

RIB LAKE SCHOOL DISTRICT CODE OF STUDENT CONDUCT

**STATEMENT OF PRINCIPLE**

The mission of the School District of Rib Lake is to provide the highest possible education for every student in a safe, nurturing environment.

This will be accomplished by providing meaningful opportunities and experiences, with a competent staff, and with quality facilities.

With this, the district recognizes and accepts its responsibility to create, foster, and maintain an orderly and safe class environment, conducive to teaching and to the learning processes. Every member of the school community is expected to cooperate in this central mission. Staff, including administrators and teachers must use their training, experience and authority to create schools and classes where effective learning is possible. Students are expected to come to school, and to every class, ready and willing to learn. Parents should be aware of their children's activities, performance and behavior in school, and are asked to cooperate and consult with the school to prevent or address problems.

The District has a legal duty to make its schools as free as possible of the dangers of violence, weapons, drugs, and other behavior harmful to the educational environment. This duty is enforced through the District's policy on suspension and expulsion, which provides procedures by which students may be removed from the school community either temporarily, or in the case of certain expulsions, permanently.

Beginning August 1, 1999, according to Wisconsin Act 335, a teacher employed by the District may temporarily remove a pupil from the teacher's class if the pupil violates the terms of this Code of Student Conduct (the "Code"). In addition, long term removal of a student will be possible if the building administrator upholds a teacher's recommendation that a student be removed from the class for a longer period of time. Removal from class under this Code does not prohibit the District from pursuing or implementing other disciplinary measures, including but not limited to detentions, suspension or expulsion, for the conduct for which the student was removed.

**1. WHAT ARE THE 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; (d) which otherwise interferes with the ability of the teacher to teach effectively; or (e) which is incompatible with effective teaching and learning in the class.

Removal is a serious measure. Behavioral expectations are to be communicated as clearly as possible to students and staff. However, it is not possible to specify every type of improper or inappropriate behavior, or every inappropriate circumstance that would justify removal under this Code. A teacher's primary responsibility is to maintain an appropriate educational environment for

the class as a whole. In every circumstance the teacher should exercise his or her best judgement in deciding whether it is appropriate to remove a student temporarily from class.

In ordinary circumstances and in practical terms, a teacher's decision to remove a student temporarily from class will stand. However, there may be circumstances when the building administrator may, exercising his or her discretion, overrule the teacher's decision to remove the student, and return the student to class.

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

It should be noted that administrators make decisions regarding suspensions, and recommendations for expulsion are made by the District's administration. Thus, a teacher's decision to remove a student from class for behavior that violates the District's behavioral policy may, but does not necessarily, mean that the student will also be suspended or expelled.

(b) Behavior that violates the rules in the Student Handbook.

The Student Handbook contains behavioral expectations for the individual schools in the District. These rules and expectations are 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 or dangerous.

Dangerous behavior is any behavior that could cause injury to another person or to property.

Disruptive behavior is inappropriate conduct that distracts others and interferes with the learning process.

(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, in turn, distracts others either by setting a bad example or by diverting the class from the lesson to the student's inappropriate behavior.

In addition, there may be grounds for removal for behavior that, though not necessarily in violation of the above provision, is inconsistent with basic classroom decorum. Such behavior may, in the determination of the teacher, warrant removal because of its interference with the ability of others to learn effectively.

## **2. OTHER NON-DISCIPLINARY REASONS FOR REMOVAL OF A STUDENT FROM CLASS.**

In some cases, a teacher may believe that a student should be removed from the class for the good of the student and in the best interests of the class as a whole. Such reasons may, but need not, be disciplinary in nature, and may include irreconcilable personality differences or issues between the student and other students, or between the student and the teacher.

## **3. WHO MAY REMOVE A STUDENT FROM CLASS?**

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

Any student may be removed on a long term basis from a class based upon the request of a teacher as upheld and implemented in the discretion of the building administrator.

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For the purposes of this code, a “class” is any class, meeting or activity, which students attend, or in which they participate while in school under the control or direction of the District. “Class” also includes regularly scheduled District-sponsored extracurricular activities, either during or outside of school hours.

A “teacher” is any certified instructor, counselor, or administrator in the employ of the District.

A “teacher of that class” means the regularly assigned teacher of the class, or any teacher assigned to teach, monitor, assist in or oversee the class.

### **4. PROCEDURES TO BE FOLLOWED IN TEMPORARILY REMOVING A STUDENT FROM CLASS.**

Except where the behavior is extreme, a teacher should generally warn a student that continued misbehavior might lead to temporary removal 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 office.
- c) Seek assistance from the office or other available staff. When assistance arrives, the teacher or the other adult should accompany the student to the office.

When the student arrives at the main office, the building administrator or designee should give the student an opportunity to briefly explain the situation. If the building administrator or designee is not available immediately upon the student’s arrival, the student should be taken to the removal area, and the administrator or designee should speak to the student as soon as practicable thereafter. For the purposes of short-term removal 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 or one business day of the removal, whichever is longer, the teacher shall submit to the building principal or designee a short and concise written explanation of the basis for the removal. Such information may be submitted on a form provided by the building administrator or designee.

As soon as practical, but in any event within twenty-four (24) hours of the removal, the building administrator, or designee shall inform the student’s parents that the student was removed from class.

