

1997-98 SESSION
COMMITTEE HEARING
RECORDS

Committee Name:

Senate Committee on
Education (SC-Ed)

Sample:

Record of Comm. Proceedings ... RCP

- 05hrAC-EdR_RCP_pt01a
- 05hrAC-EdR_RCP_pt01b
- 05hrAC-EdR_RCP_pt02

➤ Appointments ... Appt

➤ **

➤ Clearinghouse Rules ... CRule

➤ **

➤ Committee Hearings ... CH

➤ **

➤ Committee Reports ... CR

➤ **

➤ Executive Sessions ... ES

➤ **

➤ Hearing Records ... HR

➤ **

➤ Miscellaneous ... Misc

➤ 97hrSC-Ed_Misc_pt04

➤ Record of Comm. Proceedings ... RCP

➤ **

**TESTIMONY IN OPPOSITION TO:
1997 SENATE BILL 274**

Prepared by Jeff Spitzer-Resnick
Staff Attorney

The Wisconsin Coalition for Advocacy, which is the state's designated Protection and Advocacy agency that represents individuals with disabilities, although it recognizes the concerns addressed by SB 274, opposes the bill for the following reasons:

- The bill allows teachers to remove a student from their classroom if the teacher determines the student is unruly or disruptive. Allowing teachers to remove a student from their classroom at their own discretion under such circumstances may lead to arbitrary and inconsistent removal of students from one classroom to the next and allows for inconsistent removal within the same classroom. While not as draconian as AB 301, this bill assumes that teachers will remove students in a consistent, non-arbitrary manner. This assumption is simply unsound. The student is then left to the whim of the school principal for 3 days who must find a place for this child--keeping in mind that the child may only be removed for one class of his or her day. While the concept of a conference with parent, teacher, principal, and student in attendance is a good one, this bill still allows the teacher to have sole veto power as to whether or not to readmit the student depending on that teacher's whims. We are glad to see that this bill recognizes the need for alternative education, but the child may miss 15 days of school in the mean time. Moreover, the expulsion provisions do not provide for any alternative education. There are also serious constitutional due process concerns, as follows:
 - The bill allows for a student to be removed from the classroom without so much as being given a written or verbal warning that such removal is imminent if the nature of the violation continues. This does not entitle the student to an impartial hearing prior to or following removal from the classroom even though removal may take effect for a longer period of time

than some suspensions or expulsions.

- The provision that a student may not return to the classroom until a conference is held with the teacher, the student, and the student's parent and the teacher provides written consent to such return gives the teacher complete discretion in returning the student to the classroom, unless the decision is appealed to the Placement Review Committee.
- Even if the decision is appealed to the Placement Review Committee, the bill does not provide the student with an opportunity to present his or her side of the facts to the Committee or to be represented by counsel.
- Providing teachers with the unilateral right to remove a student from their classroom allows the teacher to make changes to a student with disabilities individual program and placement and as a result will violate both the state and federal rights of disabled students.
- The placement review committee is clearly stacked against the student and with the teacher's interests primarily in mind, as three of its five members are composed of teachers, and there are no parents on the committee. It is truly ironic that school personnel constantly decry the lack of parent involvement in the schools but that the teachers would propose a process which takes parents virtually out of the loop. This heavy emphasis on teachers' interests can also be seen in the provision that a collective bargaining provision, to which the parents and students are not a party, can override this new disciplinary procedure if the legislature saw fit to adopt this bill. Basically, the teacher's union is saying that it wants this bill, but if a local union can think of something better and get it into its collective bargaining agreement, not even the state law will control those disciplinary provisions.
- During the removal period the teacher is not required to provide the student with make up examinations or tutoring. This will cause the student to fall behind in his or her course work, denies the student of the education he or she is entitled to, and is contrary to current suspension laws in Wisconsin. Under current suspension

statutes [§120.13(1)(b)] a suspended student may not be denied the opportunity to take any quarterly, semester or grading period examinations or to complete course work missed during the suspension period.

- While we are pleased to see that school boards and administrators would be given additional authority to establish codes of conduct, there are no provisions in this bill that such codes of conduct will be disseminated to students and parents, so that they are aware of them. Moreover, there is no provision that it is these codes of conduct which will form the basis for removal by a teacher from a class.
- We are also concerned with the amendments to the current expulsion statutes which express a zero tolerance, no questions asked one-year expulsion for certain offenses. Even the federal Gun Free Schools Act, while suggesting a one-year expulsion for possessing a firearm on school property, still allows the local school board to expel for a shorter period, if circumstances warrant. Moreover, the provisions which mandate a one year expulsion for an adjudication of delinquency under various statutes goes even further to tell local school boards that they have no local control to determine how they want to handle a matter which has already been handled by the criminal justice system. Ironically, this provision does not even speak to the fact that under SB 274, expulsions for such adjudications do not even need to be related to school property, personnel, or activities.

We at the Wisconsin Coalition for Advocacy are aware that there is a problem of disruptive students in the classroom, and agree that the problem needs to be addressed. However, allowing teachers to remove students from their classrooms at their own discretion, and mandating a further increase in what are already skyrocketing expulsion rates in our state, is not going to solve the problem. Two weeks ago, this committee heard testimony on a far more comprehensive solution to this problem in the form of SB 192. As you may recall, some of the key points of that bill are as follows:

- Children who are expelled and do not enroll in another school district must be enrolled in a children-at-risk program or in an appropriate alternative education program operated by the school board or by a cooperative educational service agency (CESA) under contract with the school board.
- This satisfies the state constitutional requirement of providing education for all children. It also provides the student with the tools necessary to become a productive member of society and ensures

the safety of the community during the expulsion period.

