

WISCONSIN HEIGHTS STUDENT CODE OF CONDUCT

The Wisconsin Heights School District recognizes and accepts its responsibility to create, foster and maintain an orderly and safe environment, conducive to teaching and the learning process. Staff, including administrators and other responsible adults must use their training, experience and authority to create schools and classes where learning is possible. Students are expected to come to school and to each class ready and willing to learn.

Students should be able to attend school and classes as free as reasonably possible from unnecessary and unwarranted distraction and disruption. Such behavior interferes with the learning environment and will not be tolerated. A student who engages in conduct or behavior as outlined in this code may be removed from an area by a responsible adult and placed in an alternative setting in accordance with established procedures.

Removal from an area under this code does not prohibit the district from pursuing or implementing disciplinary measures, including but not limited to detentions, suspensions or expulsion, for the conduct or behavior for which the student was removed.

For purposes of this code an "area" includes regular classes, cafeteria, play or parking area, restrooms, hallways, school offices and field trip locations, special classes, resource room sessions, labs, study halls, library time and school assemblies. "Responsible adult" means a person employed by the district.

A. Reasons for Removal from an Area

Student removal from an area 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 they are communicated as clearly as possible to both 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 from an area under this code. A responsible adult'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 responsible adult should exercise his/her best judgment in deciding whether it is appropriate to remove a student from an area.

Except as otherwise provided, a responsible adult may remove a student from an area for the following conduct or behavior:

- 1. Conduct covered by the district's policies regarding suspension and expulsion** (e.g., conduct rule violations, possessing a firearm, knowingly conveying a threat to others or threat to destroy any school property by means of explosives). It should be noted that building administrators make decisions regarding suspension, and the Superintendent makes recommendations for expulsion. Thus, a responsible adult's decision to remove a student from an area for behavior covered by district policies regarding suspension and expulsion may, but not necessarily, mean that the student will also be suspended or expelled.
- 2. Disruptive, dangerous or unruly behavior.** The following behavior, by way of example and without limitation, may be determined to be disruptive, dangerous or unruly:
 - a. Being under the influence of alcohol or other controlled substances or controlled substance look alikes, or otherwise in violation of district student alcohol and other drug policies.
 - b. Inappropriate physical contact or threat intended or likely to hurt, distract or annoy others such as hitting, biting, pushing, shoving, poking, pinching, grabbing or fighting.
 - c. Inappropriate verbal conduct intended or likely to upset, distract or annoy others such as name calling, teasing or baiting, or encouraging a fight or disruption.
 - d. Behavior that may constitute sexual or other harassment (e.g., racial or ethnic slurs)

- e. Disruption and intimidation caused by gang or group symbols or gestures, gang or group posturing to provoke altercations or confrontations.
- f. Repeated or extreme inappropriate conduct likely to disrupt the educational environment, particularly when others are talking (e.g., lecture by responsible adult, response by other student, presentation by visitor) or during quiet study time.
- g. Throwing any object, particularly one likely to cause harm or damage such as books, pencils, scissors, etc.
- h. Inciting other students to act inappropriately or to disobey the responsible adult, school or class rules.
- i. Destroying the property of the school or another student.
- j. Repeated disruption or violation of classroom rules.
- k. Behavior that causes the responsible adult or other students fear of physical or psychological harm.

3. **Conduct which otherwise interferes with the ability of the responsible adult to teach effectively.** Students are required to cooperate with the responsible adult by listening attentively, obeying all instruction 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 attention from the lesson to the student's inappropriate behavior. By way of example and without limitation, such behavior includes:

- a. Open defiance of the responsible adult, manifest in words, gestures or other overt behavior.
- b. Open disrespect of the responsible adult, manifest in words, gestures, or other behavior.
- c. Open behavior likely or intended to sabotage or undermine classroom instruction.

4. **Conduct which is incompatible with effective teaching and learning in the class.** In some cases, a responsible adult 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 students in the area.

B. Procedures to be Followed for Removing a Student From an Area

Except when the behavior is extreme, a responsible adult should generally warn a student (preferably in private) that continued misbehavior might lead to a consequence. Every effort should be made to reinforce positive behaviors and provide alternatives to more extreme consequences and removal from an area. Best practice suggests that the adult notify the parent(s)/guardian(s) both when they have a concern and when the student has made an effort or progress. When the responsible adult determines that removal is appropriate, s/he should take one of the following courses of action:

1. 1. Obtain coverage for the area and escort the student to the main school office. The responsible adult shall inform the building principal or designee of the reason for the student's removal from an area.
2. Seek assistance from the main school office or other available staff. When assistance arrives, the responsible adult or the other staff member should accompany the student to the main office. The principal or designee shall be informed of the reason for the student's removal.

