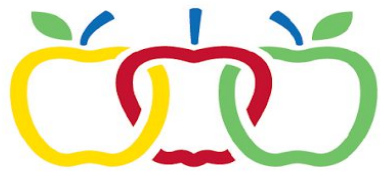


Pause for Questions



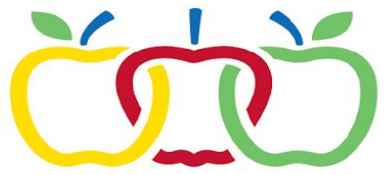
Start with Compliance





School District Authority to Discipline

- WI public school districts have a statutory responsibility to provide a free public education to resident students
 - WI Constitution, Art. X., Sec. 3; Wis. Stat. 121.77
- WI public school districts have a statutory responsibility to ensure schools are safe places to learn.
- To that end, school administration and the school board have the authority to impose disciplinary action against students who violate school rules and the law.
- School Board Powers
 - Authority for student codes of conduct, suspension, and expulsion – Wis. Stat. § 120.13(1)
 - Removal of pupils from class – Wis. Stat. 118.164

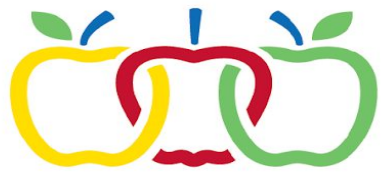


School Board Policy

Student Conduct Policy 443

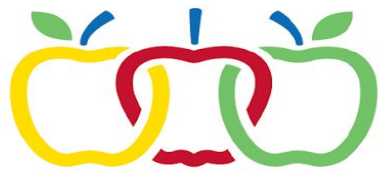
Student Alcohol and Other Drug Policy 443.4