- The board of control is required to contract with the school district of the expelled student to provide the student with an alternative educational program that includes an individualized plan for success for the student. The plan includes a strategy for the pupil to return to school in his or her district within one year or at the end of the expulsion period, which ever is sooner.
 - This provides the student with attainable goals and may deter the need for future expulsions because it will provide the student with the necessary tools to succeed in school.
- SB 192 provides for specific grounds for expulsion and requires the school board to distribute rules concerning student conduct to the student and the student's parent or guardian at the beginning of the school year or upon the student entering school.
 - This will inform the student and his or her parent or guardian of what conduct is required and places the responsibility on the student and his or her parent or guardian for the student's actions.
- The bill provides for specific guidelines for the duration of the expulsion.
- Creates the Council on Pupil Discipline which will further analyze and develop strategies to deal with the problem of disruptive students in our classrooms. As this issue continues to be so hotly debated by the various interest groups, nothing could be clearer, than that the legislature must take action to ensure that this issue receives the kind of unbiased study which this Council will be able to provide.

We feel the provisions of the SB 192 will address the problem of disruptive students in our classrooms. Thank you for your attention to this important matter. We urge you to vote against Senate Bill 274 and hope that you will consider supporting Senate Bill 192 when it comes before you.

August 25, 1997

To who it may concern;

I am in favor of this bill as a parent and as a member of our school staff. I am an instructional aide at Algoma Elem. School and I have witnessed many times how a disruptive child can wreak havoc and chaos in a classroom. As a parent, I feel my child and every other child has the right to be in a safe, orderly, ^{and} productive environment, whether it's a classroom, hallway, or play ground. I feel teachers spend too much time ^{and} ^{energy} trying to keep their classroom from being disruptive. Many times, we hear about the rights of special education children. Who is standing up for the rights of all the others? In our school of first graders last year, staff members had been physically and verbally attacked by these disruptive children.

of this bill and support it fully.

Sincerely,

Emily Rankin

Address:

Emily Rankin

N6706 Cty. D

Algoma, WI 54201

Phone: 920-487-9913

August 25, 1997

Dear Mr. Coe:

We, the Algoma Elementary School primary teachers, believe that it is important that Bill #274 regarding the decisions about the removal of a disruptive student from the regular classroom be passed. The teacher should be granted authority to remove the child if the disruptive behavior continues after several intervention methods have been attempted.

Violence in school is becoming a serious problem and valuable learning time is lost for the child who has a definite desire to learn.

Your efforts to support educators and education is greatly appreciated. Please pass Bill #274.

Sincerely,

Nila Schley
Diana Vlies
LaVerne Eggert
Gail Mullendore

Nila Schley
Diana Vlies
LaVerne Eggert
Gail Mullendore
Linda Benaszski
Paul Brochman

Charles A. Bretl
Algoma Schools
514 Fremont St.
Algoma, WI 54201

Dear Wisconsin Legislature,

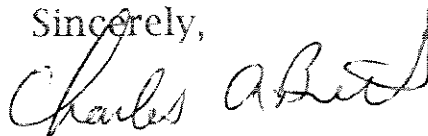
I am writing to you regarding the bill before you allowing a teacher to remove a disruptive student from his/ her classroom. As a teacher, I have handled many disturbances while trying to teach. I am a strong believer that the other 23 students in the room should not lose their educational experience because one student demands the majority of the teacher's attention by being disruptive, disrespectful, and disobedient. Sadly, when this happens in a classroom, a teacher's focus is 100% on the negative behavior of one student, rather than on the remainder of students wanting to learn.

I realize sometimes the negative attention goes to students with special needs and that is a whole different issue going back to social work with parents and the like. I also believe everyone has the right to learn, and learning cannot take place when the teacher needs to solely deal with discipline. I have had students who repeatedly disrupted my class, were sent out of the room, only to return later to pick up right where they left off. I would then get phone calls from parents asking, "With this behavior, why is Suzie still in the room?"

If a bill like this passes, I could concentrate my abilities on what I am truly there for, TO TEACH!

Thank you for your diligent attention to this very important matter.

Sincerely,



Charles A. Bretl

Eric A. Baker
4848 N. Lydell Avenue #308
Milwaukee, WI 53217
414-967-0906

Jack Coe
Legislative Division
PO Box 8003
Madison, WI 53708

5/29/97

Dear Jack:

I am writing in response to your request for anecdotal information regarding incidents of dangerous or disruptive behavior. The incident I am relating is not dangerous or as abusive as many teachers face. It underscores the need for Teachers to have more control over their students learning environment, as Teachers are the sole advocate for student learning that are within the classroom walls on a daily basis.

Being a first year teacher, I have had several students who have challenged my authority regarding grades, discipline, ideology, etc.. This is to be expected, and my policy has always been to be firm, fair, and consistent. This policy has proven successful to a large degree, as a few students have overstepped their bounds periodically, been reprimanded and/or suffered disciplinary action, and been assured that the incident would stay in the past as long as the student adjusted their attitude and behavior.

However, this policy has not been effective with one student. This student has repeatedly "hijacked" the classroom by belligerently questioning my authority on several occasions, and then continuing to monopolize class time by forcing discussion of the issue after being asked to discuss it with me outside of class time, being asked to leave class for his continued disruptiveness, and then being told he would be escorted to the office if he continued to refuse compliance. Each of these occasions has resulted in the following actions on my part, per our school discipline code:

- 1) a student-teacher conference
- 2) second student-teacher conference, phone call home, in-class discipline assigned
- 2) a student-teacher conference, discipline referral, and a phone call home
- 3) discipline referral, conference with guidance counselor, student, parent, and teacher
- 4) discipline referral, conference with teacher, student, administrator

At this point the student was finally put on a three strikes policy where the student and parent were informed that if there were **three more such occurrences**, the student would be removed from class.

In the interim, there have been separate interventions by guidance counselors and administrators. Students have also requested to myself, counselors, and administrators that the student be removed from class, complaining that his actions are ruining the focus and morale of the class, and are hindering me from teaching effectively and them from learning. Administrators counter that their hands are tied; that they must go through all of these steps before removal from class. Through all of this the student has not been kept out of class for a single day.

