

ADMINISTRATIVE POLICIES OF THE
MILWAUKEE PUBLIC SCHOOLS

ADMINISTRATIVE POLICY 8.32

STUDENT EXPULSION

- (1) In accordance with state statutes, a student may be expelled from school by the Board or by an Independent Hearing Officer (IHO) of the Board if the Board or IHO finds that:
- (a) the student is guilty of repeated refusal or neglect to obey Board or school 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 to destroy any school property by means of explosive; or
 - (c) the student engaged in conduct, while at school or while under the supervision of a 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 a school authority, engaged in conduct which endangered the property, health, or safety of others at school or under the supervision of a school authority; or
 - (e) the student endangered the property, health, or safety of any employee or school board member of the school district in which the pupil is enrolled; 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 a school authority, and that such conduct does not constitute grounds for expulsion under sec. 120.13(1)(c), and the interest of the school demands the student's expulsion; or
 - (g) the student shall be expelled from school for not less than one year whenever the board or independent hearing officer finds that the student, while at school or while under the supervision of a school authority, possessed a firearm, as defined in 18 U.S.C. §921(a)(3).

(2) Expulsion of a student from school is a very drastic step, one which the Board hopes shall be rarely necessary in the Milwaukee Public Schools. To be sure that such a step is taken only when absolutely necessary, the Board or the IHO shall hold a hearing before it orders an expulsion. Students and their parents or guardians shall be entitled to be represented by a lawyer or other persons of their choice. If the hearing is before an IHO, the Board shall review any expulsion order within 30 days after the date of the order and the Board may approve, reverse or modify the order.

(23) Notice of a hearing to determine whether an expulsion will be issued shall be served sent to the student and their student's parent/guardian. A student may be suspended for up to 15 days if a notice of expulsion hearing is sent. Upon serving notice of the expulsion hearing, the district must conduct the hearing not less than five days after sending the notice of hearing. within 15 days. The expulsion hearing should occur within 15 days or, but if unable to do so, return the student should return to a school placement or be provided homebound instruction, pending the expulsion hearing.

~~(234)~~ If a student is expelled, he/she shall not be permitted to return to the Milwaukee Public Schools for the period of expulsion, unless the decision is changed by the Board, or the student meets the early-reinstatement conditions specified in the expulsion order.

~~(345)~~ Students expelled from the Milwaukee Public Schools shall be offered educational services, except that a student will be expelled with online academic support for egregious acts of violence. Additionally, if the ~~Independent Hearing Officer~~Board or IHO determines that a student who is ~~or while receiving educational services for an expellable offense has~~ committed another expellable offense, that student will be expelled with online academic support.

~~(45)~~ ~~Expulsion of a student from school is a very drastic step, one which the Board hopes shall be rarely necessary in the Milwaukee Public Schools. To be sure that such a step is taken only when absolutely necessary, the Board shall hold a hearing before it orders an expulsion. Students and their parents or guardians shall be entitled to be legal representation at such hearings or to be represented by a lawyer or other persons of their choice.~~

~~(56)~~ Whenever a student is expelled from school by the Board (after a hearing or after approval of an IHO order), the decision may be appealed at any time to the State Superintendent of the Department of Public Instruction. The Department of Public Instruction's decision may be appealed within 30 days to the circuit court of the county in which the school is located.

~~(67)~~ Every student with an Individualized Education Plan (IEP) shall receive appropriate educational services during an expulsion period.

~~(8)~~ A report of the Independent Hearing Officer shall be presented to the Board for approval at the regular monthly board meeting and no later than 30 days after the date of an IHO expulsion order.

History Adopted 6-30-75; revised 1980, 5-22-82, 3-29-95, 1-30-01, 1-31-02, 08-28-08, 09-18-14

Previous Coding Admin. Policy JGE, prior to May 1995; Admin. Policy 10.32, May 1995-August 1996

Legal Ref. W.S. 120.13(1), 119.25

Cross Ref.	Admin. Policy	8.19	Student Conduct
		8.23	Weapons in the Schools
		8.24	Students of Legal Age
		8.33	Student Expulsion Independent Hearing Panel Officer
	Admin. Proc.	8.32	Student Expulsion

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