

**STUDENT SUSPENSION OR EXPULSION**

A student may be suspended or expelled from school for the reasons set forth in W.S. 21-4-306, which include the following:

1. Continued willful disobedience or open defiance of the authority of school personnel.
2. Willful destruction or defacing of school property during the school year or any recess or vacation.
3. Any behavior that is clearly detrimental to the education, welfare, safety, or morals of other pupils, including the use of foul, profane, or abusive language or habitually disruptive behavior. "Habitually disruptive behavior" means overt behavior willfully initiated by a student causing disruption in the classroom, on school grounds, on school vehicles, or at school activities or events, which requires the attention of a teacher or other school personnel.
4. Torturing, tormenting, or abusing a pupil or in any way mistreating a pupil or a staff member with physical violence.
5. Possession, use, transfer, carrying, or selling a deadly weapon as defined under W.S. 6-1-104(a)(iv) within any school bus or within boundaries of real property used by the District primarily for the education of students.

The Board delegates to the Superintendent and to each assistant superintendent, principal, and assistant principal in the school district the authority to suspend a student for a period not to exceed ten (10) consecutive school days on the grounds listed above.

The Board delegates to the Superintendent and assistant superintendents the authority to suspend a student for a period exceeding ten (10) school days or to expel a student for a period not to exceed one (1) year.

Students who are suspended or expelled may, if determined appropriate by the Superintendent or his/her designee, be given the opportunity to participate in alternative educational programming upon terms and conditions established by the Superintendent or his/her designee.

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Subject to the case-by-case modification permitted below, the Superintendent is required by the Board to expel from school for a period of one (1) year any student determined to possess, use, transfer, carry or sell a deadly weapon as defined under W.S. 6-1-104(a) (iv) within any school bus or within the boundaries of real property used by the District primarily for the education of students. The Superintendent, with the approval of the Board of Trustees, may modify the period of expulsion on a case-by-case basis based upon the circumstances of the violation. Upon such a violation (regarding a deadly weapon), the Superintendent shall notify the district attorney of the violation together with the specific act in violation and the name of the student. No suspension or expulsion shall be for longer than one (1) calendar year.

Suspension or expulsion shall not be imposed as an additional punishment for offenses punishable under the laws of the state, except for an expulsion because of a deadly weapon as described above, or where the offense was committed at a school function, against the property of the school, or is of such a nature that continuation in school would clearly be detrimental to the welfare, safety, or morals of other pupils.

Students who are on suspension or expulsion will not be allowed to attend any school functions or be on any school property without permission of the site administrator.

Procedure for Suspension and Expulsion of Students

**DEFINITION OF TERMS:**

1. Short-term suspension refers to a period of time that a student is removed from school not to exceed ten (10) consecutive school days.
2. Long-term suspension and/or expulsion refers to a period of time that a student is removed from school for more than ten (10) consecutive school days.

**SPECIFIC RULES GOVERNING SHORT-TERM SUSPENSION**

1. Each principal and assistant principal may suspend a student for a period of time not more than ten (10) consecutive school days (short-term suspension).
2. In all cases, before a short-term suspension is imposed

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- against a student, a principal/assistant principal will be responsible for making an investigation concerning the student's conduct in order to justify the suspension.
3. The student will be given oral or written notice of the charges made against him/her and an explanation of the evidence.
  4. The principal/assistant principal shall make a good faith attempt to notify the student's parents, guardians or custodians within twenty-four (24) hours of the student's suspension and the reasons for the suspension, using the contact information on record with the school or district. A record of the efforts to provide notice under this paragraph and whether the notice was provided successfully shall be kept.
  5. The student shall be provided an opportunity to be heard before being removed unless the student's presence endangers persons or property or threatens disruptions of the academic process, however in such cases the opportunity to be heard shall follow as soon as practicable, and not later than seventy-two (72) hours after removal, not counting Saturdays and Sundays.
  6. Any student who has been suspended for a short term may request that the Superintendent review the suspension utilizing the following procedure:
    - a. The student (or parent/guardian) will notify the Superintendent in writing within two (2) school days after the suspension that they wish the Superintendent to conduct a formal review and the reasons for their request.
    - b. The Superintendent will meet with the student and the student's parents/guardians to review the suspension within two (2) school days of the request. The Superintendent will notify the student and parent/guardian of his/her decision within two (2) school days following the meeting. The decision of the superintendent with respect to short-term suspension shall be final.

