
ADMINISTRATIVE REGULATION

POLICY 5430
ADMINISTRATIVE REGULATION
ADMINISTRATIVE REVIEW COMMITTEE RULES

The District Administrative Review Committee (“Committee”) members shall be appointed by and serve at the pleasure of the Superintendent of Schools. The District’s legal counsel shall serve as advisor to the Committee in all deliberations.

This Committee shall observe the following procedures:

For Review of Expulsion Recommendations

1. The principal/designee shall refer to the Committee any student who: repeatedly refuses or neglects to obey school rules and/or District policies; knowingly conveys or causes to be conveyed any threat or false information concerning an attempt or alleged attempt to destroy school property by means of explosives; engages in conduct while at school or while under the supervision of a school authority which endangers the property, health, or safety of others; engages in conduct while not at school or while not under the supervision of a school authority which endangers the property, health, or safety of others at school or under the supervision of a school authority; endangers the property, health, or safety of any employee or school board member of the District; repeatedly engages in conduct while at school or while under the supervision of a school authority that disrupts the ability of school officials to maintain order or an educational atmosphere if the student is at least 16 years old; or possesses a firearm while at school or while under the supervision of a school authority
2. Prior to the review with the Committee, the following procedural steps must be completed by the principal/designee:
 - a. The principal/designee shall give prompt notice to the Administrative Review Committee Chair citing the present charges against the student. The Administrative Review Committee Chair will give the principal a date and time for reviewing the case if satisfied that the particulars of the case warrant a review with the Committee.
 - b. The referring principal/designee shall notify the student and parent/guardian of the reasons for referring the case to the Committee.
3. When a principal/designee refers a student to the Committee with the recommendation for expulsion, and the Committee finds that the referral is appropriate, fair and just, the Committee shall recommend that the District initiate expulsion proceedings against the student pursuant to Section 120.13(1)(c) of the Wisconsin Statutes. State law requires that an expulsion proceeding must be conducted in accordance with established time periods and fundamental procedural protections that are required by the due process clause of the Fourteenth Amendment. All pertinent information will be assembled and reviewed by the principal/designee prior to the presentation at the Administrative Review.
4. If the Committee recommends an expulsion hearing before a Board-appointed Independent Hearing Officer (“IHO”), the District’s legal counsel shall proceed in accordance with the procedural steps contained in current state law to arrange an adjudicatory proceeding before the IHO to act on the recommendation of the Superintendent of Schools and the Committee.]

- c. When the Committee recommends an expulsion hearing for a student who has been determined by the District to have an exceptional educational need, the expulsion proceedings will be held in abeyance pending a Manifestation Determination Review (“MDR”) to determine whether the student's behavior that is the subject of the expulsion recommendation is a manifestation of the student’s disability. If the MDR finds that the behavior in question is not related to the disability, the expulsion proceedings shall be initiated as recommended by the Committee. If the MDR finds that the behavior is related to the student’s disability, then the expulsion proceedings shall not be initiated and the student’s IEP team will consider program modifications as appropriate.
5. When the Committee recommends an expulsion hearing before the IHO, written notice of such action shall be sent separately to the student and parent/guardian.
6. When the Committee finds that the presented facts do not warrant a recommendation for expulsion, the Committee may decide on educational alternatives so that the referred student can continue with his/her education. Educational alternatives may include, but are not limited to:
 - d. Referral to a District IEP team for evaluation of a suspected disability
 - e. Modification of classroom schedule (example: mornings only)
 - f. Transfer to another school
 - g. Referral for counseling by school personnel or outside agency.

For Review of Enrollment Requests from Expelled Students

1. The Committee, as the designee of the Superintendent of Schools, shall review, evaluate, and approve all requests for enrollment of any student under a current expulsion order from any school district who is seeking enrollment in the District prior to the expiration of the term of expulsion.
2. In reviewing a request for enrollment from an expelled student, the Committee shall review all applicable records from the student’s previous school district, including but not limited to proof of residency.
3. The Committee shall recommend approval or denial of the student’s request for enrollment in accordance with Board policies and any applicable law.
4. When the Committee recommends approval of the student’ request for enrollment, that recommendation shall be taken to the Board of Education for action in accordance with the Committee’s recommendation.
5. When the Committee finds that a recommendation for enrollment is not warranted, the Administrative Review Committee Chair shall notify the student’s parent/guardian of the Committee’s decision.