



Book	Policy Manual
Section	For Board Review - Vol. 34, No. 1
Title	DUE PROCESS RIGHTS
Code	po5611 - Keep even though it is placed in policies where due process is to be applied.
Status	
Adopted	April 23, 2007

~~5611~~ **DUE PROCESS RIGHTS**

~~The Board of Education recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the District's disciplinary procedures.~~

611 - **DUE PROCESS RIGHTS**

The Board of Education recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the District's disciplinary procedures.

To better ensure appropriate due-process is provided a student, the Board establishes the following guidelines:

A. **Students subject to suspension:**

The suspended student, and if a minor, the parent of the suspended minor student shall be given prompt notice of the suspension and the reason for the suspension. The student or the student's parents may within five (5) school days following the beginning of the suspension, have a conference with the Superintendent. This conference will serve as the opportunity for the student to respond to the charges against him/her. If the Superintendent finds that the student was suspended unfairly or unjustly or that the student suffered undue consequences as the result of suspension, the student's record shall be expunged.

B. **Students subject to expulsion:**

Prior to expelling a student, the Board must hold a hearing. A student and his/her parent must be given written notice of the intention to expel and the reasons therefor, at least five (5) days prior to the date of the hearing. The hearing is the opportunity for the student and his/her parent to appear with a representative or legal counsel before the Board to answer the charges. The Board will keep written minutes of the hearing. The hearing will be closed. The student and/or his/her parent may appeal the expulsion consistent with Chapter 120.13, Wis. Stats.

The Superintendent shall establish procedures to ensure that all members of the staff use the above guidelines when dealing with students. In addition, this statement of due process rights should be placed in all student handbooks in a manner that will facilitate understanding by students and their parents.

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- B. Prior to expelling a student, the Board must hold a hearing. A student and his/her parent must be given written notice of the intention to expel and the reasons therefor, at least five (5) days prior to the date of the hearing. The hearing is the opportunity for the student and his/her parent to appear with a representative or legal counsel before the Board to answer the charges. The Board will keep written minutes of the hearing. The hearing will be closed. The student and/or his/her parent may appeal the expulsion consistent with Chapter 120.13, Wis. Stats.

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