Student Discipline 447

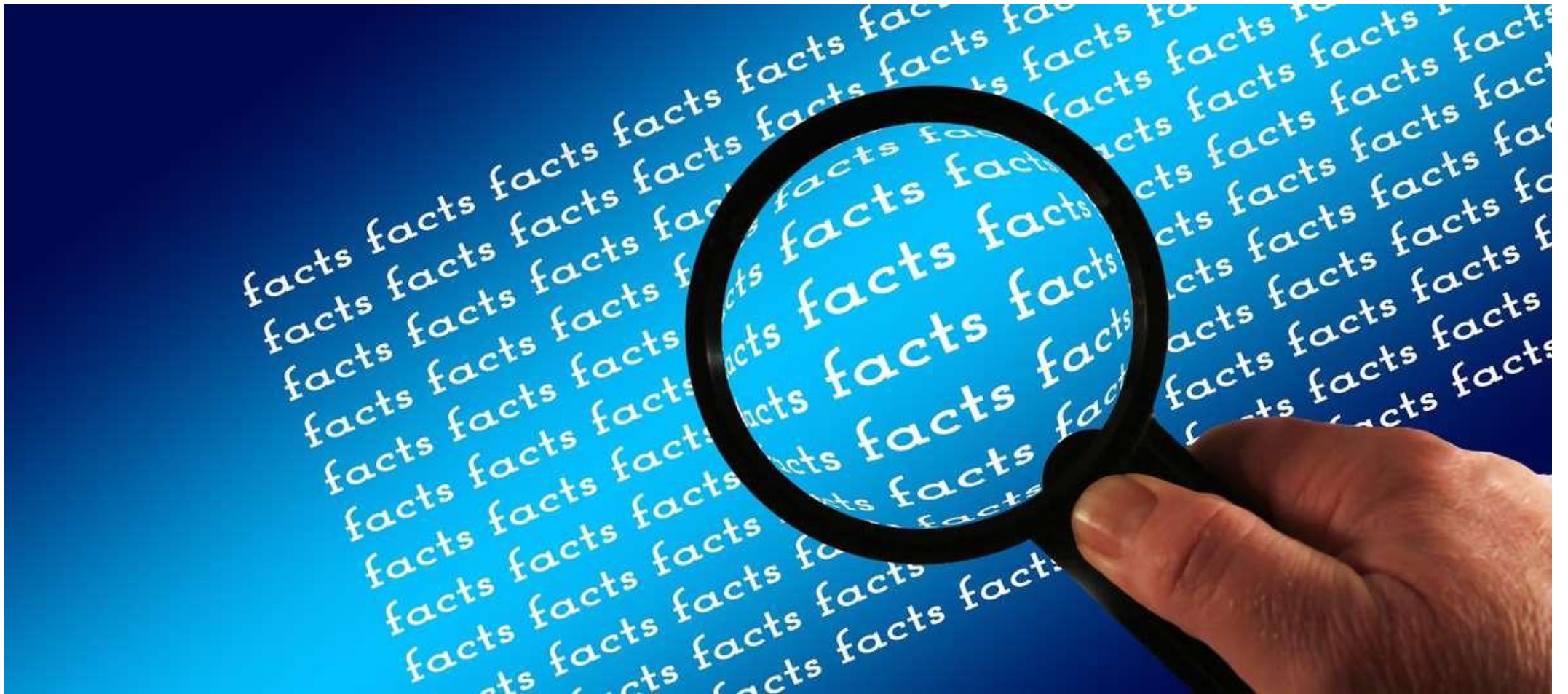


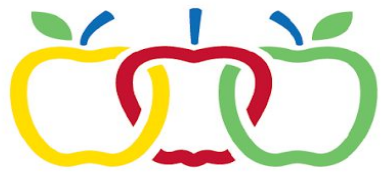
Pause for questions!





Incident Review and Facts





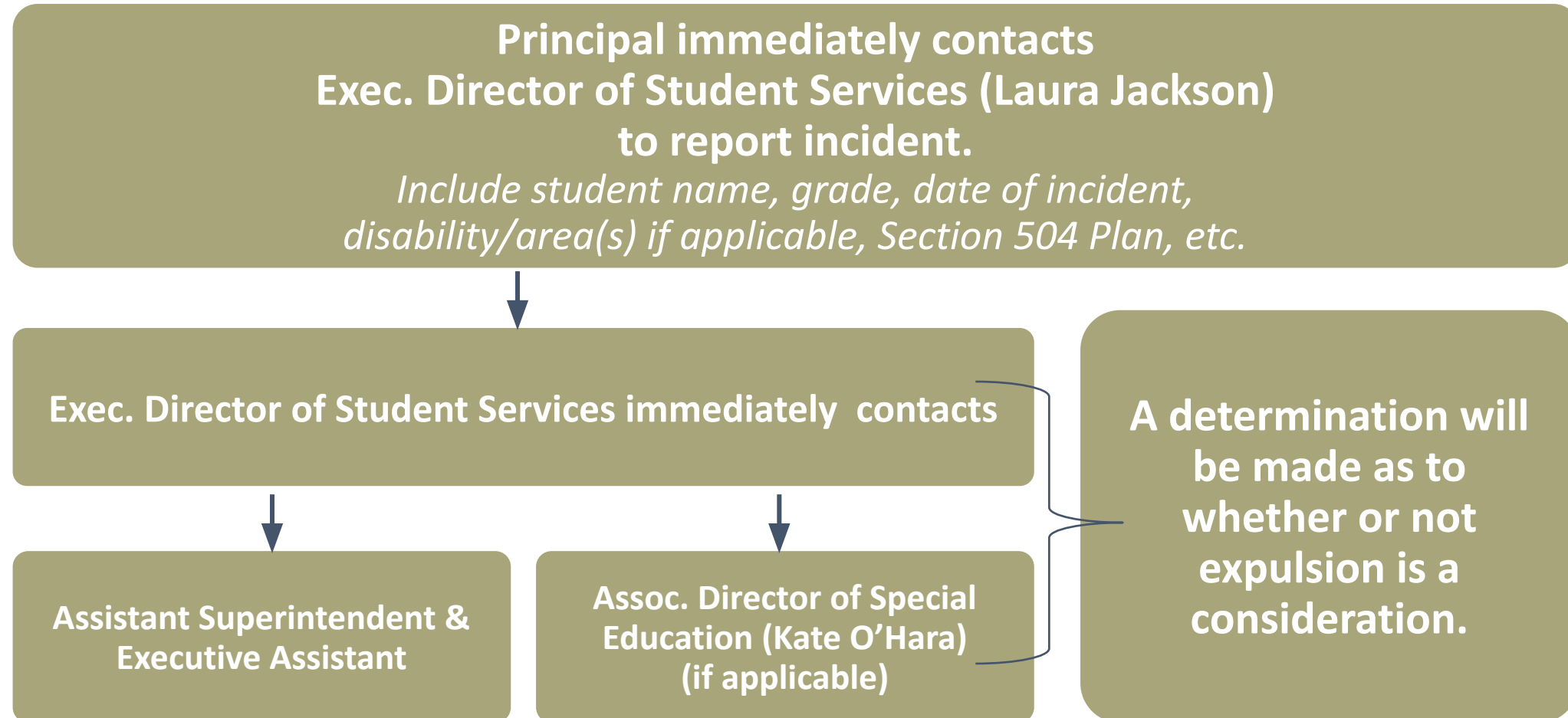
Review the Administrative Guidance and Process in the AASD

