

**StEPP Attorney Manual**  
**Deerfield Community School District**  
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**STUDENT CONDUCT**

Our school district wants to ensure that our schools are safe, courteous places where children and adults live in a positive supportive environment. To this end, we have heightened our attention on the matter of "good discipline".

The Deerfield School District Board of Education has taken a very firm position on the matter of proper student behavior. We have carefully reviewed our disciplinary philosophy and reaffirmed a set of behaviors that will not be accepted or tolerated in our schools. Students will not engage in behavior that disrupts classroom learning or school activities.

We need your cooperation and support in this matter of holding all students accountable for inappropriate or unacceptable behavior. We need a partnership that will help us be successful in ensuring a climate in our district where students and adults alike live in a pleasant and courteous environment. Please go over this behavior code with your child so that you can be sure they understand our expectations. Please understand that failure on the part of our students to comply with any of these behavior expectations will result in their suspension from school and a significant conference with the family before we consider granting the student readmission to his/her school program.

We want to be proud of the social climate and educational atmosphere in our school. We know that this can happen if we work together.

**DEERFIELD SCHOOL DISTRICT BEHAVIOR STANDARDS**

STUDENTS WILL NOT VERBALLY, PHYSICALLY, OR SEXUALLY HARASS OTHERS BASED ON SEX, RACE, RELIGION, NATIONAL ORIGIN, ANCESTRY, CREED, PREGNANCY, MARITAL OR PARENTAL STATUS, SEXUAL ORIENTATION, PHYSICAL, MENTAL, EMOTIONAL, OR LEARNING DISABILITY OR HANDICAP OR PHYSICAL APPEARANCE.

STUDENTS WILL NOT BEHAVE IN A DISRESPECTFUL OR DEFIANT MANNER. THIS RULE WILL HOLD DOUBLE CONSEQUENCES IN REGARDS TO BEHAVIOR WITH SUBSTITUTE TEACHERS.

STUDENTS WILL NOT ENGAGE IN VIOLENT OR HARMFUL PHYSICAL BEHAVIOR SUCH AS HITTING, BITING, PUSHING, SHOVING, POKING, PINCHING, GRABBING, KICKING, OR SPITTING.

STUDENTS WILL NOT USE PROFANITY IN THE SCHOOL ENVIRONMENT.

STUDENTS WILL NOT WILLFULLY DAMAGE, DEFACE, DESTROY, OR DISMANTLE SCHOOL OR PERSONAL PROPERTY.

STUDENTS WILL NOT STEAL SCHOOL OR PERSONAL PROPERTY.

STUDENTS WILL NOT ENDANGER OTHERS, BY POSSESSION AND/OR DISTRIBUTION OF WEAPONS, OR UNLAWFULLY ENGAGING IN BOMB THREATS AND FALSE FIRE ALARMS

STUDENTS WILL NOT POSSESS AND/OR DISTRIBUTE ALCOHOL, TOBACCO, OR OTHER DRUGS/CONTROLLED SUBSTANCES, OR OBJECTS THAT ARE HARMFUL TO THEMSELVES OR OTHERS. STUDENTS ARE PROHIBITED FROM BEING UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS WHEN ENGAGED IN SCHOOL ACTIVITIES, OR REPRESENTING DEERFIELD SCHOOLS, OR UNDER THE JURISDICTION OF SCHOOL OFFICIALS.

STUDENTS WILL NOT WEAR CLOTHING WHICH DISPLAYS PICTURES, WRITING, OR ADVERTISING THAT REFERS TO ALCOHOLIC, BEVERAGES, TAVERNS, TOBACCO, DRUGS, NUDITY, PROFANITY/OFFENSIVE, OR SEXUALLY SUGGESTIVE MESSAGES. ALSO, STUDENTS ARE NOT ALLOWED TO WEAR HATS, BANDANAS, OR OTHER HEAD COVERING ANYWHERE IN THE SCHOOL BUILDINGS DURING THE SCHOOL DAY, WITHOUT PRIOR APPROVAL OF A BUILDING ADMINISTRATOR. STUDENTS WILL NOT DRESS OR GROOM IN A MANNER THAT PRESENTS A DANGER, HEALTH SAFETY CONCERNS OR INTERFERES WITH WORK OR CREATES CLASSROOM DISORDER.

STUDENTS WILL NOT BE INVOLVED IN ANY TYPE OF CHEATING TO BENEFIT THEMSELVES OR OTHERS.

