

**SCHOOL DISTRICT OF WAUZEKA-STEUBEN**

**STUDENT CODE OF CONDUCT**

The District is committed to maintaining safe and orderly class environment conducive to teaching and learning. Teachers are expected to create a positive learning climate for students in their classrooms and to maintain proper order. Students are expected to behave in classrooms in such a manner that allows teachers to effectively carry out their lesson plans and students to participate in classroom learning activities. Students are also expected to abide by all rules of behavior established by the Board, Administration and their classroom teachers. Students are expected to come to school, and to every class, ready and willing to learn. Parents/Legal guardians 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.

Student behavior that is dangerous, disruptive, unruly, or that interferes with a teacher's ability to teach effectively will not be tolerated. Any student who engages in such behavior may be subject to removal from class and placement as outlined below. In addition, the student may be subject to disciplinary action in accordance with established Board policies and school rules.

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 Classroom Conduct (the "Code"). In addition, long-term removal of a student will be possible if the Administration upholds a teacher's recommendation that the 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. Long-term removal is an administrative decision not subject to a formal right of appeal. However, the parent(s)/legal guardian(s) of the student, and/or teacher(s) who made the request for removal, may request an informational meeting with administration. Where possible, such meeting shall take place within three (3) school days of the request for a meeting. At the meeting, the principal shall inform the parent(s)/legal guardian(s) and/or student as fully as possible regarding the basis for the removal, the alternatives considered, and the basis for any decision.

This code of student conduct applies to all students in grades PK-12. Student behavior that is dangerous and that interferes with the teacher's ability to teach effectively will not be tolerated. Students violating conduct standards may be disciplined in accordance with such codes, Board policies, and state laws.

For purposes of this policy, a teacher is any employee of the school, or substitute, employed by the school. A student under this policy is any registered student or visiting student in the district.

Student Removal from Class

A teacher may remove a student from class for the following reasons:

1. Dangerous, disruptive or unruly behavior or behavior that interferes with the ability of the teacher to teach effectively. This type of behavior includes, but is not limited to the following:
  - a. repeated disruption or violation of classroom rules
  - b. possession or use of a weapon or other item that might cause bodily harm to persons in the classroom or school

- c. being under the influence of alcohol or other controlled substances or controlled substance analogs, or otherwise in violation of district student alcohol and other drug policies
  - d. behavior that interferes with a person's work or school performance or creates an intimidating, hostile or offensive classroom environment
  - e. fighting
  - f. taunting, baiting, inciting, and/or encouraging a fight or disruption
  - g. disruption and intimidation caused by gang or group symbols or gestures, gang or group posturing to provoke altercations or confrontations
  - h. pushing or striking a student or staff member
  - i. obstruction of classroom activities or other intentional action taken to attempt to prevent the teacher from exercising his/her assigned duties
  - j. interfering with the orderly operation of the classroom by using, threatening to use or counseling others to use violence, force, coercion, threats, intimidation, fear or disruptive means
  - k. dressing or grooming in a manner that presents a danger to health or safety, causes interference with work or creates classroom disorder
  - l. restricting another person's freedom to properly utilize classroom facilities or equipment
  - m. repeated classroom interruptions, confronting staff argumentatively, making noises or refusing to follow directions
  - n. throwing objects in the classroom
  - o. repeated disruptions or violation of classroom rules
  - p. excessive or disruptive talking
  - q. behavior that causes the teacher or other student fear of physical or psychological harm
  - r. physical confrontations or verbal/physical threats
2. Other behavior as outlined below
- a. willful damage to school property
  - b. defiance of authority (willful refusal to follow directions or orders given by the teacher)
  - c. possession of personal property prohibited by school rules and otherwise disruptive to the teaching and learning of others
  - d. repeated use of profanity or vulgar language

Removal of students from classrooms who are identified as "disabled" under IDEA or Section 504 will be conducted under the guidelines and/or rules of those state and federal programs. 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, some students covered by the IDEA have a behavior plan, which will address (a) whether and to what extent the student should be expected to conform to the behavior 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 issues of the Code and behavior plans at least annually, setting forth the consensus of the IEP team regarding behavioral expectations and consequences.

