

STUDENT PERSONNEL

Series 400

Policy Title . . . MAINTENANCE OF ORDERLY CONDUCT Code No.443.0

Pupils shall be expected to conduct themselves in keeping with their levels of maturity at all times. Respect for the authority vested in all school employees, regard for public property, and consideration of the rights and welfare of all students should govern pupil actions.

All employees of the district share the responsibility for seeing that behavior of students meets the standards of conduct conducive to a learning situation. Emphasis shall be placed upon the growth of the ability for the student to discipline himself/herself.

The School District shall not discriminate in standards and rules of behavior, including student harassment, on the basis of sex, race, 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.

Date of Adoption:
April 5, 1976
Amended:
February 12, 1991
Reviewed:
May 12, 2008

Legal Reference: Code of WI
Section 118.13
Section 120.13 (1)
PI9.03 (1) WI Administrative Code
Cross Reference: Policy 112

STUDENT PERSONNEL

Series 400

ADMINISTRATIVE REGULATION TITLE CODE OF STUDENT CONDUCT

Code No. R-443.0

INTRODUCTION

The District is committed to providing an effective learning environment for students and staff that is safe and respects the rights of all individuals in the school community. School personnel are responsible for maintaining a positive learning environment and for enforcing proper order. Students are responsible for their behavior and are expected to abide by this Code of Conduct and other school and classroom rules that are established to maintain order and a favorable academic atmosphere in the school.

Student conduct that violates this Code of Conduct, is dangerous, disruptive, unruly or interferes with the teacher's ability to teach effectively will not be tolerated. Any student who engages in such conduct may be subject to discipline, removal from class and/or placed in an alternative educational setting.

A teacher employed by the District may temporarily remove a pupil from the teacher's class if the student violates the terms of this Code of Student Conduct (The "Code"). In addition, a student may be transferred if the school principal concurs with a teacher's recommendation that a student be removed or transferred from the class for a longer period of time. Removal or transfer from class under this Code does not prohibit the District from pursuing or implementing other disciplinary measures, including but not limited to detentions, suspensions or expulsion, for the conduct for which the student was initially removed.

REMOVAL OF STUDENTS IDENTIFIED AS DISABLED UNDER THE IDEA OR SECTION 504

The removal of students with disabilities under the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act (540) must be implemented in accordance with the appropriate disciplinary requirements of state and federal law. Generally, such students may be removed pursuant to this Code to the extent applied to students without disabilities. However, the application of this Code to students with disabilities is subject to the written procedures and provisions developed by the Administration.

Behavior that violates the Code of Conduct that is not caused by the student's disability will result in a similar consequence as a student without disabilities. If the misbehavior of a student with disabilities is caused by the disability, a consequence will occur, but it will be in accordance with the provisions of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act (540). These procedures are more complex, and you are urged to contact your building administrators if you have questions.

GROUNDS FOR DISCIPLINARY REMOVAL FROM CLASS

A student may be removed from class for conduct or behavior which (a) violates the District's policies regarding suspension or expulsion; (b) violates the behavioral rules and expectations set forth in the Student Handbook; (c) is disruptive, dangerous or unruly; or (d) which otherwise interferes with the ability of the teacher to teach effectively.

a.) Behavior that violates the District's policies on suspension and expulsion

The District policies regarding suspension and expulsion are set forth in Board policies 447.3 and 447.31. The decision to suspend is made by the school principal, and recommendations for expulsion are made by the District's central administration. Thus, a teacher's decision to remove a student from class for behavior that violates the District's policies regarding suspension and expulsion may, but does not necessarily, mean that the student will also be suspended or expelled.

b.) Behavior that violates the behavioral rules and expectations on the student handbook

The student handbook contains behavioral expectations for the individual schools in the District. These rules and expectations are generally explained and discussed with the students at the beginning of each school year. Such discussions should include an explanation of this Code and the District's policy regarding removal.

c.) Behavior which is disruptive, dangerous or unruly

Notwithstanding other provisions in the District's policies regarding suspension and expulsion, or in the student handbook, for the purposes of this Code the following behavior, by way of example and without limitation, may be determined to be disruptive, dangerous or unruly so as to warrant removal from class.

Inappropriate physical contact intended to likely hurt, distract or annoy others, such as hitting, biting, pushing, shoving, poking, pinching or grabbing.

Inappropriate verbal or non-verbal conduct intended or likely to upset, distract or annoy others, such as name calling, teasing or baiting.

Possession or use of weapon or other items that may cause injury to others.

Possession, use or being under the influence of alcohol or other controlled substances.

Behavior that may constitute sexual or other harassment.

Repeated or extreme inappropriate verbal conduct likely to disrupt the educational environment, particularly when others are talking (e.g. lecture by teacher, response by other student, presentation by visitor) or during quiet (study) time.

Throwing any object, particularly one likely to cause harm or damage, such as books, pencils, scissors, etc.

Inciting other student to act inappropriately or to disobey the teacher or school or class rules, including without limitation inciting others to walk out.

Destroying the property of the school, another student, or staff member.

