

## **Code of Conduct (D-3)**

### Statement of Principle

The St. Francis School District recognizes and accepts its responsibility to create, foster, and maintain an orderly and safe class environment, conducive to teaching and to the learning process. 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. All staff members shall be responsible for encouraging respectful student behavior and for enforcing the rules for the District and individual school in their classrooms, in the halls, on other school premises, on field trips and during school sponsored activities. A positive approach to discipline of students shall be taken which takes into account the dignity of students, the seriousness of infraction, and the need for positive motivation of students. Students are expected come to school, and to attend 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 St. Francis School District has a legal duty to make its schools as free as possible from the dangers of violence, weapons, drugs, and other behavior harmful to the educational environment. This District policy, D-3, provides procedures by which students are removed from the school community, temporarily in the case of suspensions, or permanently in the case of expulsions.

But equally important, the St. Francis School District owes its students, as a group, the opportunity to attend school as freely as possible from unnecessary and unwarranted distraction and disruption, particularly by those relatively few students who, for whatever reason are unwilling, unready, or unable to avail themselves of the opportunity for an education. Such behavior, while not necessarily so serious or pervasive to warrant suspension or expulsion, can be nearly as destructive to the educational environment. Such behavior warrants, at a minimum, that the student be removed temporarily from the class or activity ("short term removal" or "temporary removal"). Such removal serves the multiple purposes of eliminating (or minimizing) the disruption, of reinforcing the District's strong commitment to an appropriate educational environment, and of allowing a "cooling off" period, for disciplinary or other reasons, short of suspension or expulsion.

In other circumstances, the student's conduct, or the best interests of the students and the other members of the class, may warrant long-term removal from class ("long term removal"). Long term removal may, but need not always, be for disciplinary purposes.

### Student Removal From Class – Short-Term and Long-Term Removal

1. What are the grounds for student removal from class?

A student may be removed from class for conduct or behavior which (a) violates District policy and the behavioral expectations of students; (b) is disruptive, dangerous, or unruly, or (c) interferes with the ability of the teacher to teach effectively.

Removal is a serious measure, and should not be imposed in an arbitrary, casual or inconsistent manner. Behavioral expectations are always more constructive and more likely to be followed, when their terms are communicated as clearly as possible to students and staff. However, it is neither possible nor necessary 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. Therefore, notwithstanding the provisions of this Code, in every circumstance the teacher should exercise his or her best judgment 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 and the behavioral expectations of students.

Rules and expectations will be explained, discussed, and distributed to the students near the beginning of each school year. Included in this explanation of students' behavioral expectations are those described in the school's student handbook as well as those prohibited behaviors including, but not limited to the behaviors listed below:

1. Making any form of threat, implied or real, against any person.
2. Selling, using or having in possession alcohol or any other controlled substances.
3. Possessing explosives, incendiary agents, firearms including facsimile weapons and beebee and pellet-firing guns, knives, laser pointers, ammunition, martial arts equipment, weapons of any types, electronic paging or two-way communication devices, or any illegal materials.
4. Causing a false fire alarm or tampering with any fire extinguisher.
5. Engaging in any unlawful activity; violators shall be reported to law enforcement officials.
6. Possessing or using tobacco or pepper spray.
7. Plagiarizing, copying or borrowing from another source or resubmitting work from another person or class.

B. Behavior which is disruptive, dangerous or unruly

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:

1. Inappropriate physical contact intended to or likely to hurt, distract, or annoy others, such as hitting, biting, pushing, shoving, poking, pinching, grabbing.
2. Inappropriate verbal conduct intended or likely to upset, distract or annoy others, such as name calling, teasing, baiting.
3. Behavior that may constitute sexual or other harassment.
4. Throwing any object, particularly one likely to annoy, cause harm or damage, such as books, pencils, and scissors.
5. Instigating other students to act inappropriately or to disobey the teacher or school or class rules.
6. Destroying the property of the school, staff, or other students.
7. Engaging in any activity that disturbs the normal operation of the school and provokes a disturbance such as gambling, overt displays of affection (hugging and kissing), profanity, fighting, cheating, and using false statements.