STUDENTS WILL NOT CAUSE DISRUPTION AND/OR INTIMIDATION BY GANG OR GROUP SYMBOLS OR GESTURES, GANG OR GROUP POSTURING TO PROVOKE ALTERCATIONS OR CONFRONTATIONS.

**DEERFIELD COMMUNITY**

**CODE: 443.2**

**SCHOOL DISTRICT**

**DATE OF ADOPTION: 1-21-80**

Revised: 5/20/91

Revised: 10/18/93

### **STUDENT CONDUCT ON SCHOOL BUSES**

Transportation service to and from school and for extracurricular events is a service provided by the school district.

While the law requires the school district to furnish transportation, it does not relieve parents of students from the responsibility of supervision until such time as the child boards the bus in the morning and after the child leaves the bus at the end of the school day.

Once a child boards the bus, and only at that time, he or she becomes the responsibility of the school district. Such responsibility shall end when the child is delivered to the approved bus stop, unless a permission slip for an alternate drop off is turned in, at the close of the school day. The alternate drop off option should only be used sparingly.

Specific rules and regulations regarding student behavior on buses shall be developed by the administration, approved and reviewed annually by the bus contractor and the Board of Education, and distributed to each student annually.

Students who refuse or fail to comply with bus rules and regulations repeatedly may have their bus service taken away. Suspension from the bus may be ordered by the building administrator. Such action will normally follow conferences by the building administrator with the student, the student's parents, and the bus contractors. Bus drivers will report student behavior problems to the building administrator in writing using an appropriate disciplinary report form.

Bus drivers are encouraged to work out potential problems with students and/or parents and the bus contractor prior to referring them to the building administrator. Students shall never be put off the bus to walk home or to walk to school.

DEERFIELD COMMUNITY

CODE: 440

SCHOOL DISTRICT

DATE OF ADOPTION: 1-21-80

Revised: 6/21/93

## STUDENT RIGHTS AND RESPONSIBILITIES

### RELIGION

Your Right: The Deerfield Community School District may not interfere with your right to observe any religion by requiring, establishing, or conducting religious exercises for you.

Your Responsibility: You have the responsibility to respect the religious beliefs and observances of others.

### SPEECH AND EXPRESSION

Your Right: You have the right to express your views, whether orally or symbolically (through buttons, armbands, symbols on clothing, political salutes, etc.), however, unpopular or critical of school or governmental policy they may be.

Your Responsibility: When expressing yourself, you must do so in a manner that does not "materially or substantially" disrupt the operation of the school.

Your Responsibility: You may not, in expressing yourself, violate another person's rights by using slanderous speech.

### SUSPENSION AND EXPULSION

Your Right: Before you may be suspended from school for 15 days or less, the suspending official must:

1. Tell you what rule you have broken, or write it down and give you a copy.
2. Explain to you why he or she believes that you broke the rule if you deny it.
3. Give you the chance to tell your version of what happened.

Your Responsibilities: First of all, you have the responsibility to follow school regulations. The Constitution does not shield you from suspensions "properly imposed" according to the above procedures. Secondly, if your conduct is dangerous to other persons or continually threatens to disrupt school, you may be suspended immediately.

In such cases, a hearing in which the above rules are followed should be given as soon as practicable after you are suspended.

### RACIAL DISCRIMINATION AND SEGREGATED SCHOOLS

Your Right: The state or other governmental body may not establish racially segregated schools, thus depriving you of your right to an education, regardless of race.

Noting the above expressed rights and responsibilities, it is also the policy of the Deerfield Community School District that no person may be denied admission to any public school in this district or be denied participation in, be denied the benefits of, or be discriminated against in any curricular, extracurricular,

## **STUDENT RIGHTS AND RESPONSIBILITIES (Cont.)**

pupil service, recreational, or other program or activity because of the person's sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability or handicap as required by s. 118.13, Wis. Stats. This policy also prohibits discrimination as defined by the Title IX of the Education Amendments of 1972 (sex), Title VI of the Civil Rights Act of 1964 (race, color, and national origin), and Section 504 of the Rehabilitation of 1973.

## BULLYING

The Deerfield School District is committed to creating a safe, caring and respectful learning environment free of bullying for all. This policy seeks to: (1) help individuals of all ages and abilities stay safe, act wisely, and believe in themselves; and (2) help adults respond effectively to students' reports and their own observations. The Deerfield School District is committed to training staff regarding bullying, and educating students about what bullying is and issues surrounding bullying. (3) It is the responsibility of everyone who sees an instance of bullying, or potential bullying, to act to stop it. This responsibility applies to all students, staff and other members of the community.