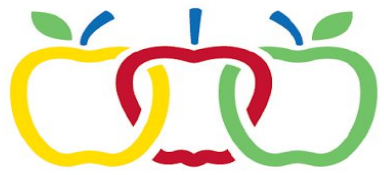
This is the **WHAT**

- ❑ Ensures that we are following the legal steps when considering expulsion.
- ❑ Ensure we have all the necessary documentation and the factual information on the case

Who to Contact (within 24 hours)

following a suspension of a student for 5 days due to an expellable offense





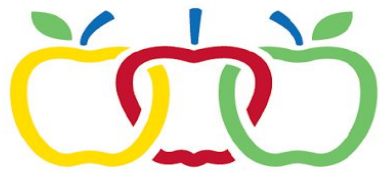
What do we consider?

Exec. Director of Student Services immediately contacts

Assistant Superintendent &
Executive Assistant

Assoc. Director of Special
Education (Kate O'Hara)
(if applicable)

A determination will
be made as to
whether or not
expulsion is a
consideration.



What do we consider?

- ❑ Facts of the case
- ❑ School Board Policy Violation?
- ❑ Is it expellable per State Statute?



**ASSISTANT
SUPERINTENDENT (High
School)**

**Mike Hernandez
ext. 60112**

**ASSISTANT
SUPERINTENDENT (Middle
School)**

**Sheree Garvey
ext. 60114**

**EXECUTIVE DIRECTOR OF
STUDENT SERVICES**

**Laura Jackson
ext. 60241**

**ASSOCIATE DIRECTOR OF
STUDENT SERVICES**

**Tiffany Frerks
ext. 60235**

**ASSOCIATE DIRECTOR OF
SPECIAL EDUCATION**

**Kate O'Hara
ext. 60243**

**EXECUTIVE ASSISTANT
DISTRICT OFFICE**

**Peggy Hermesen
ext. 60113**

2023-2024 Secondary Contacts

Documents Needed

**following a suspension of a student
for 5 days due to an expellable offense**

to be emailed to the Asst.
Superintendent, Exec. Asst., Exec..
Dir. of Student Services, and Assoc.
Dir. of Special Ed. (if applicable).

School (within 24 hours)

- Suspension letter
- Incident Report
- Student Written Statement(s)
- Photos, as appropriate

School (within 48 hours)

- Student's Handbook Signature/Date
- Student IEP/504 Plan/ Building Plan, if applicable
- Any additional information that is applicable to this incident

Downtown will run (within 48 hours)

- Personal Summary Report w/Picture
- Enrollment History
- Official Transcript
- Behavior Report (All Years)
- Current & Previous Year's Grades/ Progress Reports
- Current & Previous Year's Attendance

Is the student a student with a disability under IDEA or Section 504? ...