Loud, obnoxious or outrageous behavior.

d.) Behavior which interferes with the ability of the teacher to teach effectively. Students are required to cooperate with the teacher by listening attentively, obeying all instructions promptly and responding appropriately when called upon. A student's non-compliance may, in turn, distract others either by setting a bad example or by diverting the class from the lesson. By way of example and without limitation, a student may be removed for behavior which constitutes:

Open defiance of the teacher, manifest in words, gestures, or other overt behavior;

Open disrespect of the teacher, manifest in words, gestures, or other overt behavior;

Sleeping in class, blatant inattention, or other overt or passive refusal or inability to engage in class activities;

Repeatedly reporting to class without materials necessary to participate in class activities;

Other behavior likely or intended to sabotage or undermine the instruction.

REMOVAL FROM CLASS, DURATION AND PLACEMENT OF STUDENTS

Removal is a serious matter, and should not be taken lightly either by the teacher or the student. Generally, a student shall remain in the designated removal area or other setting for at least the duration of the class or activity from which he or she was removed. Prior to allowing the student to resume his/her normal schedule, the school principal or designee shall speak to the student to determine whether the student is, or appears to be, ready and able to return to class without a recurrence of the behavior for which the student was removed. In the event it is not deemed appropriate to return the student, the school principal or designee shall either retain the student and/or where appropriate, shall implement normal disciplinary measures, including suspension.

Removal of a student for an extended period of time should not ordinarily be considered or implemented except after consultation between the teacher(s), parent(s), and the school principal if practical. The length of the removal is determined by the school principal.

Following this consultation the school principal shall, in his/her discretion, take one of the following steps:

a.) Place the student in a alternative education program as defined by law;

- b.) Place the student in another class in the school, or in another appropriate place in the school;
- c.) Place the student in another instructional setting; or
- d.) Return the student to, or retain the student in, the class from which he or she was removed if, after weighing the interests of the removed student, the other students in the class and the teacher, the school principal determines that readmission to the class is the best or only alternative.

All placement decisions shall be made consistent with established Board policies and in accordance with state and federal laws and regulations.

Removal is an administrative decision not subject to a formal right of appeal. However, the parents of the student, and/or the student, shall have the right to meet with the school principal and/or the teacher(s) who made the request for removal. Where possible, such meeting shall take place within one (1) week of the request for a meeting. At the meeting, the school principal shall inform the parents and/or student as fully as possible regarding the basis for the removal, the alternatives considered, and the basis for any decisions. However, nothing in this Code shall prevent the school principal from implementing removal to another class, placement or settings prior to any meeting, and notwithstanding the objection of the parent(s) or student.

STAFF AUTHORIZED TO REMOVE A STUDENT FROM CLASS

Any student may be temporarily removed from class under this Code by a teacher or District staff member. For the purpose of this Code, "student" means any student enrolled in the District, exchange student, or student visitor to the District's schools. Definitions under this Code are as follows:

- a.) "Class" is any class, meeting or activity which students attend, or in which they participate while in school under the control or directions of the District. This definition of "class" includes, without limitation, regular classes, special classes, resource room sessions, labs, library time, counseling groups, assemblies or study halls.
- b.) "Teacher" is any person holding a license or permit issued by the State Superintendent required by the District to hold such a license or permit, including any certified instructor, counselor, nurse or administrator in the employ of the District.
- c.) "School principal" means a principal of a school, or other individual duly designated by the building administrator or District Administrator.
- d.) "Staff member" means any District employee who is responsible for student/class supervision.

PROCEDURES FOR REMOVING A STUDENT FROM CLASS

When the teacher determines that removal is appropriate, the teacher should take one of the following courses of action:

- a.) Instruct the student to go to the main office for the period of removal. In such case, the teacher should send a note with the student.
- b.) Obtain coverage for the class and escort the student to the main office.
- c.) Seek assistance from the main office or other available staff. When assistance arrives, the teacher or the other adult should accompany the student to the main office.

When the student arrives at the main office, the school principal or designee will give the student an opportunity to briefly explain the situation. Prior to discipline that exceeds the initial removal from class the student(s) will have an opportunity to explain his/her behavior. If the school principal or designee is not available immediately upon the student's arrival, the student should be taken to a designated area, and the principal or designee should speak to the student as soon as practical thereafter. For the purpose of temporary removal from class, it is not necessary to obtain witnesses or to otherwise verify the student's or teacher's accounts of the situation.

Within twenty-four (24) hours of the removal, the teacher shall submit to the school principal or designee a short and concise written explanation of the basis for the removal. Such information must be submitted on a form provided by the school principal or designee.

The school principal shall make a reasonable effort to inform the student's parents that the student was removed from class. In extraordinary situations the principal will exercise discretion in this requirement. Such notice may be made by telephone. Thereafter the parents of the student shall be sent written notice of the removal. Such notice shall specify the class from which the student was removed, the duration of the removal and the basis for the removal.

INITIAL PLACEMENT OF STUDENTS REMOVED FROM CLASS

Each school principal shall designate a room or other suitable place where students may be placed during any period of removal from the classroom. Students who are removed by their teachers must immediately and directly go, or be taken, to the main office. Thereafter, the school principal or designee may place the student in the designated area, or, in the discretion of the school principal or designee, the student may instead be sent to another appropriate class, program or educational setting.