

DE SOTO AREA SCHOOL DISTRICT

443-Rule

CODE OF CLASSROOM CONDUCT

STATEMENT OF PRINCIPLE

The De Soto Area 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 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/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.

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. Students may be removed from the school community for such behavior through suspension and/or expulsion in accordance with state law and Board of Education policy. Equally important, the District owes its students, as a group, the opportunity to attend school as free as reasonably possible from unnecessary and unwarranted distraction and disruption, particularly by those relatively few students who, for whatever reason, are unwilling or unable to avail themselves of the opportunity for an education. Such behavior, while not necessarily so serious or pervasive as 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 from the classroom on either a temporary or longer-term basis.

District teachers may temporarily remove a student from their class if the student violates the terms of this code. The building administrator shall determine the subsequent placement of the student following such removal, which may include long-term removal from the class. Removal from class under this code does not prohibit the District from pursuing or implementing other disciplinary measures, including but not limited to, detention, suspension, or expulsion for the conduct for which the student was removed.

WHAT ARE THE GROUNDS FOR DISCIPLINARY REMOVAL FROM CLASS?

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 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/her best judgment in deciding whether it is appropriate to remove a student temporarily from class.

Following a teacher's decision to remove a student temporarily from class, the building administrator shall determine a placement for the student as outlined in this code.

Teachers may remove a student from class as outlined below:

1. Behavior that violates the District's policies on suspension/expulsion.

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

2. Behavior that violates the behavioral rules and expectations in 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 near the beginning of each school year. Such discussions should include an explanation of this code, and the District's policy regarding removal.

3. Behavior which is disruptive, dangerous or unruly:

Notwithstanding any inconsistent or contrary 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:

- a. Inappropriate physical contact intended or likely to hurt, distract or annoy others, such as hitting, biting, pushing, shoving, poking, pinching or grabbing;
 - b. Inappropriate verbal conduct intended or likely to upset, distract or annoy others, such as name calling, teasing or baiting;
 - c. Behavior that may constitute sexual or other harassment, intimidation or bullying;
 - d. 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;
 - e. Throwing any object, particularly one likely to cause harm or damage, such as books, pencils, scissors, etc.;
 - f. Inciting other students to act inappropriately or to disobey the teacher or school or class rules, including without limitation, inciting others to walk out;
 - g. Destroying the property of the school or another student;
or
 - h. Loud, obnoxious or outrageous behavior
4. 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 to the student's inappropriate behavior. By way of example and without limitation, a student may be removed for behavior which constitutes:

- a. Open defiance of the teacher, manifest in words, gestures or other overt behavior;
 - b. Open disrespect of the teacher, manifest in words, gestures, or other overt behavior; or
 - c. Other behavior likely or intended to sabotage or undermine the instruction.
4. Behavior which is inconsistent with class decorum and the ability of others to learn.

In addition, there may be grounds for removal for behavior which, though not necessarily violative of the provisions of

(1) through (4) above, 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. Such behavior may include, without limitation, sleeping in class, blatant inattention, or other overt or passive refusal or inability to engage in class activities.

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 include, for purposes of illustration and without limitation, irreconcilable personality differences or issues between the student and other students, or in rare circumstances, between the student and the teacher.

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.

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. This definition of "class" includes, without limitation, regular classes, special classes, resource room sessions, labs, library time, counseling groups, assemblies, study halls, lunch or recess. "Class" also includes regularly scheduled District-sponsored co-curricular activities, either during or outside of school hours. Such activities include, by example and without limitation, District-sponsored field trips, after-school clubs, and sporting activities.

A "teacher" is any certified instructor or staff 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. This definition includes, without limitation, any assigned substitute teacher, proctor, monitor, or group leader. Where there is more than one teacher in a class, any teacher may remove a student from that class, upon informing the other teacher(s) of his/her intent to do so. It is advisable,

though not absolutely required, that all teachers of a class assent to the removal of the student.

A "building administrator" means a principal of a school, or other individual duly designated by the building administrator or District Administrator.

WHAT PROCEDURES MUST 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 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:

1. 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.
2. obtain coverage for the class and escort the student to the main office.
3. 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.

The teacher shall inform the building administrator or designee of the reason for the student's removal from class.

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 24 hours of the removal, the teacher shall submit to the building principal or designee a short and concise written explanation of the basis for the removal. If the removal is from an activity held outside of school hours or off school premises, the written explanation may be submitted within one business day. Such information may be submitted on a form provided by the building administrator.

As soon as practicable, the parent(s)/guardian of a minor student shall be informed that he/she was removed from class.

PLACEMENT PROCEDURES

Short Term Removal

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. In 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 (e.g. writing an apology or account of the situation). In no event should students' time in the removal area be recreation or other free time.

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 he/she was removed or for at least 45 minutes, whichever is longer. 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 retain the student in short-term removal.

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/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 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 statement should set forth as clearly and completely as possible:

1. the basis for the removal request;
2. the alternatives, approaches and other steps considered or taken to avoid the need for the removal;
3. the impact, positive and negative, on the removed student; and
4. 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. In most cases, it is appropriate to inform and consult with the parents/guardians 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:

1. place the student in an alternative education program as defined by law;
2. place the student in another class in the school, or in another appropriate place in the school;
3. place the student in another instructional setting, or
4. return the student to, or retain the student in, the class from which he/she was removed or proposed to be removed if the administrator 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/guardian of the student, and/or the student, may 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/guardian 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 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 or student.

STANDARDS FOR REMOVAL FROM CLASS

This code is intended primarily as a tool 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.

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.

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

Some different rules and considerations apply for students identified as requiring special education services under the Individuals with Disabilities Education Improvement Act (2004 IDEA) or Section 504 of the Rehabilitation Act of 1973. In particular, placement for such students is a decision of the student's individualized education program (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.

Notwithstanding these issues, students identified as requiring special education services under 2004 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 10 school days may be made for a student with disabilities outside the IEP process, except to the extent permitted under 2004 IDEA (e.g. for behavior involving weapons, drugs, or infliction of serious bodily injury).

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