Within the first five (5) days of suspension, the Assoc. Director of Special Education facilitates a manifestation determination review with the IEP team (or Exec. Director of Student Services if 504 Plan). This review should be held prior to the pre-expulsion meeting.

- The **manifestation determination review** is conducted to determine if the incident is a manifestation of the student's disability.
- **If YES**, expulsion process stops. (No pre-expulsion meeting or Abeyance Agreement.) The IEP team must review the IEP and the student's placement. Exec. Dir. of Student Services may choose to meet with the family following. 
- **If NO**, the Exec. Dir. of Student Services would move forward with the pre-expulsion meeting and meet with the family along with the Principal/Assoc. Principal.

The Pre-Expulsion Meeting

- ✓ Prior to day five (5) of the suspension, the Exec. Asst. will schedule a meeting for the Exec. or Assoc. Dir. of Student Services, Principal/Assoc. Principal, parent/guardian, and student. It may be appropriate to include other participants such as an interpreter (if there is a language barrier), county social worker, School Resource Officer, etc.
 - Before the pre-expulsion meeting, the Assistant Superintendent will meet with the Exec. or Assoc. Dir. of Student Services (and Assoc. Dir. of Special Education if applicable) to determine if a abeyance agreement will be offered.
- ✓ During the pre-expulsion meeting, the Exec. or Assoc. Dir. of Student Services and Principal/ Assoc. Principal will review the information collected, along with the Notice of Hearing letters, with the parent/guardian and student. If the student has a disability, the manifestation determination will also be reviewed with parent/guardian and student.
- ✓ The Exec. or Assoc. Dir. of Student Services will inform the parent/guardian and student whether the expulsion hearing will be held or if a voluntary abeyance will be offered.
- ✓ If an Abeyance Agreement is offered, the family may agree to sign the Agreement immediately at the meeting or will be given additional time (deadline determined by Exec. Dir. of Student Services) to decide if they want to go to an expulsion hearing or sign the Agreement. If the family does not sign the offered Agreement before the deadline, the Exec. Dir. of Student Services will give the family the appropriate Notice of Hearing letters.

Following the pre-expulsion meeting for a student with an IEP or 504 Plan...

- ✓ **If an Abeyance Agreement is signed**, the assigned Assoc. Director of Special Education *(or Exec. / Assoc. Director of Student Services if 504 Plan)* makes arrangements to reconvene the IEP/504 Team. The IEP/504 team writes a new IEP/504 and will offer continued services through a change in placement (i.e. Continuum of Services). Case management remains with the student's primary special education teacher (as identified prior to the incident).
- ✓ **If proceeding to an expulsion hearing**, follow steps on the next slides.

The Expulsion Hearing

Prior to the hearing

The Assistant Superintendent will send the Principal/Assoc. Principal a document that includes:

- An overview of the case
- Listing of school staff who will be needed to testify [i.e., Principal/Assoc. Principal, SRO, Exec. or Assoc. Dir. of Student Services, Assoc. Dir. of Special Education (if applicable), etc.]
- Script that includes particular questions they will be asked during the hearing

The Principal/Assoc. Principal, Exec or Assoc. Dir. of Student Services, Assoc. Dir. of Special Education (if applicable) work with Assistant Superintendent to prepare recommendation of length of expulsion/re-admit conditions.

On the day of the hearing

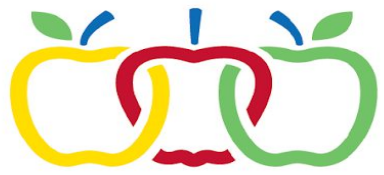
The Assistant Superintendent will meet approximately 30 minutes prior to the hearing with school staff who will be attending the hearing. After the hearing is conducted the Board's attorney will share the expulsion findings with the Assistant Superintendent, Principal/Assoc. Principal, Exec. or Assoc. Dir. of Student Services, Assoc. Dir. of Special Education (if applicable), parent/guardian, and student. Arrangements should be made with the parent/guardian if they do not want to wait for the Board's decision.

