

**DEERFIELD COMMUNITY**

**CODE: 447.3**

**SCHOOL DISTRICT**

**DATE OF ADOPTION: 3/17/80**

Revised: 11/19/90, 7/19/93, 11/12/94, 12/18/95  
11/18/96

## **STUDENT SUSPENSION AND STUDENT EXPULSION**

### **Student Suspension**

In accordance with state statutes, a student may be suspended by the school principal for not more than five school days or, if an expulsion hearing is pending, for not more than a total of fifteen consecutive school days if it is determined:

1. That the pupil is guilty of violating a school rule or that while at school or under the supervision of a school authority endangered the property, health, or safety of others, and/or
2. That the pupil of conduct, while not at school or not under the supervision of a school authority, endangers the property, health, or safety of any employee or school board member of the school district in which the student is enrolled; and
3. That the pupil's suspension is reasonably justified.

Prior to any suspension, the pupil will be advised of the reason for the proposed suspension and any supporting evidence. The pupil will be given the opportunity to explain his version of the facts if the pupil denies the charges. If it is determined that the student is guilty of the misconduct charged and that the suspension is reasonably justified, the student will be suspended and a record of the suspension will be placed in the student's permanent file. Any suspension may be an in-school suspension or out-of-school suspension, whichever is deemed appropriate by the administrator for the student involved or offense incurred.

When imposing a suspension, representatives of the Deerfield School District will not discriminate against pupils on the basis of sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability or handicap in its educational programs or activities.

The parent or guardian of a minor pupil will be promptly notified in writing of the suspension. The notice will include the reason for the suspension; the right of the pupil or parent or guardian to a hearing; the right to legal representation at the hearing; the right to examine or cross-examine witnesses; and the right of appeal to the BOE.

The suspended pupil or his parent or guardian may, within five school days following commencement of the suspension, have a hearing with the district administrator or the district administrator's designee who will be someone other than a principal, administrator, or teacher in the suspended pupil's school.

If it is determined as a result of the hearing that the pupil was suspended unfairly or unjustly, or that the suspension was inappropriate, the suspension reference on the pupil's school records will be expunged. Such determination will be made within 15 days of the hearing.

After readmission to school, the pupil will be allowed to take any quarterly, semester, or grading period examinations missed during the suspension period.

In order to provide a basis for periodic examination and evaluation of suspension policies and practices, the district administrator will submit to the BOE monthly reports detailing the number of suspensions and indicating the reasons for such suspension. Such reports will indicate individual school data, as well as senior high, middle school, and elementary level totals.

### **Student Expulsion**

In accordance with state statutes, students may be expelled from school by the BOE if:

1. It finds the students guilty of repeated refusal or neglect to obey school rules; or finds that while the student was at school or under the supervision of a school authority endangered the property, health, or safety of others, and
2. It is satisfied that the interest of the school demands a student's expulsion.

Prior to expulsion, the BOE will hold a hearing regarding the proposed expulsion. Not less than five days' written notice of the hearing will be sent to the pupil and if the pupil is a minor to his parent or guardian. The notice will state the reason for the proposed expulsion; the time and place of the hearing, the fact that the expulsion may result,; the right to legal representation; and the right to appeal the BOE's decision.

At the hearing, minutes will be kept of all proceedings.

Upon the BOE's decision to expel a student, a copy of the expulsion order will be mailed to the pupil and his/her parent or guardian. The pupil will have the right to appeal the expulsion to the state superintendent and an appeal to the state superintendent's decision may be made within 30 days to the county circuit court.

LEGAL REF.: Wis. Stat. 120.13(1)(b)