The tragedy of this incident is that, this is not an acute and isolated incident, this is the discipline strategy of our public schools; a chronic disruption to learning that has stayed the lengthy course of the "normal" discipline strategy. This strategy is not effective. The remaining students are being inhibited from maximizing their potential, feel that there is no advocate for them, and the offending student is not developing the accepted social practices of the "real" world, nor is he being held accountable for his actions.

I would appreciate the exclusion of my name from this, if you choose to use it in any way, as it would be very easy for the community to infer who the offending student was. If I can be of any further help in this matter, please contact me.

Sincerely,

Eric A. Baker

5100 S. 33rd St, #2
La Crosse, WI 54601
June 16, 1997

Jack Coe
WEAC
Madison, WI

Dear Mr. Coe:

This is in response to the article, "School Safety and Discipline Bill" in the CRUE Communique.

During the 95/96 school year I got up with a situation which became intolerable due to administration looking the other way. I am a guidance counselor. In Oct. 95 I was approached by a teacher representative of our school's parent group. The parents were sponsoring a fund-raising activity and wanted to let a family of 3 children know they could not participate further because 1) money was missing, and 2) over \$2,000 worth of merchandise had been added to customers' orders. Now, ordinarily this would have been handled by an administrator. However, the principal due to health reasons, was unable to

take care of the situation. So, naively, I met with the 3 children to give them the news that they were not able to continue. The oldest child, a 4th grader, began shouting & swearing & had to be asked to leave the room 3 times before she left. She went to the office and shouting and screaming and swearing said there would be trouble if they had to quit.

That was in Oct, '95 and from that day forward I put up with constant harassment from those 3 children and their family. The harassment continued until the end of the year. In the meantime the principal was replaced by a new principal in January '96. The harassment of me continued and escalated after that time. The new principal's response in each incident was hands-off. The harassment took many forms. The children would try to bump into me in the hallway. I was falsely accused of calling the 4th grader a "lying nigger" and a "lying & stealing nigger bitch". These accusations were made by the girl to the principal & by various relatives to the

superintendent and the principal. The family threatened to sue the school district. In the meantime the harassment ^{of mine} escalated with the 3rd grade boy causing incidents on the playground while I was on duty (purposely jumping on top of another boy, hitting him, necessitating me to pull him off the child, then the 3rd grader screaming & shouting at me, accusing me of hurting him & tearing his clothes). The 4th grade girl began what I would call stalking me. One day she stood outside a class where I was doing a lesson and made faces through the window at me. Then she reported that I was making faces at her. One day, when I ^{was} doing a lesson in her class she refused to participate. I gave her the choice of doing the work or going to the office. When she would not comply I stepped out of the class and asked her teacher to return & take her to office. That evening the girl went to the police station with her grandmother and reported that I had slammed her arm onto a desk,

injuring her. A police officer came to my house and interviewed me for an hour that evening. Social Services became involved & came to school interviewing the girl and several of the children in that class. The D.A. decided not to file charges.

Before the above incident this family had moved out of ^{the} attendance area of Southern Bluffs. I had requested they not be given special permission to stay, but the principal and administrator in charge of school boundaries decided to grant them special permission to stay, despite the fact that I had endured months of harassment already.

Harassment of me continued until the end of the school year. It would sometimes take the form of the mother and her friends walking in the hallways & past my office and giving me hate stares. I lived in fear until the year was over.

A very stressful year! And not once did any administrator talk to this girl or children or discipline them in any

way. The issue was just never addressed. The only support I got was from our union representatives and the WEPAC lawyer who wrote letters to district administrators and to the school board.

I hope this information can be helpful to you.

Sincerely,

Janet K. Bohm
Guidance Counselor
Southern Bluffs School
La Crosse, WI 54601

P.S. I had occasion to speak to Atty. Gen. Doyle about this situation and his response was that when administration does not take the initiative to stop such harassment then it will continue to happen & to escalate. In districts where administrators take a stand, it stops!

To : Jack Coe
Legislative Division
33 Nob Hill Drive
Po Box 8003
Madison, WI 53708-8003

From: Tamara Bouda
132 Glenwood Road
Delavan, WI 53115

This is the first I have heard of Assembly Bill 301 and I am very happy to see that someone is trying to make some changes. I was hired as assistant librarian in September of 1996. After spending the last year with jr high and high school students, I am appauled with the disrespect and lack of discipline administered in this school. The students have been allowed to use foul language and are so disruptive to the classroom I can not see how any work gets done.

My personal experience with hard to handle students has been minimal. On those occasions when I have had a student become verbally abusive my only recourse is to call to the office to have the principal or health teacher remove the student from the library. I have four or five students that I will not allow into the library because of their language and behavior. However, I don't see any disciplinary measures taken to change the students attitude or behavior. As a result the student has learned nothing.

I feel that the students have been given a very long leash and take advantage of it as often as possible. They know that they can not be touched and it becomes a game to them to see how far they will get. In conversations with other teachers I have seen their frustration with the situation. To keep control of the classroom sometimes takes most of the class time. I feel that students who become disruptive in class should be removed and dealt with on an individual basis. Respect and values need to be put back into these kids lives. If they do not learn how to behave properly they have learned nothing. The schools should be more strict and have better control of the school as a whole. This is the next generation we are sending out into the world. They have so much more to deal with as young adults than we did. If they haven't been taught the basics of life they are more than a step behind when they enter the real world.

As a parent of three children, I see the effects of disruptive students in the classroom. I would encourage any bill that will help to put control back into the schools.