Such notice may be by telephone. The parents of the student shall be sent written notice of the removal postmarked within two business days of the removal. Such written notice shall specify the class from which the student was removed, the duration of the removal, and the basis for the removal as stated by the teacher. The building administrator or designee shall keep written logs or records regarding unsuccessful attempts to contact the parents in accordance with this provision.

### **5. WHERE SHALL STUDENTS BE SENT PENDING AND DURING SHORT TERM REMOVAL FROM CLASS?**

Each building administrator shall designate a room or other suitable place where students shall remain during any period of removal from the classroom (the “short-term removal area”).

Students who are removed by their teachers must immediately and directly go, or be taken, to the main office. For the duration of the removal, the student shall stay in the short-term removal area. At the discretion of the building administrator or designee, the student may instead be sent to another appropriate class, program or educational setting, provided the student is supervised in such alternative setting. The building administrator should also take steps to ensure that the students are supervised while in the short-term removal area. In general, students should be required to do work of an academic nature while in the short-term removal area. Such work should ordinarily be related to the work in the class from which the student was removed, or may be related to the student's misconduct. In no event should students' time in the removal area be recreational or other free time.

## **6. SHORT TERM REMOVAL**

Removal is a serious matter, and should not be taken lightly either by the teachers or the student. In most cases, a student shall remain in the short-term removal area for at least the duration of the class or activity from which she or he was removed. Prior to allowing the student to resume his/her normal schedule, the building 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 to regular classes, the building administrator or designee shall either retain the student in short term removal, or where necessary, shall take steps to have the student sent home.

## **7. PROCEDURES FOR LONG-TERM REMOVAL**

Long-term removal is an extremely serious step. Such a step could have serious consequences for the affected student and his or her class, as well as any new class or teacher to which the student may then be assigned. For these reasons, long-term removal should not ordinarily be considered or implemented except after a thorough consultation, including a thorough consideration of alternatives between the teacher(s) and the building principal or designee. For the same reasons, long-term removal should not ordinarily be considered on the basis of a single incident. Unlike short-term removal, the ultimate decision regarding long-term removal rests with the building administrator.

When a teacher believes that the best interest of the student and/or the class require long-term removal, the teacher should notify the building administrator in writing. Such statement should set forth as clearly and completely as possible: (a) the basis for the removal request; (b) the alternatives, approaches and other steps considered or taken to avoid the need for the removal; (c) the impact, positive and negative, on the removed student; and (d) the impact, positive and negative, on the rest of the class.

Upon receipt of such statement, the building administrator may, in his/her discretion, consult with the teacher and/or other District staff. It is appropriate to inform and consult with the parents of the student, and the student involved in the request for long-term removal.

Following consideration of the teacher's statement and any other information, the building administrator shall, in his/her discretion, take one of the following steps:

- a) Place the student in an 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.

- d) Return the student to, or retain the student in, the class from which he or she was removed or proposed to be removed.

In any event, a student in long-term removal must continue to receive an educational program and services comparable to, though not necessarily identical with, those of the class from which he/she was removed. Such program need not be in the precise academic subject of the student's former class.

Long-term 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 building administrator and/or the teachers(s) who made the request for removal. Where possible, such meeting shall take place within three (3) business days of the request for a meeting. At the meeting, the building administrator shall inform the parents and/or student as fully as possible regarding the basis for the removal, the alternatives considered, and the reasons for any decision. However, nothing in this Code shall prevent the building administrator from implementing a removal to another class, placement or setting prior to any meeting, and notwithstanding the objection of the parent(s) or student.

#### **8. APPROPRIATE FLEXIBILITY OR DISCRETION FOR INDIVIDUAL TEACHERS, ADMINISTRATORS, AND SCHOOLS.**

It is expected that administrators and teachers will meet prior to the implementation of this Code to arrive at a consensus regarding how its provisions should be interpreted and applied. However, this Code, and the procedures regarding removal, are intended primarily as tools to assist teachers to maintain an appropriate educational environment in their classes. Therefore, different teachers may have somewhat different views and practices regarding removal of students from their classes, either long or short-term.

Similarly, there are many clear differences between the needs and practices of schools serving different grade levels. Just as there are different behavioral expectations for elementary and high school students, the standards for removal may well differ from one school, grade, or class to the next.

Teachers and administrators of each school are encouraged to discuss their individual views, philosophies and practices regarding removal of students.

#### **9. STUDENTS IDENTIFIED AS DISABLED UNDER THE IDEA**

Some different rules and considerations apply for students identified as requiring special education services under the IDEA or Section 504. In particular, placement for such students is a decision of the student's IEP team, subject to stringent procedural safeguards, and cannot be made unilaterally by teachers or the administration. In addition, most students covered by the IDEA should have a behavior plan, which will address (a) whether, and to what extent the student should be expected to conform to the behavioral requirements applicable to non-disabled students; and (b) alternative consequences or procedures for addressing behavioral issues. It is highly advisable that all IEP teams address these issues, and this Code, at least annually, setting forth the consensus of the IEP team regarding behavioral expectations and consequences.

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Notwithstanding these issues, students identified as requiring special education services under the IDEA or Section 504 may, in general, be temporarily removed from class under the same terms and conditions as non-disabled students.

For the reasons noted above, 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 removal.