Approximately one week after the hearing

The attorney mails the Order of Expulsion to the Exec. Assistant. Signatures are obtained from the Board and official document is mailed to the parent/guardian, student, and Principals. Principals are responsible for placing a copy of the Order in the student's behavioral file (green file).

After the expulsion hearing for a student with a Disability....

After the expulsion hearing, an IEP/504 team meeting is held to review the IEP/504 and determine change in placement.



Process for Accessing Educational Services Offered through Abeyance Agreement/Expulsion Order for Students without Disabilities

High school students (grades 9-12) who are expelled or in abeyance are often given the opportunity to attend Dan Spalding Academy (DSA) as part of the agreement/order. Middle school-aged students (grades 6-8) who have been in abeyance or expelled may be given the opportunity to attend the Community Learning Center (CLC) through the agreement/order.

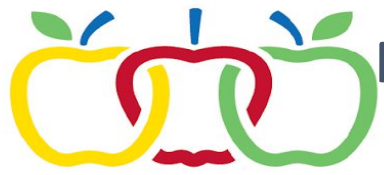
STEP 1:

Students must meet conditions outlined in their abeyance agreement/expulsion order. These agreements usually include:

1. Completing an AODA assessment and then following any treatment recommendations; or
2. Completing an anger management assessment and then following any treatment recommendations.
3. In certain situations, students may be allowed attend DSA/CLC during the interim while working on the conditions.
4. The parent/guardian must provide written documentation from the medical provider that the assessment has occurred and any follow-up treatment plan is in place and being followed. The student must also provide a negative urinalysis (UA) screen.

STEP 2:

The request for admittance to a school/program above or for an early re-admittance to the home school (per the agreement/order), should be made in writing by the student and addressed to the Assistant Superintendent. Assistant Superintendent confirms that the abeyance agreement/expulsion order conditions have been met and that the student has been cleared for admittance.



Process for Accessing Educational Services Offered through Withdrawal Agreement/Expulsion Order for Students without Disabilities

STEP 3:

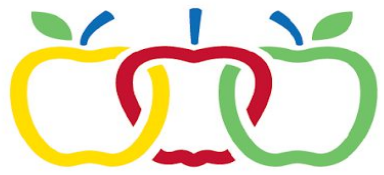
If admittance or early re-admittance is approved, the District office will inform the parent/ guardian and appropriate school personnel.

If approved to admit to DSA or CLC, the DSA/CLC principal will contact the family to set up an intake meeting. At the intake meeting an educational plan is developed and the conditions of continued enrollment are reviewed. If a student also requests enrollment in eSchool, the DSA/CLC Principal will assist the family with enrolling in School. If the student is only interested in eSchool, it is recommended the student still meet with the DSA/CLC Principal to go over all options and discuss enrollment procedures.

- Once student is enrolled, staff at DSA/CLC will assist student/family in completing the necessary requirements for possible early re-admit to the student's home school.

If approved to re-admit back to home school, the principal will contact the family to set up an intake meeting. At the intake meeting an educational plan is developed and the conditions of continued enrollment are reviewed.

During the period of re-entry, student must follow any counseling recommendations, follow all school rules, and agree to intermittent drug testing (if applicable). Failure to do so may result in the student being removed from the AASD schools and/or programs for the remainder of the agreement/order. Compliance with treatment and agreement/order are monitored until agreement/order expires.



Things to keep in mind RE: Alternative Programs

For the following reasons, not all expelled/abeyance students come to DSA/CLC:

- Not all students choose to comply with an abeyance agreement/expulsion order and thus can't come to DSA/CLC.
- Not all students choose to enroll at DSA/CLC.
- Some students may be able to meet their conditions relatively quickly and DSA may not be appropriate.
- DSA/CLC may not be the best educational fit for the student.

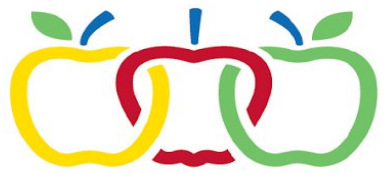
Please keep in mind the following:

- Nothing should be written on an abeyance student's file or transcript that the student has been in abeyance and then transferred to DSA/CLC.
- Nothing should be put in Infinite Campus that a student is in abeyance and going to DSA/CLC until they request the student's records.
- DSA/CLC does not know about a student who has entered into an abeyance agreement until that student is approved to enroll at DSA/CLC.