Sincerely,

Tamara Bouda

On Oct. 22, 1992 during my 7th hour class to the best of my knowledge the following took place. I was helping a student with a drawing problem. The student sitting across from me complained about being hit with a part of an eraser and showed me the part and said, "he threw it" and pointed to Drad. At that time Drad turned red and went to grab something out of the drawing storage cabinet. I said, "Drad stop throwing things in class." He responded, "Why don't you try to stop me, I kicked the shit out of my old man and I'll kick the shit out of you." I said, "Drad why don't you go up to Mrs. Halkers class and tell her you don't want to be here any more, maybe you'll cool down by then." Drad said, "Fuck you, I'll kick your ass, Why don't you try doing what Mr. Cimsic did? I'll take you out." I followed him out of the room as he continued to repeat "fuck you" and "I'll kick your ass, nobodies going to make me do anything. He made another comment about kicking his fathers ass and he would do the same to me. He then stopped turned and looked at me and said, "you better watch out for your car, I'm going to get you, I'm going to take you out, I'll kick your ass fucker, you bitch." He continued down the hall and I told him to just keep on going to the office, he turned and said, "Fuck you." I then returned to the classroom and notified the office of the situation. This is not the first problem that has occurred with Drad, he has been warned about throwing things in class before and has had to be removed for cursing at the teacher before.

*Jack - This is a copy of the police report.
This is just one example of a situation
in my class. I changed the names, but I
think you get the idea - If you have any
questions please call me at 414 377 5942
(Home)*

*Beis Euclid
5722 Oakdale Ct
Crosbyton.*

Jack Coe

From: Todd & Carol Halverson[SMTP:halvey@powerweb.net]
Sent: Thursday, May 29, 1997 6:37 PM
To: Jack Coe
Subject: AB 301, School Safety and Discipline Bill

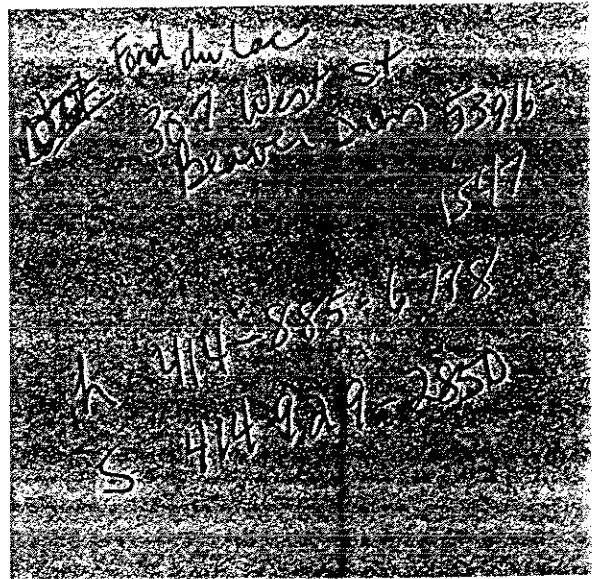
Dear Mr. Coe,

I am a teacher of students with severe cognitive disabilities. I have indured incidences of slapping, spitting, hitting in the groin area and being sworn at by a student. I have told administration that I will not tolerate this behavior any more for myself or my aides, but the child continues to be in my room. Meetings have taken place with the parents who say that it is the medication changes and they will not have the child serviced outside of the school district.

Currently, the child is under control but as I write to you we had an incidence while the loading the bus to go home after school. The child is swinging his arms, swearing and did hit his aide across the face. I hope this bill will pass but that it is not going to come to teachers having to do more paperwork and then nothing is done. I have a notebook full of incidences from this child this school year and have started to write in a second one to document these problems.

Thank you,
Carolyn Halverson

E-mailed response



Jack Coe

From: Todd & Carol Halverson[SMTP:halvey@powerweb.net]
Sent: Sunday, June 22, 1997 5:26 PM
To: Jack Coe
Subject: AB 301

Dear Mr. Coe,

If you are able to get a hearing on this bill I am interested in testifying. I realize that it has taken me a few weeks to get back to you on this and if it has already happen that is fine. I am hoping that I can be of help to you.
You may reach me by our e-mail address or by calling 414-885-6778.

Carolyn Halverson

Date: June 21, 1997
TO: Jack Coe
RE: Student incident

This incident happened in the Riverdale District which is in Southwest Wisconsin the last week of May 1996.

At the time I was the Technology Education Instructor for the 7th and 8th grade. A student had used some vulgar language and I asked him to leave the classroom. He became very angry, took a hammer from the work bench in front of him and throw it across the room. At a distance of about twenty feet it struck the front of a metal tool cabinet. Being concerned for the safety of the other students, I again ordered him to the office. This time he left as I held the door open. I escorted him across the gym and through the cafeteria to the office. He issued several profane exclamations along the way. At the office I found that the principal was gone. The regular secretary was also out, and not wanting to leave the situation with a substitute worker, I asked for the number for the Grant County Sheriffs Office. I was concerned about possible assault charges or at least getting Social Services involved. I reported the incident and went back to the classroom .

At about 3:30 an officer arrived. By then the buses had left and so had the student. I gave the officer a written statement. The next day he had a one day suspension and then was back in my classroom for the remaining days of school. I did not meet with a principal, parent, or the student before he returned to the classroom. I was not given any help as to what set him off or if it was likely to happen again or what procedure to follow if it did happen again.

In the last part of July I received a notice from Social Services that they were investigating the incident because the student had accused me of causing bruises on his arm. I made certain in removing him from the classroom that I did not touch him. I refused to talk with Social Services without a representative from SWTU or a lawyer present. With the help of WEAC, and an attorney, the investigation was completed without any charges or indication there was any wrong doing on my part.

Needless to say the stress, expense, amount of time, and worry over what will come next has an effect on both teaching and home life situations. If the hammer would have struck another student or the incident reoccured the situation would have had some different consequences.

This year, at two other times, I had students refuse to leave the classroom after being disruptive. After help from the office they were removed but they were back the next day.

