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SCHOOL CONDUCT

1997 Wisconsin Act 335, passed by the legislature and signed by Governor Tommy Thompson to take effect on July 16, 1998, requires school districts to adopt codes of classroom conduct and permits teachers in grades K through 12* to remove dangerous, disruptive or unruly students from their classes.

CODE OF CLASSROOM CONDUCT

Removal of a Pupil. Beginning August 1, 1999, a teacher may remove any pupil from the classroom for causes specified in the law. If, in the opinion of the teacher, a student exhibits behavior which violates the school's code of classroom conduct or is dangerous, unruly, disruptive, or interferes with the ability of the teacher to teach effectively, the teacher is authorized to send the student to the school principal with an explanation of the reasons for removal. The teacher is also required to submit a written explanation to the principal within 24 hours of the removal.

The principal must place the pupil in one of following:

- An alternative educational program.
- Another class or appropriate place in school.
- Another instructional setting.
- The class from which the pupil was removed, if the principal determines that readmission is the best or only interim alternative available.

In addition to the options listed, the teacher, principal or school board may take further steps to discipline the pupil.

Mandatory Code of Classroom Conduct. Act 335 (introduced as 1997 Senate Bill 274) requires each school district to adopt a code of conduct by the beginning of the 1999-2000 school year. The policy must be developed in consultation with a school board-appointed committee of school district residents, consisting of parents, pupils, members of the school board, school administrators, teachers, pupil services professionals and public members. The code may provide different standards of conduct for different schools within the district, but it must include all of the following:

1. A definition of conduct that constitutes dangerous, disruptive or unruly behavior or behavior that interferes with the ability of the teacher to teach effectively.
2. Any additional grounds for removing a pupil from class.
3. Procedures for determining the appropriate educational placement of a pupil who has been removed from the class and assigned a new placement by the school principal.

4. Procedures for notifying the parent or guardian of a minor pupil who has been removed from class.

Report to the 1999 Legislature. The Joint Legislative Council is requested to study the following issues related to school discipline and to report its findings and recommendations to the 1999 Legislature:

- Procedures for placement of unruly, disruptive or dangerous pupils.
- Alternative educational placement options and funding recommendations.
- Data collection regarding suspension, expulsion and other discipline of unruly, disruptive or dangerous pupils.
- Training for school district staff who manage disruptive students.
- Limiting the liability of school district staff, school board members and the school board for disciplining pupils.
- Disciplining children with disabilities.
- Effective strategies for reducing violence and disruption in schools.

FOR MORE INFORMATION

For copies of 1997 Wisconsin Act 335, contact the Legislative Reference Bureau at (608) 266-0342. Acts can be downloaded from the legislature's website at <http://www.legis.state.wi.us/billtrack.html>. For more information concerning school conduct issues, contact the Department of Public Instruction, Division for Learning Support: Equity and Advocacy, at (608) 266-3584.

*The original bill (SB-274) limited removal to pupils in grades 5-12, and this was reported in the original version of this brief. Act 335, as enacted, expanded coverage to grades K-12 as reflected in this corrected version.