



## 1995 ASSEMBLY BILL 117

February 8, 1995 - Introduced by Representatives BRANDEMUEHL, COLEMAN, DOBYNS, DUFF, GREEN, GROBSCHMIDT, GOETSCH, GROTHMAN, HAHN, HOVEN, HUEBSCH, KREIBICH, LADWIG, LEHMAN, MUSSER, NASS, OLSEN, OTT, OTTE, RYBA, SCHNEIDERS, SILBAUGH, UNDERHEIM, VRAKAS, WASSERMAN and WILDER, cosponsored by Senators SCHULTZ, BUETTNER, COWLES and C. POTTER. Referred to Committee on Education.

1 **AN ACT to amend** 120.13 (1) (b) of the statutes; **relating to:** pupil suspensions.

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### *Analysis by the Legislative Reference Bureau*

Under current law, a school district administrator or any principal or teacher designated by the school administrator may suspend a pupil from school for not more than 3 school days or, if notice of an expulsion hearing has been sent, for not more than a total of 15 consecutive school days. This bill extends this 3-day period to 5 school days.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 **SECTION 1.** 120.13 (1) (b) of the statutes is amended to read:

3 120.13 (1) (b) The school district administrator or any principal or teacher  
4 designated by the school district administrator also may make rules, with the  
5 consent of the school board, and may suspend a pupil for not more than 3 5 school  
6 days or, if a notice of expulsion hearing has been sent under par. (c) or (e) or s. 119.25,  
7 for not more than a total of 15 consecutive school days for noncompliance with such  
8 rules or school board rules, or for knowingly conveying any threat or false  
9 information concerning an attempt or alleged attempt being made or to be made to  
10 destroy any school property by means of explosives, or for conduct by the pupil while  
11 at school or while under the supervision of a school authority which endangers the

1 property, health or safety of others, or for conduct while not at school or while not  
2 under the supervision of a school authority which endangers the property, health or  
3 safety of others at school or under the supervision of a school authority or endangers  
4 the property, health or safety of any employe or school board member of the school  
5 district in which the pupil is enrolled. Prior to any suspension, the pupil shall be  
6 advised of the reason for the proposed suspension. The pupil may be suspended if  
7 it is determined that the pupil is guilty of noncompliance with such rule, or of the  
8 conduct charged, and that the pupil's suspension is reasonably justified. The parent  
9 or guardian of a suspended minor pupil shall be given prompt notice of the  
10 suspension and the reason for the suspension. The suspended pupil or the pupil's  
11 parent or guardian may, within 5 school days following the commencement of the  
12 suspension, have a conference with the school district administrator or his or her  
13 designee who shall be someone other than a principal, administrator or teacher in  
14 the suspended pupil's school. If the school district administrator or his or her  
15 designee finds that the pupil was suspended unfairly or unjustly, or that the  
16 suspension was inappropriate, given the nature of the alleged offense, or that the  
17 pupil suffered undue consequences or penalties as a result of the suspension,  
18 reference to the suspension on the pupil's school record shall be expunged. Such  
19 finding shall be made within 15 days of the conference. A pupil suspended under this  
20 paragraph shall not be denied the opportunity to take any quarterly, semester or  
21 grading period examinations or to complete course work missed during the  
22 suspension period, as provided in the attendance policy established under s. 118.16  
23 (4) (a).

24 (END)