When the student arrives at the main office, the building principal or designee shall give the student an opportunity to briefly explain the situation. If the building principal or designee is not available immediately upon the student's arrival, the student should be taken to the designated short-term removal area and the principal or designee should speak to the student as soon as possible. On the same day, or the following

school day, the responsible adult shall submit to the building principal or designee a short and concise written explanation of the basis for the student's removal from an area. On the same day, the building principal or designee shall make and document a reasonable effort to notify the student's parent/guardian, by telephone and in writing, that the student was removed from an area. The written notice shall specify the area from which the student was removed, the duration of the removal, and the basis for the removal as stated by the responsible adult. If the student's removal from an area is also subject to disciplinary action for the particular classroom conduct (i.e., suspension or expulsion), the student's parent/guardian shall also be notified of the disciplinary action in accordance with legal and policy requirements.

C. Placement Procedures

1. Short-Term Placement

Each building principal shall designate a room or other suitable place in the school that will serve as the short-term removal area.

Following referral to the main office, the building principal or designee may place the student in the designated short-term removal area as determined appropriate by the responsible adult of the area from which the student was removed. At the discretion of the building principal or designee, the student may be placed in another appropriate area, program or educational setting, provided the students are supervised in such alternative setting.

Students placed in the short-term removal area shall be supervised. During their time of placement, students should do work of an academic nature. Such work should ordinarily be related to the work in the area from which the student was removed or may be related to the student's misconduct. In no event should a student's time in the short-term removal area be recreation or other free-time.

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. Prior to allowing the student to resume his/her normal schedule, the building principal or designee shall ask the student to commit to a contract that includes the behavior for which the student was removed, the acceptable alternative(s) to the disruptive behavior, and the student's signature. The student may not return to the class or activity until s/he has completed and signed the contract. In the event the student is not ready to return to regular classes, the building principal or designee may consider a different placement option as outlined below

2. Long-Term Placement

Long-term placement in an alternative setting is an extremely serious step that should not be undertaken hastily or for less than compelling reasons. Such a step could have profound consequences for the affected student, as well as for any other class or responsible adult to which the student may then be assigned. For these reasons, long-term placement should not ordinarily be considered or implemented except after a thorough consideration of alternatives by the building principal or designee. The building principal or designee shall make all long-term placement decisions under this code.

If a responsible adult believes that the best interests of the student and/or a class require the student's long-term placement in an alternative setting, the responsible adult should so notify the building principal in writing. Such 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 student's removal from an area, (c) the impact, positive and negative, on the removed student, and (d) the impact, positive or negative, on the rest of the students.

Upon receipt of such statement, the building principal or designee, may at his/her discretion, consult with the responsible adult and/or other district staff. The principal/designee should also inform and consult with the student's parent/guardian and the student her/himself.

Following consideration of the responsible adult's statement and any other information, the building principal or designee shall, at 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 area in the school;
- C. Place the student in another instructional setting; or
- D. Return the student to the area/class from which the student was removed if the principal or designee determines that readmission to the area is the best or only alternative.

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

- A. The reason the student was removed from an area.
- B. The severity of the offense.
- C. The type of placement options available for students in that particular school and any limitations such as costs, space availability and location, on such placements.
- D. The estimated length of time of placement.
- E. The student's individual needs and interests.
- F. Whether the student has been removed from a responsible adult's area before.
- G. The relationship of the placement to any disciplinary action.

Long-term placement in an alternative setting is an administrative decision and is not subject to appeal. However, the student and/or the student's parent/guardian may meet with the building principal or designee and/or the responsible adult(s) who made the request for the student's long-term placement in an alternative setting. Where possible, this meeting shall take place within five days of the request for a meeting. The building principal or designee has the authority to make a determination regarding the student's placement and implement the placement plan.

D. Removal and Placement Procedures for Students with Disabilities

A student with a disability may be removed from an area by a responsible adult and placed in an alternative education setting only to the extent authorized by state law, the federal Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and/or related regulations.

E. Suspension and Expulsion

Board Policy 5610 – Suspension and Expulsion authorizes the use of suspension and/or expulsion as follows:

A. Suspension

a. Duration and Grounds for Suspension:

The Principal or a person designated by the Principal may suspend a student for up to five (5) school days or, if a notice of expulsion hearing has been sent, for up to fifteen (15) consecutive school days or ten (10) consecutive school days if the student is eligible for special education services under Chapter 115, Wis. Stats., if the suspension is reasonably justified and based upon any of the following misconduct:

- i. Noncompliance with school or Board rules;
- ii. 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;
- iii. Conduct by the student while at school or while under the supervision of a school authority that endangers the property, health or safety of others;
- iv. Conduct while not at school or while not under the supervision of a school authority that endangers the property, health or safety of others at school or under the supervision of a school authority;
- v. Conduct while not at school or while not under the supervision of a school authority that endangers the property, health or safety of any employee or Board member of the School District in which the student is enrolled.
- vi. Conduct that endangers a person or property includes making a threat to the health or

safety of a person or making a threat to damage property.