If there is any way that teachers can get help with dealing with disruptive students in the classroom it needs to be done soon. It is not fair to students who are there to learn that these same individuals have to be dealt with on a constantly reoccurring basis.

Sincerely yours;

Curt Heise

Curt Heise
Tech Ed Instr
608-739-3721



MLM

midwest lumber minnesota, inc.

STILLWATER

TEL: (612) 439-5051
WATS: 1-800-862-6003

OWATONNA

TEL: (507) 451-2721
WATS: 1-800-943-0334

I'm sorry to took me so long to get this information to you. I was gone for 2 weeks & then I forgot!

I hope this is helpful. I will testify if you wish me to

I did not include the exact date because I can't remember it. But I do have the date at school.

also, a friend of mine had a similar experience in Kewaskum His name is Mary Reilly - Kliss - phone 414-334-

Joan Pognant 0974

Pine Boards
Pine Patterns
Industrial Lumber
Cedar

2811 Killarney Ct
West Bend WI 53095
414-338-6751

Douglas Fir
Redwood
OSB
Plywood

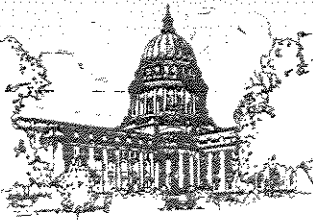
July 3, 1997

My name is Joan Pogradt. I teach eighth grade science and algebra at Kennedy Middle School in Germantown. This January one of my students attempted to harm me by putting hydrochloric acid in my coffee.

I was supervising a student's optional study hall. The student was assigned to the study hall by the assistant principal. It was nearing the end of the semester and this student was failing science. The assistant principal assigned him to work on missing science work. The student was working on a mineral identification lab. One of the mineral tests involves placing a drop or two of hydrochloric acid on the mineral and observing any chemical reaction. The hydrochloric acid was located at my front table near the sink. The procedure is to use a dropper to place the acid on the mineral. When the student came to the table to use the acid, he squirted it into my coffee cup sitting nearby. He also squirted it around the sink area and the eye wash station. While the incident occurred I was helping another student at my front table. My back was turned towards the other student and I did not see him squirt the acid. The student I was helping did see it happen and warned me not to drink the coffee.

After the incident was reported to the office, the police were called and the student was suspended pending an expulsion hearing. The student was expelled for the remainder of the 1996-97 school year. The police did not charge him because they could not prove intent.

CALVIN J. POTTER
State Senator



Wisconsin State Senate

MEMO-Immediate Response Required

TO: All Legislators
FROM: Cal Potter
RE: LRB 3722/2 Regarding Student Discipline
DATE: August 11, 1997

On Wednesday, August 13, I will be introducing the attached bill to assist classroom teachers and school principals with disruptive student discipline problems. The Senate Education Committee is planning to hold a public hearing on August 27, *so please call my office immediately if you would like to co-sponsor the bill.*

There is one change to the attached draft. On Page 3, section (4) (b), line 24, the phrase "or an alternative education program" will be added to clarify this as an option in school districts that have alternative programs.

Thank you for your rapid review of this LRB draft.

PLEASE CALL MY OFFICE BY NOON ON WEDNESDAY, AUGUST 13, IF YOU WOULD LIKE TO SPONSOR THIS BILL.

Rep. Krusik

Rudle - #2

Getch

T. Musser

3722/2 Regarding Student Discipline

Sen.

Rep.
Baumgart

CALVIN J. POTTER
State Senator



Wisconsin State Senate

MEMO-Immediate Response Required

TO: All Legislators
FROM: Cal Potter
RE: LRB 3722/2 Regarding Student Discipline
DATE: August 11, 1997

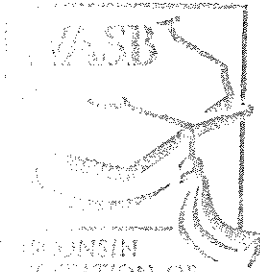
On Wednesday, August 13, I will be introducing the attached bill to assist classroom teachers and school principals with disruptive student discipline problems. The Senate Education Committee is planning to hold a public hearing on August 27, *so please call my office immediately if you would like to co-sponsor the bill.*

There is one change to the attached draft. On Page 3, section (4) (b), line 24, the phrase "or an alternative education program" will be added to clarify this as an option in school districts that have alternative programs.

Thank you for your rapid review of this LRB draft.

PLEASE CALL MY OFFICE BY NOON ON WEDNESDAY, AUGUST 13, IF YOU WOULD LIKE TO SPONSOR THIS BILL.

*Sen Clausen
Bonnie Ladwig*



Senator Cal Kottler (5/11 sem)

LEGISLATIVE MEMO

WISCONSIN
ASSOCIATION OF
SCHOOL BOARDS, INC

122 W. Washington Ave. • Madison, WI 53703 • Phone: 608-257-2622 • Fax: 608-257-8386

To:

From: Sam Brown, Director of Legislative Services (3/16/03)

OPPOSE SENATE BILL 274 – Removal of Pupils from Class

The WASB opposes Senate Bill 274 (Substitute Amendment #1).

