

A teacher's primary responsibility is to maintain an appropriate educational environment for the class as a whole. All teachers should exercise their best professional judgement and follow building policies and practices when deciding whether it is appropriate to remove a student from class.

When a teacher has exhausted his/her strategies for classroom behavior management, he/she may ask a particular student to leave the class. In this situation the teacher is turning over control of the student's discipline to the principal and the problematic behavior may be processed as a Code of Classroom Conduct violation. Any student, grade pre-k through 12, may be removed from class for any conduct or behavior which:

- Is disruptive, dangerous, or unruly
- Violates behavioral rules and expectations set forth in each school's Student Handbook
- Violates district policies regarding suspension or expulsion

It is neither possible nor necessary to specify every type of improper or inappropriate behavior or circumstance that could justify the removal of a student from class under this Code of Classroom Conduct. More specifically, however, a teacher may remove a student from class for any of the following reasons:

1. Acts of violence toward students, staff, or other individuals
 - a. Physical or verbal threats or confrontations
 - b. Fighting
 - c. Intimidation or harassment (physical/psychological)
 - d. Possession or use of a weapon or other item that might cause bodily harm
 - e. Vandalism or theft of personal or school property
2. Acts of inciting
 - a. Taunting, baiting, or encouraging inappropriate behavior
 - b. Disruption and intimidation caused by gang or group symbols or gestures or posturing
 - c. Creating a hostile environment with language, behavior, or appearance
3. Alcohol, tobacco, & other drug issues
 - a. Being under the influence of illegal substances
 - b. Possession of illegal or implied to be illegal substances
 - c. Distribution of illegal or controlled substances

4. Other behaviors that seriously disrupt the learning environment
 - a. Repeated disruptions or violations of classroom rules
 - b. Insubordination
 - c. Dressing or grooming in a manner that presents a danger to health or safety or creates classroom disorder

In addition, there may be grounds for removal from class for behavior or conduct that, though not necessarily in violation of the provisions above, is inconsistent with basic classroom decorum. Such behavior may, in the determination of the teacher, warrant removal because of its interference with other students' learning or interference with the teacher's ability to teach effectively.

The Code of Classroom Conduct is specifically designed to address disruptive behavior in the classroom. However, the behaviors identified above may also occur in school hallways, the cafeteria, on school grounds or at school functions. These dangerous, disruptive or unruly behaviors cannot be tolerated in those locations either. Appropriate building disciplinary techniques (e.g., loss of privileges, time-out, detention, suspension) should be utilized when these behaviors occur in the school environment outside the classroom.

Procedures for Student Removal from Class

Every teacher must establish classroom rules, and every teacher should have a plan for managing student behavior. Short-term removal from the classroom shall be included as a potential option in each teacher's classroom management plan. This plan, and its inherent behavioral expectations, needs to be communicated as clearly as possible to students and parents/guardians. Intervention strategies and disciplinary actions taken prior to the removal of a student from class should always be documented.

Typical behavior management techniques work in a progressive fashion, and the removal of a student from class should be a last resort. However, the seriousness of certain situations may warrant immediate removal of a student from the classroom.

Short-Term Removal

Students who are removed from class by their teachers must immediately go, or be taken, to the main office of the school. When the student arrives at the office, the principal or designee will give the student the opportunity to briefly explain the situation. If the principal or designee is not available when a student arrives in the office, the student should be taken to the short-term removal area. The principal or designee should speak to the student as soon as possible. For the purposes of short-term removal, it is not necessary to obtain witnesses or to otherwise verify the teacher's account of the situation.

Within twenty-four (24) hours or one school business day of the student's removal from class, whichever is longer, the teacher shall submit to the principal or designee a concise and specific written explanation of the basis for the student's removal. Such information

may be submitted on a standard form developed at the building level. The respective teacher will also be responsible for the communication, preferably in person or by telephone, with the minor student's parents or guardian. In all contacts with parents or guardians, interpreters should be utilized if the family member's primary language is not English. Contact should be attempted on the day of the incident.

For the duration of the removal, the student shall stay in the short-term removal area or in another area specified by the principal or designee. Generally, the student will be expected to be positively productive during his/her removal from class. In other words, during a short-term removal the student should be completing academic assignments, reading, or completing an assignment related to the misconduct (e.g., writing an account of the incident, developing a mediation essay, preparing an apology).

In most situations, a student shall remain in the short-term removal area for at least the duration of the class or activity from which he/she was removed. Prior to allowing the student to return to his/her normal schedule, the principal or designee will speak to the student to determine the student's willingness and ability to return to class without further incident. In the event that it is not deemed appropriate to have the student return to the regular class schedule, the principal or designee will either retain the student in the short-term removal area or make other arrangements.