The District Administrator, or any Principal or teacher designated by the District Administrator, shall suspend a student if the student possessed a firearm while at school or while under the supervision of a school authority.

The suspension period applies to “school days.” Thus, a suspension period does not include weekend days or vacation days.

b. Suspension Procedure

Prior to being suspended, on the day of the alleged infraction or as soon thereafter as is practicable, the student will be advised orally or in writing of the reason for the proposed suspension and given an opportunity to explain their conduct.

The Principal, within their discretion, may also inform the student’s parents or guardian of the reason for the proposed suspension prior to suspending the student.

c. Notice of Suspension

The parent or guardian of a suspended minor student shall be given prompt written notice of the suspension and the reason for the suspension by mail and by sending a copy of the notice home with the student. Oral notice may also be given to the student’s parent or guardian; however, it will be confirmed in writing.

d. Sending a Student Home on the day of the Suspension

Generally, the student should remain in school on the day of the suspension until school is dismissed for the day. Except as provided below, if the situation requires that the student be removed from the premises before school is dismissed, the Principal shall attempt to contact the student’s parent or guardian to request that the parent/guardian pick up the student. If the parent/guardian is unable to pick up the student, the student should remain under the school’s supervision until school is dismissed, or in the event law enforcement is involved, under law enforcement supervision.

e. Opportunity to complete School Work

A suspended student shall not be denied the opportunity to take any quarterly, semester or grading period examinations or to complete course work missed during the suspension period. Such work shall be completed pursuant to the procedures established by the Board.

f. Reference to the Suspension in the Student’s Record

The student’s suspension from school shall be entered in the student’s record as required by the rules adopted by the Board concerning the content of student records.

The suspended student or the student’s parent or guardian may, within five (5) school days following the commencement of the suspension, have a conference with an, who shall be someone other than a Principal, administrator or teacher in the suspended student’s school, to discuss removing reference to the suspension from the student’s records.

Reference to the suspension in the student’s school record shall be removed if the administrator finds that:

- i. The student was suspended unfairly or unjustly;
- ii. The suspension was inappropriate, given the nature of the alleged offense; or
- iii. The student suffered undue consequences or penalties as a result of the suspension.

The administrator shall make a finding within fifteen (15) days of the conference.

g. Co-Curricular or Extra - Curricular Participation

A student's participation in co-curricular or extra-curricular activities during a suspension shall be determined on a case-by-case basis.

B. Expulsion

a. Grounds for Expulsion

The Board may expel a student only when it is satisfied that the interest of the school demands the student's expulsion and it finds that the student:

- i. Repeatedly refused or neglected to obey the rules established by the School District;
- ii. Knowingly conveyed or caused to be conveyed 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;
- iii. Engaged in conduct while at school or while under the supervision of a school authority that endangered the property, health or safety of others;
- iv. Engaged in conduct while not at school or while not under the supervision of a school authority that endangered the property, health or safety of others at school or under the supervision of a school authority or endangered the property, health or safety of any employee or Board member of the School District in which the student is enrolled; or

Under this section, conduct that endangers a person or property includes threatening the health or safety of a person or threatening to damage property.

b. Expulsion for Bringing a Firearm to School

The Board shall expel a student from school for not less than one (1) year whenever it finds that the student brought a firearm to school or, while at school or while under the supervision of a school authority, possessed a firearm, unless the Board finds that the punishment should be reduced based upon the circumstances of the incident. Any such finding by the Board shall be in writing.

c. Expulsion Hearing

Prior to expelling a student, the Board shall provide the student with a hearing. Prior written notice of the expulsion hearing must be sent separately both to the student and their parent(s) or guardian(s) if the student is a minor; otherwise just to the student. The notice will comply with the requirements of State law.

The student, or the student's parent if the student is a minor, has the right to request a closed hearing or the Board may choose to close the hearing. The student and, if the student is a minor, the student's parent or guardian may be represented at the hearing by counsel.

d. Expulsion Order

The Board shall reduce its decision to writing in the form of a written order. If expulsion is ordered, the order must state the length of time that the student is to be expelled. The order should also state specific findings of fact and conclusions of law in support of the decision.

e. Student Records

The student's expulsion from school shall be entered in the student's record as required by the rules adopted by the Board concerning the content of student records.