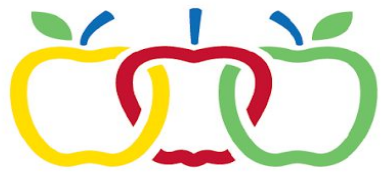
Confidential Student Discipline Files

- ❑ Confidential files of students who have been expelled or in abeyance are maintained in the Leadership Center for students with and without disabilities. When there are questions from students, parent/guardian, other school districts, or social workers regarding the student, school sites should have them call the Exec. Asst. at the Leadership Center
- ❑ Question(s) are forwarded to the appropriate Assistant Superintendent.
- ❑ Confidential files will be kept for a duration not to exceed one year after graduation or one year after the end of the expulsion.



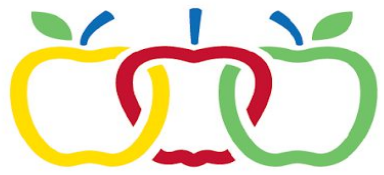
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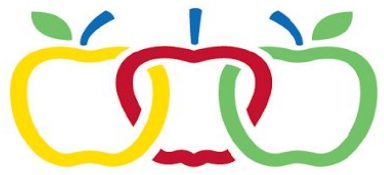
Support for Students





How do we support our students and families?

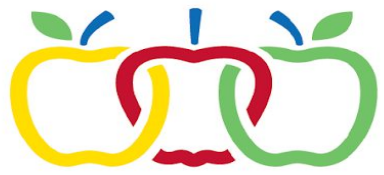
- ❑ Opportunity for Abeyance
- ❑ Opportunity for learning/educational opportunity
- ❑ Support to address the concern
 - ❑ Build into the abeyance process recommendations/conditions that specifically address the concern



What changes are we making?

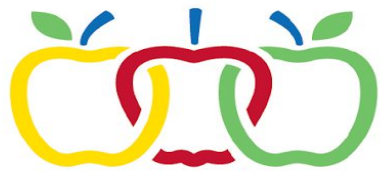
- Pay close attention to the “particulars of the conduct”
- Ensure expulsion orders include appropriate findings
- Consider alternatives to expulsion





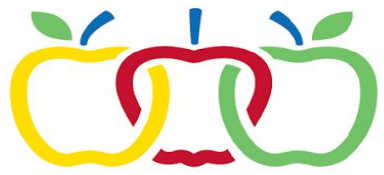
Ensure expulsion orders include appropriate findings!

- ❑ Investigation Basics 101 and annual trainings for administrators
- ❑ Ensure that all details and facts of the case are documented-be specific
- ❑ Include particulars of the student's alleged conduct
 - ❑ The notice shall state: "The specific grounds, under subd. 1., 2., or 2m., and the particulars of the pupil's alleged conduct upon which the expulsion proceeding is based."
 - ❑ Wis. Stat. §§ 120.13(1)(c)4.; 120.13(1)(e)4.a.



Alternatives to Expulsion

- Pre-Expulsion Agreements/Abeyance Agreements/Behavior Contracts
 - Provides a “last chance” for student
- Early Reinstatement
 - Allows the Board to expel a pupil for a period of time and then allows the pupil to return early (before the end of the term of the pupil’s expulsion) if certain conditions are met.
 - Conditions may be imposed during expulsion period
 - Conditions must relate to reasons for expulsion

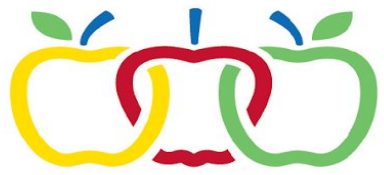


Takeaways

Review/reflect and revise as needed

- ❑ Annual review
- ❑ Ensure consistency in process
- ❑ Make appropriate changes as needed





Pause for questions!