**SPECIFIC RULES GOVERNING LONG-TERM SUSPENSIONS/EXPULSIONS**

The Superintendent and/or Assistant Superintendent may suspend or expel a student for a period of time not exceeding one calendar year for conduct defined above. The following procedure shall apply to long-term suspensions and expulsions:

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1. The principal or his/her designee shall make a recommendation with respect to the proposed long-term suspension or expulsion. The principal may also place the student on short-term suspension pending the conclusion of the long-term suspension/expulsion proceedings. In such circumstances, the principal shall:
  - a. give the student oral or written notice of the charges made against him/her and an explanation of the evidence prior to removal from school unless the student's presence endangers persons or property or threatens disruption of the academic process, in which case immediate removal is justified; and
  - b. notify the student's parents/guardians within twenty-four (24) hours of the student's suspension and the reasons for the suspension, using the contact information on record with the school or district.
2. Written notice of the Principal's recommendation for a long-term suspension or expulsion shall be provided to the student and to the student's parents/guardians.
3. The student and/or the student's parents/guardians may request that the Superintendent or Assistant Superintendent review the recommendation by notifying the Superintendent in writing Within two (2) school days after receiving notice of recommendation for long term suspension or expulsion that the student wishes a formal review and the reasons for the request.
4. If such a request for review is made, the Superintendent or Assistant Superintendent will conduct a hearing to review the recommendation. During the hearing, the Superintendent or Assistant Superintendent shall review the charges and incidents upon which the principal's recommendation is based, hear the evidence relevant to the charge or charges, provide an opportunity for the student, parent or guardian, counsel and witnesses to present information, and determine whether a long-term suspension and/or expulsion is warranted. The Superintendent or Assistant Superintendent will notify the student and parents/guardians of his/her decision within two (2) school days following the meeting. The Superintendent or Assistant Superintendent will follow the procedures set forth in JKD-P.
5. If the student or parent/guardian does not request a review of the Principal's recommendation or following review of the recommendation as described above, the Superintendent or Assistant Superintendent shall make a determination with respect to the long term suspension or expulsion and

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provide written notice to the student and the student's parents/guardians.

6. Any expulsion involving a modification of the one (1) year period of expulsion provided for in Wyo. Stat. Ann. § 21-4-306 with respect to situations involving a deadly weapon must receive approval from the Board.
7. If the student or parent/guardian is not satisfied with the decision of the Superintendent or Assistant Superintendent regarding the long-term suspension or expulsion, the student and/or students' parents/guardians may request a hearing as provided for in Wyo. Stat. Ann. 21-4-305(b)(ii) by providing written notice to the Superintendent's office within two (2) school days of receipt of the decision of the Superintendent or Assistant Superintendent regarding the long-term suspension or expulsion. If such a hearing is requested, the hearing shall be before the Board of Trustees and shall be conducted in a manner that is consistent with the procedure set forth in the Wyoming Administrative Procedures Act and Board Policy BEE and BEE-E. Unless the student requests an extension and the Board approves an extension, the hearing before the Board shall be held within ten (10) business days, or as soon thereafter as is reasonably practicable, after the recommendation for a suspension or expulsion has been received.
8. The decision of the Board of Trustees with respect to any long-term suspension or expulsion shall be considered a final decision, which may be appealed to the district court of Sheridan County pursuant to the provisions of the Wyoming Administrative Procedures Act and Wyo. Stat. Ann. 21-4-305(f).

W.S. 21-4-305 and 21-4-306

W.S. 16-3-101 et seq.

See also policy:

JK	Student Discipline
BEE	Board Hearing / Appeal Procedures
BEE-E	Rules of Practice

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