- 1 All school boards have adopted rules of pupil conduct. Those rules serve as the basis for disciplinary actions, including suspension and expulsion, in accordance with statutory requirements (sec. 120.13 (1)(a)). This bill confuses the existing law regarding rules of pupil conduct with a proposed new mandate that school boards also adopt a code governing pupils' classroom conduct. The bill inappropriately modifies sec. 120.13 (1)(a) by limiting school board rules to conduct of pupils outside the classroom. Yet, those rules established pursuant to this statutory section serve as the basis for student suspensions and expulsions. Will school boards now be precluded from adopting rules of pupil conduct inside the classroom as a basis for suspension or expulsion?
- 2 Pupils may be removed from a class and sent to the principal, but under the bill the principal isn't necessarily informed about the reasons for removal for 24 hours. In the meantime, the principal is required to place the pupil in a temporary setting. The bill should be amended to ensure that the principal is informed immediately of the reasons for the pupil's removal from class.
- 3 Subsequent to the principal's decision on a temporary setting, a determination will be made regarding an "appropriate educational placement" (nontemporary). The bill creates an artificial distinction between temporary and permanent placements, which may not be appropriate in most cases involving a student's removal from a classroom. Alternatives are identified for temporary placements, but not for permanent arrangements. There is no recognition in the bill of the additional costs or revenue cap constraints associated with the new procedural requirements and alternative placements arrangements.
- 4 The bill inappropriately authorizes a labor organization and school board to agree in collective bargaining to policies affecting pupil disciplinary procedure that differ from state law (sec. 118.164 as established by the bill). Might this allow a union and school board to agree to exclude a pupil from class for no stated reason or without a teacher's written explanation of the reason? What are the pupil disciplinary procedures in sec. 118.164 (Removal of pupils from the class) that might be circumvented by collective bargaining? Nothing in this newly proposed section deals with "wages, hours and working conditions." Pupil discipline and other educational policy issues are generally regarded as nonmandatory subjects of collective bargaining. It is not necessary or appropriate to the general purposes of the bill to include this provision on collective bargaining.

The WASB supports SB 274's provision for a Legislative Council study of issues relating to pupil conduct and discipline. In the meantime, we urge you to defer further action on SB 274.

ELK MOUND MIDDLE
"WHERE KIDS COME

Ronald J. Walsh, Principal
(715) 879-5595

October 7, 1997

Mr. Tim Laatsch
Executive Director
Association of Wisconsin School Administrators
4797 Hayes Road, Suite 1
Madison, WI 53704-3292

Dear Mr. Laatsch:

I am writing regarding Senate Bill 274 which mandates that teachers have sole authority to suspend/expel students from the classroom. Recently I talked with Senator Cal Potter on the phone regarding this issue. I also discussed the issue with Miles Turner at a recent WASDA drive-in in our area.

I am opposed to this bill for several reasons.

First: I feel that the reasoning behind the bill points to flaws that could be addressed in more productive ways. Senator Potter expressed that he is concerned after hearing that many administrators are only able to deal with the severe behavior problems and are not able to "get to" some of the youngsters who are causing classroom disruptions. I agree that this may be a problem. Empowering teachers to suspend and/or expel because of this is not the best solution.

Second: I think many teachers don't appreciate the amount of time and energy that it takes to follow-up on negative student behavior. Investigation into an incident may take hours, often over more than one day, to complete. All aspects of the investigation take detailed and objective documentation. The person investigating must ensure that due process is met. Administrators ensure that the proper steps are followed and that the rights of no one are trampled upon.

Third: The students who are part of the investigation are often disgruntled and may be in a high level of emotional distress. Parents, too, become emotional and need help seeing all sides of whatever issue is being dealt with. The rendered decision, whether suspension or other consequence, is seldom met with neutral reactions by the affected students and their parents/guardians. In fairness to all concerned this process takes time, is highly emotional and requires much documentation. Naturally, and regrettably, the focus of negative attitudes is upon the investigating/decision-making administrator. If this bill becomes law will the teachers then assume responsibility for investigation, due process and communication to parents/guardians?

Fourth: Care must be taken when we are dealing with EEN youngsters. Administrators are in a better position to be aware of the special procedures that must be followed when dealing with incidents involving EEN students, especially emotionally disturbed youngsters. There are special laws dealing with the suspension and expulsion of EEN youngsters.

Fifth: Whether your teaching staff is small or large, you will have as many philosophies regarding behavior management as you do teachers. Consistency will surely suffer. What one

*Paul,
Give to Jack Ge
for the information?*

teacher regards a suspendable offense may be quite different than what another teacher regards as a suspendable offense.

I would be happy to work with AWSA, DPI and Senator Potter's office in trying to resolve the behavioral problems with which teachers are confronted. SB 274 is not a good solution to our problems. I believe that there are several things that should be done to help with this issue:

First: Develop policies for the removal of students from classes when they disrupt the learning environment. These policies, while empowering teachers, must also place some responsibilities on them. Under a policy within my building teachers are encouraged to remove disruptive students. These students are sent to the office for the remainder of the period. If the disruption is severe, involving assault, fighting or gross insubordination to the teacher, the student will be suspended with police notified when appropriate. If the infractions are of a more minor nature the student is kept in the office until the end of the class period. The teacher then has the responsibility to contact a parent or guardian within 24 hours about this incident. A form is used to document the incident and teacher follow-up with the parent/guardian. If a student accumulates four of these removals he/she is suspended out of school for one day. Please refer to pages 11-15 of our student handbook and page 32 of our teacher handbook regarding our policy and procedures for student removal and student discipline (enclosed).

Second: Ensure that the lines are clearly drawn in dealing with negative behavior. During the first few days of school, each of our students receives a student handbook which is thoroughly discussed in the teacher/advisee (T/A) period. Also, within the first few weeks of school the guidance counselor and I go into each homeroom and formally discuss harassment, how students can deal with it and how the school will deal with it when it occurs.

Third: If the problem is related to high principal/student ratios let's work to reduce these ratios to reasonable numbers.

Fourth: Reward good behavior. Schools should recognize positive behavior. Our classroom teachers have many informal ways of rewarding positive behavior in their classrooms. Students who maintain a specific level of behavior become eligible for other rewards such as principal's luncheons, end of the semester reward activities such as snow-tubing trips, roller-skating trips, overnight camping trips, etc. Rewarding good behavior works!

I believe the intent behind this proposed new law is good. However I don't feel that it takes into consideration many of the points I have made above. If you have any questions of me about this issue please feel free to call me. Thank you for your consideration.