Long-Term Removal

Long-term removal is a more serious disciplinary action than short-term removal. Long-term removal should not ordinarily be considered until there has been a thorough discussion, including review of prior intervention attempts and consideration of alternatives, between the teacher(s), the parents/guardians, and the principal or designee. If a teacher feels that the long-term removal of a student from class is in the best interest of the student and/or the class, the teacher must notify the principal in writing of this belief. The statement should include, as clearly and completely as possible:

1. The basis for the recommendation for removal
2. The alternatives, approaches and other steps considered or taken to avoid the need for long-term removal
3. The positive and negative impact on the removed student
4. The positive and negative impact on the rest of the class

Upon receipt of a written recommendation for long-term removal from the classroom, the principal may consult with the teacher and/or other school district staff. In addition, it is usually important to inform and consult the student and the minor student's parents before any decision on long-term removal is reached.

Following consideration of the teacher's recommendation for long-term removal of a student, the principal or designee shall place the student into one of the following:

1. An alternative education program as defined by law
2. Another class in the school or another appropriate place in the school as determined by the principal or designee
3. Another instructional setting
4. The classroom from which the student was removed if, after weighing all involved interests, the principal or designee determines that readmission to the class is the best or only alternative

The building principal or designee shall attempt to notify the parent/guardian of a minor student in person or by telephone as soon as possible when a student is removed from class on a long-term basis. Written notification shall follow within two school business days of the actual decision for long-term removal. This notification shall include the reasons for the student's removal from class, the duration of the removal, and the decision regarding the student's placement.

The student in a long-term removal arrangement will receive an educational program and services comparable, but not necessarily identical, to those of the class from which he/she was removed. The program will not necessarily be in the same academic subject area as the former class.

Long-term removal from a class is an administrative decision and is, therefore, not subject to a formal right of appeal. However, the parents/guardians of a minor student, and/or the student, have the right to meet with the principal and teacher(s) who made the recommendation for removal. Whenever possible, the meeting should take place within three school business days of the request for the meeting. At the meeting, the principal shall inform the parents and/or the student as fully as possible regarding the reasons for the removal, the alternatives considered, and the basis for the decision. However, the principal maintains the authority to implement a removal to another classroom, placement, or setting prior to any such meeting, even if the parents/guardians or student objects to the removal.

If the student removed from class is also subject to more serious disciplinary action (i.e., suspension or expulsion) for the particular classroom conduct, the parents/guardians of a minor student or the student shall also be notified of the potential disciplinary action. All such notices shall be in accordance with school district policy and legal requirements.

Considerations for Students with Disabilities

For students with disabilities there are federal and state laws that identify procedures to follow to develop an appropriate educational program. In particular, placement for students

with disabilities is a decision of the student's Individual Education Plan (IEP) team. These decisions are subject to numerous procedural safeguards, and placement decisions cannot be made unilaterally by teachers or administrators.

Many students with disabilities have a specific behavior intervention plan in their IEP. This behavior plan should address the following two elements:

1. The extent to which the student should be expected to conform to behavioral requirements applicable to non-disabled students
2. Alternative consequences or procedures for addressing inappropriate behavior

It is highly advisable that all IEP teams address these two issues and the Code of Classroom Conduct at least annually. The purpose of this discussion is to establish consensus regarding behavioral expectations, consequences of inappropriate behavior, and general disciplinary procedures.

These issues aside, students with disabilities who require special education services under state and federal law may, in general, be temporarily removed from class under the same terms and conditions as non-disabled students. However, no change in placement for more than ten (10) school days may be made for a student with disabilities outside of the IEP process. This ten (10) day limit applies to out of school suspensions as well as days of short-term or long-term removal from class.

Communication with Students and Parents

The Code of Classroom Conduct will be posted on the school district web page at: www.ecasd.us. Each teacher and student will receive a copy of the Code of Classroom Conduct at the beginning of the school year. Teachers are responsible for informing students of the expected behavior in their classrooms. This should be done during the first few days of the school year. At the same time teachers should discuss the Code of Classroom Conduct and inform the students of the criteria that will be considered before removing a student from the classroom.

Referenced Acts, Statutes, Instructions: §118.164, 119.04, 120.13(1)(a), Wisconsin Statutes; 1197 Wisconsin Act 335

Cross Reference: 447-Rule (1) - Student Discipline Guidelines

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Revised: