

# Student Discipline Suspension and Expulsion Students with Disabilities

Policy #447.5

Waunakee Community School District

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1. Suspension

In the instances where an identified student with disabilities is to be suspended, the District shall document in each case that the student is disruptive, is in danger to him/herself or others or violates school rules. Provisions are to be made for conducting an IEP review staffing, within three days, to determine if a modification of program is necessary.

2. Expulsion

If a student is to be expelled, the District specifies that the behaviors precipitating the student's expulsion action has been demonstrated to be behaviors not consistent with those for which a student with disabilities (special education) referral is made. This determination to expel can only be taken following a complete assessment of the child through the IEP team process. The IEP Team is to determine whether the conduct was related to the handicapping/special condition or to a possible inappropriate placement. If either is the case, the student cannot be expelled.

A student with a disability may be suspended for not more than ten (10) days if a notice of expulsion hearing has been sent. Additionally, a student with a disability may be placed in an interim alternative educational setting for up to 45 days during the pending of a due process hearing if the student brought a weapon or drugs to school.

The District shall not discriminate in disciplinary actions, including suspension and expulsion on the basis of sex, race, religion, national origin, color, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability or handicap. Discrimination complaints shall be processed in accordance with established procedures.

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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