C. Behavior which interferes with the ability of the teacher to teach effectively

Students are required to cooperate with the teacher, listen attentively, obey all instructions promptly and respond 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 to the student's inappropriate behavior. By way of example and without limitation, a student may be removed for the following behavior:

1. Repeated or extreme inappropriate verbal conduct likely to disrupt the educational environment such as talking during a lecture by a teacher, response by another student, presentation by a visitor, during quiet study time.
2. Open defiance of the school staff, including adult volunteers, manifested in words, gestures or other overt behaviors.

3. Open disrespect of others, manifested in words, gestures, or other overt behavior.
4. Behaviors likely to disturb class or cause interruption of the educational process.
5. Behavior which is inconsistent with the class decorum and the ability of others to learn.

2. What are non-disciplinary reasons for removal of a student from class?

A teacher may recommend that a student be removed from the class for the good of the student and in the best interests of the class as a whole. Reasons may include irreconcilable personality differences or issues between the student and other students, or in rare circumstances, between the student and teacher.

3. Who may remove a student from class?

Any student enrolled in the St. Francis School District may be temporarily removed from class under this Code by a teacher of that class. 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 control or direction of the St. Francis School District. This definition of "class" includes, without limitation, regular classes, special classes, resource room sessions, labs, libraries, counseling groups, assemblies, study halls, lunch, or recess. "Class" also includes regularly scheduled District sponsored extra curricular activities, either during or outside of school hours. Such activities include, by example and without limitation, field trips, after-school clubs, and sporting activities sponsored by the St. Francis School District.

A "teacher" is any certified staff member employed by the St. Francis School District.

A "building administrator" means a principal of a school or designee.

4. What procedures must be followed in temporarily removing a student from class?

Except where the behavior is extreme, a teacher should warn a student that continued misbehavior may lead to temporary removal from class. When the teacher determines that removal is appropriate, the teacher should:

- a. Instruct the student to go to the main office.
- b. Immediately notify the office that the student has been sent and of the reasons for the removal.
- c. If necessary, seek assistance to escort the student.

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 upon the student's arrival, the student should remain in the short-term removal area for a designated period of time. The administrator or designee should speak with the student as soon as possible thereafter. For the purpose 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 of the removal, the teacher shall enter an explanation of the basis for the removal in the District student management software and shall refer the entry to the building principal or designee.

As soon as practicable, the student's parents should be notified that the student was removed from class. Such notice may be by telephone and/or written notification. The building administrator or designee shall keep written logs or records in the District student management software regarding unsuccessful attempts to contact the parents.

5. Where shall students be sent pending and during short-term removal from class?

The building administrator shall designate a room or other suitable place where students shall remain during any period of removal from the class (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 (i.e. writing an apology or account of the situation).

6. How long shall a short term removal last?

Removal is a serious matter, and should not be taken lightly either by the teacher or the student. In most cases, a student shall remain in the short-term removal area for 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 administrator 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 the short term removal area, or, where necessary, appropriate and practicable, shall take steps to have the student sent home.

7. What are the procedures for long-term removal?

Long-term removal is an extremely serious step, which should not be undertaken hastily or for less than compelling reasons. Such a step could have profound 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 consultation, including a thorough consideration of alternatives between the teacher(s) and the building administrator 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.

Where a teacher believes that the best interest of the student and/or the class require long term removal, the teacher should so notify the building administrator in writing. Such a 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 students; and (d) the impact, positive and negative, on the rest of the class.

Upon receipt of such statement, the building administrator shall consult with the teacher and/or other St. Francis School District staff. In most cases, 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; or
- d. return the student to, or retain the student in, the class from which he or she was removed or proposed to be removed, if, after weighing the interests of the removed student, the other students in the class and the teacher, the building administrator or designee determines that readmission to the class is the best or only alternative.

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 teacher(s) who made the request for removal.

Where possible, such meeting shall take place within three school 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 basis for any decision. However, nothing in the 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 parents(s) or student.