Bullying occurring in the schools is prohibited by law and will not be tolerated by the Deerfield School District. For purposes of this policy, "school" includes schools, school grounds, school buses, school sponsored social events, trips, sports events, or similar school-sponsored events and functions and travel to and from school and/or school sponsored events.

Bullying is deliberate or intentional behavior using words or actions, intended to cause fear, intimidation or harm. Bullying may be repeated behavior and involves an imbalance of power. The behavior may be motivated by an actual or perceived distinguishing characteristic, such as, but not limited to: age; national origin; race; ethnicity; religion; gender; gender identity; sexual orientation; physical attributes; physical or mental ability or disability; and social, economic or family status.

Bullying behavior can be:

1. Physical (e.g. assault, hitting or punching, kicking, theft, threatening behavior)
2. Verbal (e.g. threatening or intimidating language, teasing or name-calling, racist remarks)
3. Indirect (e.g. spreading cruel rumors, intimidation through gestures, social exclusion and sending insulting messages or pictures by mobile phone or using the internet – also known as cyber bullying).

The Deerfield School District takes allegations of bullying seriously and will respond promptly to complaints and allegations of bullying. **While** students are encouraged and expected to report an incident of bullying to any staff member at his or her school, preferably within 24 hours, for proper investigation, **students are always encouraged to report an incident at any time.**

While it is the intent of the school district to prevent bullying, take actions to stop bullying, and protect reporters of bullying, the school district cannot monitor the activities of students at all times and eliminate all incidents of bullying between students, particularly when students are not under the direct supervision of school personnel.

The school district may take into account but not be limited to the following factors: the developmental and maturity levels of the students involved; the circumstances; the severity of the behavior; and past incidences or continuing patterns of behavior.

Where it is determined that inappropriate conduct has occurred, the Deerfield School District will act promptly to eliminate the conduct and will impose corrective action as necessary, which may range from requiring the offender to work with school personnel to correct the behavior, a recommendation for the provision of school counseling, and/or disciplinary action where appropriate, up to and including suspension, expulsion and/or court involvement.

Consequences for employees who permit, condone, tolerate or engage in bullying may result in disciplinary action up to and including termination or discharge. Consequences for other individuals engaging in acts of bullying may include, but not be limited to, exclusion from school district property and events.

Third party witnesses are strongly encouraged to report observed incidents of bullying to Administration. Efforts will be made, when requested, to maintain the confidentiality of a witness's identity unless the witness is requested to testify in a hearing.

Retaliation against any individual who complains of bullying or anyone who participates in a bullying investigation is strictly forbidden by the District, and anyone who practices such retaliation will be subject to immediate discipline, up to and including discharge or expulsion.

Consent by the person being bullied does not lessen the prohibitions contained in this policy.

This policy applies not only to persons who directly engage in an act of bullying but also to persons who, by their indirect behavior, condone or support another person's act of bullying. This policy also applies to any person whose conduct constitutes bullying that interferes with or obstructs the mission or operations of the school district or the safety of welfare of students or employees.

The school district will give annual notice of this policy to students, parents or guardians and staff, and a summary of the policy shall appear in the student handbook and staff handbook.

Legal Ref: Wisconsin Statutes 118.01(2)(d)8 Personal Development  
118.13 Student Non-Discrimination  
947.0125 Email Harassment

**DEERFIELD COMMUNITY**

**CODE: 411.2**

**SCHOOL DISTRICT**

**DATE OF ADOPTION: 10-20-97**

**HAZING**

The Board of Education prohibits hazing or the threat of hazing activities by a student or a group of students against other student personnel.

The Board of Education considers hazing as, among other things, any willful act done by a student, whether individually or in concert with others, to another student which subjects such student to humiliation, intimidation, physical abuse or threats of abuse, social or other ostracism, shame, disgrace or endangers the physical health or safety of such student.

Any student who violates this policy will, by such action, immediately be subject to discipline, including possible expulsion, and local police authorities may be notified.

Copies of this policy will be provided to all parents and students annually.

Legal Reference 948.51, 120.13(1), Wis. Stats.

**DEERFIELD COMMUNITY**

**CODE: 443.1**

**SCHOOL DISTRICT**

**DATE OF ADOPTION: 1-21-80**

Revised: 11/16/92

**STUDENT DRESS**

The responsibility for the appearance of the students of the Deerfield Community School District rests with the parents and the students themselves. General cleanliness and good grooming is expected.

