

**Code of Student Conduct  
Waupaca Middle School**

The School District of Waupaca 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 mission. Staff, including administrators and teachers, must use their training, experience and authority to create schools and classes where effect learning is possible. Students are expected to come to school, and to every class, ready and willing to learn. Parent(s)/guardian(s) should be aware of their children's activities, performances and behavior in school, and are asked to cooperate and consult with the school to prevent or address problems.

The School District of Waupaca 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 suspensions 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. (District Codes 443-446.2-R3)

Equally important, our school owes its students, as a group, the opportunity to attend school as free as reasonably possible from unnecessary and unwarranted distraction and disruption, particular 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 our strong commitment to an appropriate educational environment, and of allowing a "cooling off" period, for disciplinary or other reasons, short of suspension or expulsion.

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, where 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. 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 exercise his or her discretion and return the student to class.

A student may be removed from class by the classroom teacher for:

- (a) Behavior that violates the District's policies on suspension and expulsion.  
The District Policies regarding suspension and expulsion are set forth in District Policies, 443-446.2-R3. It should be noted that decisions regarding suspension are made by building administrators, 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 be suspended or expelled.
- (b) Behavior that violates the behavioral rules and expectations in our Panther Agenda Handbook.
- (c) Behavior which is disruptive, dangerous or unruly (District policy 443-446.2-R3)
- (d) Behavior which interferes with the ability of the teacher to teach effectively (District Policy 443-446.2-R 3)

#### **Removal of a Student from Class**

Any student may be temporarily removed from class by a teacher of that class. 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.

A teacher may remove a student who is being disruptive in the class. Except where the behavior is extreme, a teacher should generally warn a student that continued misbehavior may 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) send the student to the office on their own.
- 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 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 time-out room 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 account 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 removal. Such information should be submitted on our Middle School Discipline Report form.

As soon as practical, but in any event within 24 hours of the removal, the teacher, Dean of Students or building administrator shall inform the student's parent(s)/guardian(s) that the student was removed from class. Such notice may be by telephone. The parent(s)/guardian(s) 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 shall keep written logs or records regarding unsuccessful attempts to contact the parent(s)/guardian(s) in accordance with this provision.

#### **SHORT-TERM REMOVAL**

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 at least the duration of the class or activity from which she or he was removed, or for at least 45 minutes, whichever is longer. Prior to allowing the student to resume his/her normal schedule, the building principal/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/designee shall either retain the student in the time-out room, resource room or EEN-ED room or where necessary, appropriate and practical, shall take steps to have the student sent home.

#### **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 a Student At Risk referral and consultation, including a thorough consideration of alternatives between the teacher(s) and the building principal. 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 interests of the student and/or class require long-term removal, the teacher should notify the building administrator in writing. Such statements 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 Student At Risk. In most cases, it is appropriate to inform and consult with the parent(s)/guardian(s) 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 on 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.

In any event, a student in a 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 until a decision has been made in an expulsion hearing if expulsion was recommended. 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 parent(s)/guardian(s) 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 (3) business days of the request for a meeting. At the meeting, the building administrator shall inform the parent(s)/guardian(s) and/or student as fully as possible regarding the basis for removal, the alternatives considered, and the basis 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)/guardian(s) or student.

### **Individuals with Disabilities Education Act Students**

Some different rules and considerations apply for students identified as requiring special education services under the Individuals with Disabilities Education Act or Section 504. In particular, placement for such students is a decision of the student's Individual Education Plan team, subject to stringent procedural safeguards, and cannot be made unilaterally by teachers or the administration. In addition, most students covered by Individuals with Disabilities Education Act should have a behavioral 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 Individual Education Plan teams address these issues, and this Code, at least annually, setting forth the consensus of the Individual Education Plan team regarding behavioral expectations and consequences.

Notwithstanding these issues, students identified as requiring special education services under the Individuals with Disabilities Education Act 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 Individual Education Plan process. This ten (10) day limit applies to out of school suspensions as well as days of removal.

ADOPTED: 71399

REVISED:

REVIEWED:

LEGAL REFERENCE: Wis. Stats. 120.13(1)(a), 119.04(1), 118.164, 120.13(1)(a) 1 to 4

CONTRACT REFERENCE

CROSS REFERENCE:

The School District of Waupaca does not discriminate on the basis of sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, or emotional or learning disability.