Sincerely,



Ronald J. Walsh

enclosures

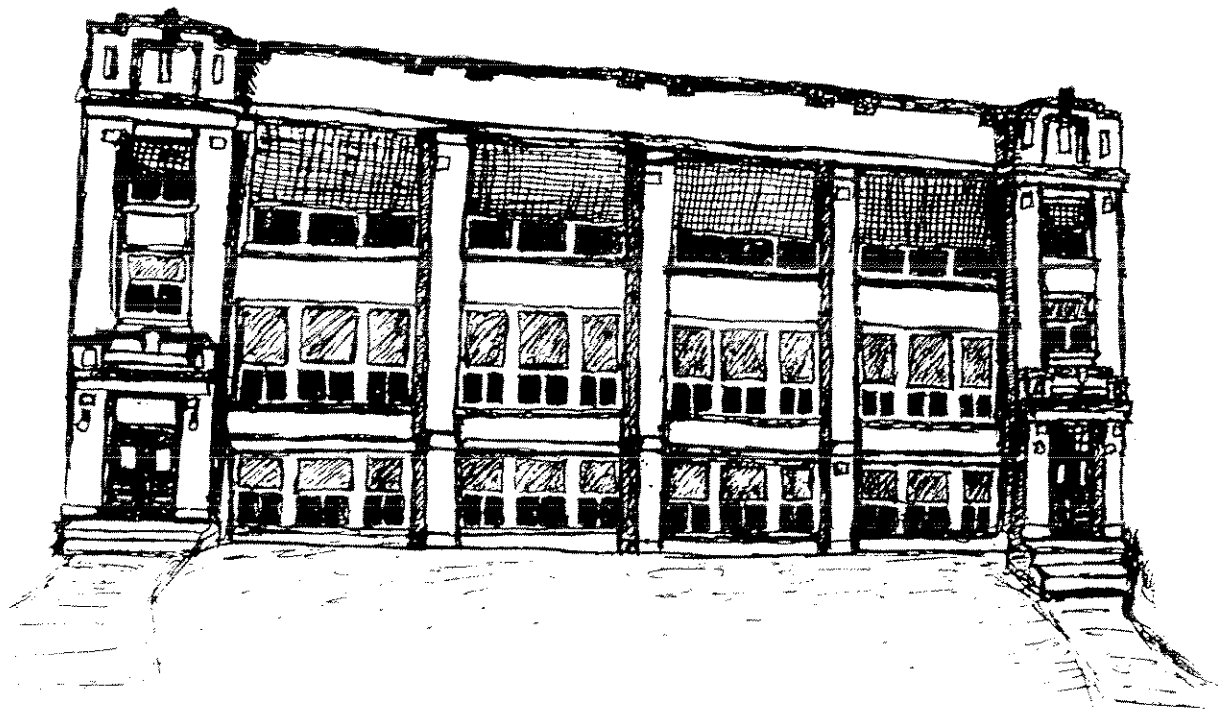
cc: Mr. John Benson
Mr. Cal Potter ✓

Elk Mound Middle School

1997-1998

Student Handbook

Name _____



"Where Kids Come First"

ELK MOUND MIDDLE SCHOOL

"WHERE KIDS COME FIRST"

Welcome to Elk Mound Middle School!

We want your experiences and memories in middle school to be pleasant. We believe we can help you in setting a goal for success in your life. Success begins with **a positive attitude** about school. The **MOUNDER PRIDE** we exhibit by caring for and taking pride in our school will carry over into high school and the rest of your life.

This handbook has been prepared to answer some of the questions you may have about our school. In order for things to run smoothly, we have prepared information that you should know and put it in this handbook. If you need further explanations or have other questions, your teachers, counselor and I will be glad to help.

Have a good year and, again, welcome to Elk Mound Middle School.

Sincerely,

Mr. Walsh
Principal

Be a winner!

But remember:

- **The greatest quarterbacks complete only 6 out of 10 passes.**
- **The best basketball players make only about 50% of their shots.**
- **Major-league baseball players make it to first base only 25% of the time-including walks.**
- **Top oil companies, even with the help of expert geologists must dig an average of 10 wells before finding oil.**
- **A successful actor is turned down 29 out of 30 times after auditioning for roles in TV commercials.**
- **Winners in the stock market make money on only 2 out of every 5 investments.**