It is expected that students will maintain an appearance that is not distracting to faculty and other students and which does not detract from the educational process. Clothing should not display offensive markings or emblems. Student attire will not be destructive to school property and will comply with the health and safety codes of the State of Wisconsin.

If a student's appearance is considered detrimental, he or she may be sent home to change. Students will not wear hats or coats/jackets inside the classroom, except for special circumstances.

**DEERFIELD COMMUNITY**

**CODE: 443.3**

**SCHOOL DISTRICT**

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

**Revised: 1/18/93, 4/22/08, 7/21/14**

**TOBACCO USE & POSSESSION BY STUDENTS**

Smoking, use of smokeless tobacco, and/or the conspicuous possession of tobacco products, including electronic cigarettes, is not permitted at any school functions or on school property at any time for any reason.

Professional personnel will provide intensive programs of education designed to fully inform students about the hazards of tobacco.

Any violation of this policy will result in the notification of the parents and law enforcement and will result in a code violation when the student is involved in athletic/extra curricular activities.

LEGAL REFS.:       s.s. 120.12 (20)  
                          s.s. 101.23  
                          s.s. 48.983 (2)(c)

DEERFIELD COMMUNITY

CODE: 443.4

SCHOOL DISTRICT

DATE OF ADOPTION: 3-17-80

Revised 4-22-08

**STUDENT ALCOHOL AND OTHER DRUG USE**

Possession or use of alcohol, possession or use of illegal drugs, misuse of prescription and/or over the counter drug medications is not permitted at any school functions or on school property at any time for any reason. Students are also prohibited from attending school and/or any school functions under the influence of alcohol, illegal drugs and/or non-prescribed medications.

Any violation of this policy will result in the notification of the parents and law enforcement and will result in a code violation when the student is involved in athletic/extracurricular activities.

**USE OF WIRELESS COMMUNICATION DEVICES AND ELECTRONIC DEVICES**

The Board of Education believes that student use and possession of personal electronic devices during the normal school day can be generally disruptive in the educational environment. Therefore, with the exception of high school student use as described below, students are prohibited from using wireless communication devices (ie, cell phones, pagers, two-way radios) or entertainment equipment during the school day. Student possession of wireless communication devices and electronic devices is permissible within the school buildings; however, they must be turned off and stored in the locker during the normal school hours established by the school board. Possession or use of any such device(s) by a student is a privilege, which may be forfeited by anyone who fails to abide by district policy.

- A. Personal wireless communication devices and electronic devices should not be used by students in grades K-8 during the normal school day.
  - B. High school students are allowed to use wireless communication devices and electronic devices during their passing times and lunch periods, excluding classrooms, restrooms, and locker rooms. *The district reserves the right to revoke this privilege school-wide based on recommendation and documentation by school principal.*
- Students who bring in wireless communication devices and/or electronic devices do so at their own risk. The Deerfield Community School District shall not be responsible for the safety, security, loss or damage of personal electronic devices that students choose to bring to school. The Deerfield Community School District does not provide personal property insurance for any personally owned wireless communications devices or electronic devices.
  - The district may examine the personal wireless/electronic device and search its contents if there is a reason to believe that school policies, rules or regulations have been violated.
  - The use of any device for taking photos or recording video is prohibited unless approved in advance by building administration. Use is prohibited in locker rooms, bathrooms, or other locations where individuals can reasonably expect privacy. Violators may be subject to discipline and/or expulsion.
  - School district employees, visitors, and the community shall also refrain from using wireless communication/electronic devices that disrupt school activities.
  - These restrictions may be waived if the school board or its designee determines that the device is used or possessed for a medical, school, educational, vocational or other legitimate purpose.
  - Students violating this policy are subject to discipline and/or confiscation of the device.

Students, staff, and parents shall be informed of this policy through the appropriate handbooks.

<b>DEERFIELD COMMUNITY</b>	<b>CODE: 443.6</b>
<b>SCHOOL DISTRICT</b>	<b>DATE OF ADOPTION: 01-19-98</b>

**WEAPONS ON SCHOOL PREMISES**

No person shall possess, use, or store a weapon on school property, on school buses, or at any school-related event. (This prohibition does not apply to law enforcement officers discharging their official duties or military personnel who are armed in the line of duty).

The building principal may allow weapons in the building for purposes of demonstration or educational presentations. This approval must be in writing and granted prior to the weapon being brought to the school. The weapon shall be maintained in the possession of the principal except during the actual demonstration or presentation.