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) cumulative 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.

Except where the behavior is extreme, a teacher should generally warn a student that continued misbehavior may lead to temporary removal from class. Except in extreme cases, teachers are expected to follow steps in their classroom management plan prior to removing a student. When the teacher determines that removal is appropriate, the teacher should take one of the following courses of action:

1. obtain coverage for the class by another adult and escort the student to the District office;
2. seek assistance from the main office or other available staff. When assistance arrives, the teacher or other adult should accompany the student to the District office.

When a student is removed from class for disciplinary reasons, the teacher shall send the student to the Principal or designee and inform him/her of the reason for the student's removal from class. A written explanation of the reasons shall be given to the principal or designee as soon as possible or within 24 hours of the student's removal from class.

The Principal or designee shall inform the student of the reason(s) for the removal from class and shall allow the student the opportunity to present his/her version of the situation. The Principal or designee shall then determine the appropriate educational placement for the student who has been removed from a class. If a disciplinary action is going to be taken against the student, the Principal or designee will inform the parent(s)/legal guardian(s) within two school days about this action and the consequence that has been assigned. A conference will be held with the Principal or designee, the parent(s)/legal guardian(s) and student before the student is allowed to return to class.

#### Placement Procedures

The administration or designee shall place a student who has been removed from a class by a teacher in one of the following alternative educational settings:

1. An alternative education program approved by the Board. State law defines this as an instructional program approved by the school board that utilizes successful alternative or adaptive school structures and teaching techniques and that is incorporated into existing, traditional classrooms or regularly scheduled curricular programs or that is offered in place of regularly scheduled curricular programs.
2. Another class in the school or another appropriate place in the school.
3. Another instructional setting.
4. The class from which the student was removed if, after weighing the interests of the remove student, the other students in the class and the teacher, the principal or designee determines that readmission to the class is the best or only alternative.

When making placement decisions, the building principal or designee shall consider the following factors:

1. The reason the student was removed from class (severity of the offense)
2. The type of placement options available for students in the school and any limitations of such placements (costs, space availability, location)
3. The estimated length of time of placements

4. The student's individual needs and interests
5. Whether the student has been removed from a teacher's class before (repeat offender)
6. The relationship of the placement to any disciplinary action
7. Whether the student is student with an IEP or 504 plan

The principal or designee may consult with other appropriate school personnel as the principal or designee deems necessary when making or evaluating placement decisions. A student's parent(s)/legal guardian(s) may also be consulted regarding student placement decisions when determined by the principal or designee to be in the best interests of the persons involved or required by law.

All placement decisions shall be made consistent with state and federal laws and regulations.

#### Parent(s)/Legal Guardian(s) Notification Procedures

1. The building principal or designee shall notify the parent(s)/legal guardian(s) of a minor student, in writing and/or by telephone, when a teacher has a student removed from a class. This notification shall include the reasons for the student's removal from class and the placement decision involving the student. The notice shall be given as soon as practicable after the student's removal from a class and placement determination.
2. If the removal from class and change in educational placement involves a student with a disability, parent(s)/legal guardian(s) notification shall be made consistent with state and federal laws and regulations.
3. If the student removed from a class is also subject to disciplinary action for the particular classroom conduct (i.e., suspension or expulsion), the student's parent(s)/legal guardian(s) shall also be notified of the disciplinary action in accordance with legal and policy requirements.

The District does not discriminate against pupils on the basis of sex, race, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability or handicap in its education programs or activities. Federal law prohibits discrimination in employment on the basis of age, race, color, national origin, sex, or handicap.

#### **Legal References:**

**Cross References:** Policy 443 Student Code of Conduct

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**Date Reviewed:**