8. To what extent is removal applicable to students identified as disabled under the IDEA?

Some different rules and considerations apply for students identified as requiring special education services under IDEA (Individuals with Disabilities Education Act) or Section 504. In particular, placement for such students is a decision of the student's IEP (Individualized Education Plan) team, subject to stringent procedural safeguards, and cannot be made unilaterally by teachers or the administration. In addition, many 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 the Code, 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 the class under the same terms and conditions as non-disabled students. For the reasons noted above, in general 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.

### Suspension and Expulsion

Building Administrators or designees shall have the authority to suspend students from school for not more than five school days for non-compliance with school rules or for knowingly conveying any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives, or for conduct on school property or bus or under the supervision of a school official which endangers the property, health or safety of others or, if age 16 or older, for conduct which disrupts the ability of school authorities to maintain order or educational atmosphere at school or at a school activity, or for conduct while not at school or while not under the supervision of a school authority which endangers the property, health or safety of others at school or under the supervision of a school authority or endangers the property, health or safety of any employee or school board member of the school district in which the student is enrolled. If a notice of expulsion hearing has been sent, the suspension may be for not more than fifteen consecutive school days. Prior to any suspension, the student shall be advised of the reasons for the proposed suspension.

The student may be suspended if it is determined that he/she is guilty of non-compliance with school rules or of the conduct charged, and that his/her suspension is reasonably justified. The parent or guardian and the suspended minor student or the suspended adult student shall be given prompt notice of the suspension and reasons therefor. A written notification of the suspension shall be generated from the District's discipline software. Such notification shall be delivered in person or sent to the adult student or parent or guardian of a minor student via first class mail. Registered or certified mail shall be used for expulsions. Students whose habitual non-compliance with school rules results in a total of ten or more days of suspension within a semester and students whose misbehavior is seriously endangering or disrupting shall be recommended to the school board for expulsion from school. Any student in possession of or bringing a firearm onto school property shall be expelled for a minimum of one full school year. (See Model Special Education Policies for additional regulations regarding suspension and expulsion of students with special education needs.)

#### Use of Physical Force

The use of physical force is not an acceptable means of modifying a student's behavior or an appropriate means of discipline and is, therefore, prohibited. However, in emergency situations reasonable and prudent physical force may be used by staff members:

- a. To prevent physical injury to any person.
- b. To obtain possession of a weapon or other dangerous object in a student's control.
- c. To defend self or others from student's attack.
- d. To remove a disruptive student from school property, bus, or activities.
- e. To prevent a student from injuring self.
- f. To protect the safety of others.
- g. To protect property.
- h. To maintain order and control.

In non-emergency situations and in the case of (g) and (h) above, staff members shall make use of other disciplinary measures (such as oral reprimand and seeking help of other staff members) before resorting to use of physical force. Such use of physical force shall cease at the point it no longer is needed for control or the emergency no longer exists.

## Detention

Students may be detained beyond regular school hours in order to help them improve their achievement, counsel them on their behavior or make up schoolwork missed because of tardiness, absence or inattention. When students are detained after school, parents shall be contacted. Staff shall inform the principal of use of detentions.

## Dress Code

Students shall dress in a manner which will not disrupt the education process, constitute a health or safety hazard or violate civil law. The following guidelines for student dress and appearance shall apply:

1. All students shall be clean in personal grooming and attire, wear shoes and wear clothing in a manner and for the purpose for which it was designed.
2. Clothing on which is imprinted suggestive, obscene, or violent material or material with a double meaning or which refers to illegal drugs or alcohol shall not be permitted for wear during the regular school days or at any school-sponsored activity.
3. Additional dress and grooming standards may reasonably be required by the principal for certain classes and school-sponsored activities.
4. The wearing of coats and headgear (i.e., hats, bandanas, scarves, headphones, etc.) shall not be permitted during regular school hours.
5. Clothing accessories that promote violence (i.e. weapon shaped jewelry) and items that may potentially be used as a weapons (i.e., chains, spikes) shall not be permitted.

Legal ref: Wisconsin Statute Sections 118.164, 118.31, 120.13(1)

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