A weapon is any object which is used or intended to be used to inflict bodily harm. This includes, but is not limited to guns, including BB and pellet firing guns, firearm silencers, knives, razors, karate sticks, metal knuckles, chains, and similar items or destructive devices such as explosives or fire bombs.

Any student violating this policy shall be subject to penalties outlined in state and federal law including mandatory expulsion from school. Decisions on expulsion shall be made by the Board on a case-by-case basis. Parents/guardians and law enforcement officials will be notified in all cases. Weapons will be confiscated by the District.

Any other person violating this policy shall be referred to law enforcement officials for prosecution.

Law enforcement officers will be summoned to the schools in a situation involving a weapon which presents an immediate threat to safety. If the situation does not allow an opportunity to contact law enforcement officials immediately, school staff and administration shall attempt to diffuse and control the situation until law enforcement officials can be summoned.

LEGAL REF.: Sections 120.13(1) Wisconsin Statutes  
941.235

## INTERROGATIONS AND SEARCHES

### Investigations By Staff

The right of interrogating and searches of students is inherent in the authority granted school boards and administrators. This authority may be reasonably exercised as needed in the interest of safeguarding children, and personal school property.

Nevertheless, exercise of that authority by school officials places unusual demands upon their judgment. Fundamental concerns are: to protect each child's constitutional rights to personal privacy and protection from coercion, and to act in the best interest of all students and the schools.

Searches will be reported to the Board of Education either before or after as appropriate.

What constitutes a reasonable search depends entirely upon the peculiar facts and circumstances existing at the time a search is contemplated. If a school official reasonably believes that a student is harboring a weapon or other substance imminently dangerous to persons or property, such official has not only a right but a duty to conduct an immediate search and seizure. On the other hand, a suspicion that a student is concealing evidence of a crime upon his person or property should ordinarily be handled by alerting the local police. This is especially true in those instances in which the student is not likely to dispose of the evidence prior to the police involvement. Objects in "plain view" may be seized if they are not the product of a search and the person seizing them had a right to be in a position to have that view.

### Investigations by Police During School Day

- (1). When it becomes necessary for a student to become involved with the police regarding criminal activities, the officer may conduct a non student-initiated interview or interrogation of students on school premises under the following conditions:
  - (a) The police shall contact the parent(s) or guardian of a minor student prior to an interview. The police/school resource officer/designee shall proceed with the interview only after receiving verbal approval of the parent(s) or guardian or upon the arrival of the parent(s) or guardian.
  - (b) In all situations, every possible step should be taken to ensure minimum embarrassment or loss of class time for the student.
  - (c) A school administrator may be present at the interview.
  - (d) If the police find it necessary to interrogate students upon possible criminal conduct or activity, the students will be informed of their constitutional rights (Miranda warnings). A further explanation of these rights will be given using a printed form which they may sign if they so choose. The students will be informed whether or not they are free to go.
  - (e) If a student is taken into police custody, the student shall immediately be removed from school property.

- (2). The police or social worker may conduct interviews/interrogations without prior parental contact in situations where:
  - (a) The parent or guardian is suspected of a crime and the student has information as a witness or a victim;
  - (b) The student is a victim of a particularly sensitive crime such as sexual assault or child abuse;
  - (c) A delay may result in flight of the suspect;
  - (d) A delay may result in the destruction of evidence;
  - (e) A delay may result in the opportunity to cover up the crime;
  - (f) A delay may result in an unnecessary threat to the community;
  - (g) The student voluntarily approaches the police/school resource officer;
  - (h) There is a non-investigatory discussion.
  
- (3). The school administrator or designee will make an effort to contact the parent of any student taken into police custody.

### **Confidentiality of Information and Records**

Sharing of confidential information and/or student record content with the police shall fully comply with statutory provisions and school district policies.

The Deerfield School District shall not discriminate in following these procedures 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. Discrimination complaints shall be processed in accordance with established procedures.

DEERFIELD COMMUNITY

CODE: 446.1

SCHOOL DISTRICT

Date of Adoption: 09/21/1998

### LOCKER SEARCHES

School lockers are the property of the Deerfield Community School District. At no time does the District relinquish its exclusive control of lockers provided for the convenience of students. Periodic general inspection of lockers may be conducted by the Principal, District Administrator, Assistant Superintendent, a Police Officer working with school authorities or other school personnel designated by the Administrators for any reason at any time, without notice, without student consent and without a search warrant.

Any unauthorized item found in the locker may be removed by school authorities.

#### LEGAL REF.:

Sections 118.32 and 118.325 Wisconsin Statutes.