ELK MOUND MIDDLE SCHOOL
PARENT/STUDENT HANDBOOK

ELK MOUND MIDDLE SCHOOL
302 University Ave.
Elk Mound, WI 54739

Phone 879-5595 or 879-5502

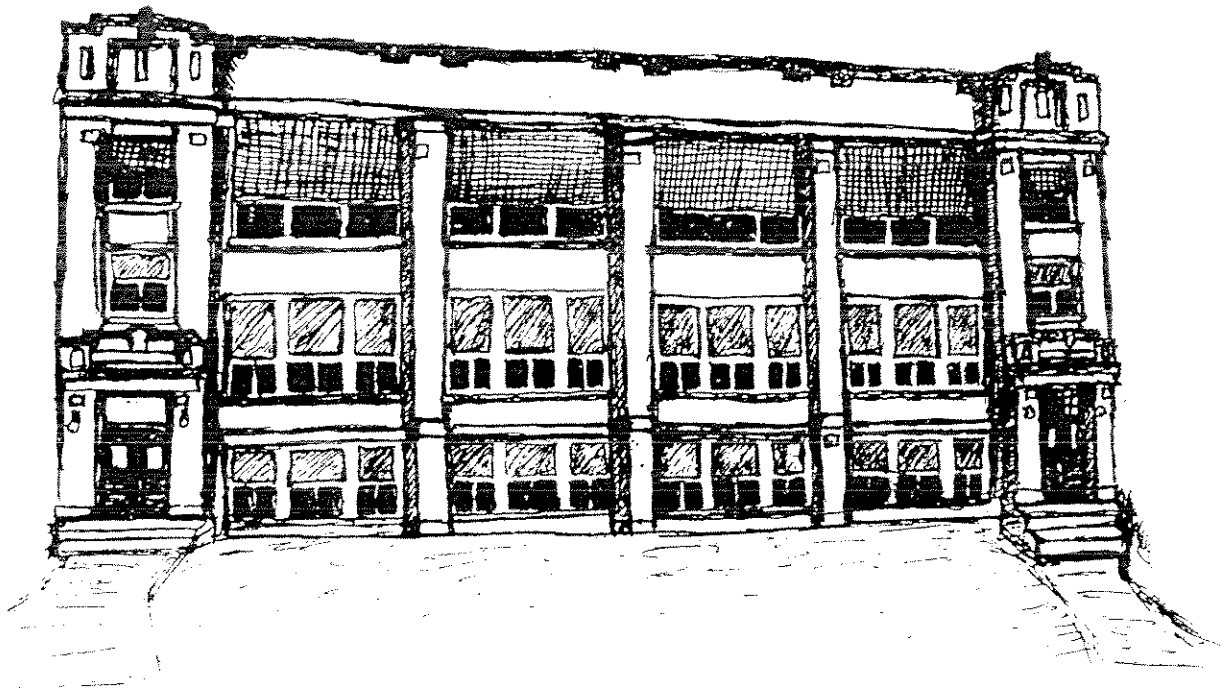
Table of Contents

	<u>Page</u>		<u>Page</u>
Accident/Injury	5	Insurance	6
Activities/Sports	19	Library	21
Athletic Code	26	Lockers	19
Attendance	1	Make-up Work	2
Band	17	Medication	4, 5
Behavior	11	Passes	16
Bus Rules	23	P.A.S.S.	21
Closed Campus	4	Privileged Communications	20
Code of Conduct	27	Promotion Policy	8
Controlled Substances	24	Records	8
Crossing to and from HS	34	Religious Accommodations	10
Detention procedures	13	Reward Activity Policy	15
Directory information	9	School Psychologist	20
Dress and Grooming	19	Selling/Solicitation	19
Eighth Gr. Test Excuse	7	Sexual Harassment Policy	32
Field Trips	19	Special Education	19
Fines	21	Staff	iii
Grading	6	Study Hall	15
Grievance Procedure	25	Suspension	11
Guidance Services	20	Swimming	17
Helmet Reminder	29	T/A	21
Homework	7	Tardiness	4
Honor Society	10	Telephone	19
Honor Roll	10	Title VI/Title IX/Section 504	31
Hot Lunch	6	Transportation (drop off/parking)	22
Immunizations	4	Visitors	18
Inclement Weather	4	Vocational (<u>changes for 97-98</u>)	7
		Weapons Policy	33

Special note to parents and guardians:

Please be aware that the school board has adopted this handbook as policy of the school board. Please keep this copy of the handbook for your reference throughout the school year.

Elk Mound
Middle School
1997-1998
Faculty and Staff
Handbook



"Where Kids Come First"

ELK MOUND MIDDLE SCHOOL

"WHERE KIDS COME FIRST"

ELK MOUND AREA SCHOOL DISTRICT

ELK MOUND, WISCONSIN

WILLIAM J. VINCENT
Administrator

RON WALSH
Middle School Principal

BOARD OF EDUCATION

GARY OAS	- Board President
TIM SIDERTSON	- Vice-President
MARGARET DIETER	- Clerk
GARY BODENBURG	- Treasurer
JIM HOLTE	- Director
BOB STANDARD	- Director
TERRY SUIHOUEC	- Director

What the best and wisest parent wants for his own child, that must the community want for all of its children.

-John Dewey

ELK MOUND MIDDLE SCHOOL
"WHERE KIDS COME FIRST"

Ronald J. Walsh, Principal
(715) 879-5595

302 University Avenue
Elk Mound, WI 54739

August, 1997

To The Staff of Elk Mound Middle School:

Welcome back! We begin our fifth year as a middle school. What we've become is the result of hard work by many people. What we'll prove to be, as a middle school, will be the result of what we, as a middle school staff, put into it. Our challenge, as teachers and as a school, is to constantly and objectively look at what, how and why we do what we do. This self-assessing is needed so we can see where we can change to improve our school. Your challenge, as individuals, is to show the professional fortitude to initiate change when you see the need.

This handbook of building policies is meant to serve as a guide regarding your responsibilities while employed with the Elk Mound School District. Some topics may not be covered here, but will be addressed at a later date by memo. Such memos will then carry the same weight as handbook items. If there are any questions concerning these policies or their interpretation, please confer with me. It is my hope that this handbook will help in making this a very profitable year for you and our students, and also enhance our working relationship.

Sincerely,



Ron Walsh

**ELK MOUND MIDDLE SCHOOL
STAFF HANDBOOK 1996-1997**

Table of Contents

	<u>Page</u>		<u>Page</u>
Audio-Visual Equipment	17	Inclement Weather	19
Abuse/Neglect	4	Inservice	11
Accident/Injury	2	Lesson Plans	6
Attendance	1	Liability	10
Calling Tree	31	Mail	17
Crossing Instructions	31	Newsletter	17
Custody/Records	10	Observance Days	18
Detention Procedures	5	Parent Contact	17
Daily Bulletin	17	Passes	18,19
Discipline	4	Requisitions	16
Evaluation schedule	26	Records	8
Field Trips	16	Schedules (Gr. 7/8, Gr. 6, P.E., Duties, Bells)	27-30
Fire and Tornado Emergencies	20	School Day	1
Flag Display and Pledge	17	Sexual Harassment Policy	21
Form - removal from class	32	Student-Teacher Supervision	16
Form - evaluation	24	Suspension	6
Goals	33	Telephone	18
Grading	7	Title VI/Title IX/Section 504/ Discrimination	22,23
Gym Use	19	Visitors	8
Health/Safety	2		