Wisconsin Supreme Court - Isiah B. v. State of Wisconsin (176 Wis. 2d 639, 1993).

U.S. Supreme Court - New Jersey v. T.L.O. (105 S.Ct. 733, 1985).

DEERFIELD COMMUNITY

CODE: 446.2

SCHOOL DISTRICT

DATE OF ADOPTION: 11/16/1998

**THE USE OF DRUG SNIFFING DOGS BY SCHOOL OFFICIALS**

**I. Policy Statement**

The Deerfield Board of Education has a strong and long-standing commitment to discouraging and preventing the use of illegal drugs and alcohol among its student population. The Board recognizes that the problem of illegal drug and alcohol abuse presents a continuing challenge in its schools, and a clear danger to the student population. To meet this challenge, and to address this danger, the Board authorizes the use of trained drug-sniffing dogs by school officials when and at such intervals deemed appropriate, in the discretion of the District Administrator or his/her designee.

**II. Procedures**

Use of drug-sniffing dogs shall be approved and overseen by the District Administrator or his/her designee. Under normal circumstances, the use of the dogs shall be limited to sniffing students' lockers, possessions (such as backpacks or jackets, when removed) or cars in the parking lots of the school. In the event the District Administrator or his/her designee determines that circumstances so warrant, drug sniffing dogs may be used in the school to sniff students, providing that the dogs shall not physically put their noses on the students.

The District Administrator or designee shall make arrangements to obtain the services of drug-sniffing dogs. Any drug-sniffing dogs utilized under this policy shall be determined and warranted by their handlers/trainers to be suitably trained to detect illegal drugs by scent. Dogs shall be used for sniffing drugs only under the supervision, and at the behest, of the District Administrator or his/her designee. In particular, use of drug sniffing dogs under this policy shall not be made at the behest of, or under the control of, individuals acting in the capacity of police officers. Use of drug sniffing dogs is not intended to constitute a police search.

Prior to any use of drug-sniffing dogs, a written copy of this Policy shall be distributed to all students of the school in the Deerfield Community School District.

Reference: Doe v. Renfrew, 475 F. Supp. 1012 (N.D. Ind. 1979) modified, 6331 F. 2d 91 (7<sup>th</sup> Cir. 1980), cert. denied, 451 U.S. 1022 (1981)

**STUDENT DISCIPLINE**

Good discipline in the school is extremely important to the school program. Without good discipline the school cannot discharge its primary responsibility in the development of citizenship.

In all disciplinary action teachers should be mindful of the fact they are dealing with individual personalities. A child's personality, disposition, and personal characteristics should be given consideration before prescribing treatment. Each child is deserving of each teacher's best thinking and most deliberate judgment.

Disciplinary action should not be administered in such a way as to cause the child to lose status before his or her social group. Teachers should guard against making remarks to other pupils concerning the child's shortcomings or engage in discussions with a pupil in such a way as to reflect discredit upon the pupil before the others.

All information concerning the pupil or his or her family background should be held in strictest confidence.

In cases of insubordination or misconduct when ordinary and usual methods of correction are ineffective, the teacher may send the pupil to the principal for further action.

**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)

**DEERFIELD COMMUNITY**

**CODE: 449**

**SCHOOL DISTRICT**

**DATE OF ADOPTION: 1-21-80**

**Revised: 6/21/93**

**STUDENT DUE PROCESS RIGHTS**

Before any disciplinary action is taken against a student, the student has the right to the due process guaranteed by the United States Constitution and the Statutes of Wisconsin.

A student will be advised of what rule was broken by his/her behavior and will be given an opportunity to tell his/her version of what happened.

Behavior which may lead to suspension shall be documented, with the student's parents or guardians receiving copies of such documentation.

The route for all appeals shall be from teacher, to building administrator, to district administrator, to school board as dictated by BOE policy.

All specific requirements of Wis. Stat. 120.131 (1) shall be complied with at all times.

When applying and considering student due process rights, it will be the policy of the Deerfield Community School District that no person may be denied admission to any public school in this district or be denied participation in, be denied the benefits of, or be discriminated against in any curricular, extracurricular, pupil service, recreational, or other program or activity because of the person's sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical mental, or emotional, or learning disability or handicap as required by s. 118.13, Wis. Stats. The policy also prohibits discrimination as defined by Title IX of the Education Amendments of 1972 (sex), Title VI of the Civil Rights Act of 1964 (race, color, and national origin), and Section 504 of the Rehabilitation Act of 1973.

LEGA REF.: Wis. Stat. 120.13 (1)