

☞ **07hr\_sb0251\_SC-Ed\_pt01**



Details: Public Hearing – February 21, 2008

(FORM UPDATED: 07/12/2010)

**WISCONSIN STATE LEGISLATURE ...  
PUBLIC HEARING - COMMITTEE RECORDS**

**2007-08**

(session year)

**Senate**

(Assembly, Senate or Joint)

**Committee on ... Education (SC-Ed)**

**COMMITTEE NOTICES ...**

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**
- Record of Comm. Proceedings ... **RCP**

**INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL**

- Appointments ... **Appt**
- Clearinghouse Rules ... **CRule**
- Hearing Records ... bills and resolutions
  - (**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)
  - (**sb** = Senate Bill)                              (**sr** = Senate Resolution)
  - (**ajr** = Assembly Joint Resolution)
  - (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

*MB*

## Vote Record Committee on Education

Date: 3/6/08

Moved by: Kreitlow      Seconded by: Hansen

AB \_\_\_\_\_      **SB** 251      Clearinghouse Rule \_\_\_\_\_  
 AJR \_\_\_\_\_      SJR \_\_\_\_\_      Appointment \_\_\_\_\_  
 AR \_\_\_\_\_      SR \_\_\_\_\_      Other \_\_\_\_\_

A/S Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_  
 A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

Be recommended for:  
 Passage     Adoption     Confirmation     Concurrence     Indefinite Postponement  
 Introduction     Rejection     Tabling     Nonconcurrence

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
<b>Senator John Lehman, Chair</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator Jon Erpenbach</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator David Hansen</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator Pat Kreitlow</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator Luther Olsen</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator Glenn Grothman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator Mary Lazich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Totals:</b>	<u>6</u>	<u>1</u>	_____	_____

Motion Carried       Motion Failed

## Vote Record Committee on Education

Date: 3/6/08

Moved by: Hansen      Seconded by: Grothman

AB \_\_\_\_\_ SB 251 \_\_\_\_\_ Clearinghouse Rule \_\_\_\_\_  
 AJR \_\_\_\_\_ SJR \_\_\_\_\_ Appointment \_\_\_\_\_  
 AR \_\_\_\_\_ SR \_\_\_\_\_ Other \_\_\_\_\_

A/S Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_  
~~A/S Sub Amdt~~ 1 \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

- Be recommended for:
- |                                       |  |                                       |   |  |
|---------------------------------------|--|---------------------------------------|---|--|
| <input type="checkbox"/> Passage      | <input checked="" type="checkbox"/> Adoption | <input type="checkbox"/> Confirmation | <input type="checkbox"/> Concurrence    | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Rejection           | <input type="checkbox"/> Tabling      | <input type="checkbox"/> Nonconcurrence |  |

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
<b>Senator John Lehman, Chair</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator Jon Erpenbach</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator David Hansen</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator Pat Kreitlow</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator Luther Olsen</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator Glenn Grothman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator Mary Lazich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Totals:</b>	<u>7</u>	<u>0</u>	_____	_____



Reasons for Opposing Assembly Bill 484  
Susan H. Alexander, District Administrator  
Markesan District Schools  
September 25, 2007

SB251  
?

No one would disagree that children learn best in a well managed school. All members of any school community are important to the process of securing a safe and nurturing environment for our children. But individual members of our community are entrusted with differing levels of responsibilities for disciplining our students. Superintendents make recommendations to the Board of Education with respect to the expulsion of a given student. The Board of Education then determines whether a student may be expelled and for the period of time attached to the expulsion.

Principals and their associates determine consequences that involve suspension and detentions. Teachers are permitted to remove a student from their class for a class period and may assign their own classroom detentions or other simple forms of discipline. Support staff members are part of the eyes and ears of the school community and are empowered to bring their observations to teachers or administrators. But they are not entrusted with the authority to discipline students and this is wise. School support staff members include custodians, cooks, aides and secretaries. These important and valuable members of our staff are hired to assist in the operations of the school, but they are not hired to carry out discipline that includes removing students from class, school property or school-sponsored activities.

Laddered levels of authority with respect to student discipline are reasonable because student behavior is complex. Discipline must be carried out with an even-hand. It must be appropriate and consistent. Families and students must understand the school's behavioral standard and respect the consistency in its implementation.

We understand the importance of laddered authority in other fields and we must trust its rightness in the learning environment as well. Let me share a recent experience I had with laddered authority in the medical field. In August, my 88-year old mother underwent surgery to fuse four vertebrae in her lower back. The surgeon was skilled and did his work well. On the day that she was transferred from the hospital to a rehabilitation center, she received no pain medication. The nurses and the nursing assistants at the rehabilitation center were aware of her pain and her need for medication. But her medications hadn't arrived from the "new pharmacy" that was associated with the rehab center. The nurses were unable to reach either the surgeon or the new rehab doctor. As I pleaded with them, they offered Tylenol. Now you and I both know that these nurses and nursing assistants have observed more patients in high levels of pain than the doctors who performed the surgery. But they are not given the authority to prescribe. We had to work through a medical doctor and we did.

Laddered authority works well most of the time. It did not work for my mother, but if assistants were given the authority to write prescriptions, the problems created by this could be serious. And so it is with school communities. There may be an individual

situation where it would have been convenient to permit a support staff member to discipline a child, but the consequences for granting this type of authority to support staff could be severe. Perhaps you are concerned that a custodian may not presently be empowered to break up a fight or to assist in the break up of a dangerous situation. All staff members have the authority to assist in dangerous situations. But the decision to remove a pupil from class, an activity or school property must remain with teachers and administrators.

Support staff are neither hired nor trained to discipline children. They may have had experience in disciplining their own children, but they are not experienced disciplining the children of others. This authority should not be placed with support staff just as nursing assistants are not and should not be permitted to prescribe pain medication. Please do not pass Assembly Bill 484. It is well intentioned but poor legislation.



SB 251  
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**TESTIMONY IN OPPOSITION TO AB 484**

by  
**Jeffrey Spitzer-Resnick**  
**Managing Attorney**  
September 25, 2007

As many of you may know, Disability Rights Wisconsin (DRW) is Wisconsin's protection and advocacy agency for people with disabilities. In my capacity as the Managing Attorney for DRW's Schools and Civil Rights Team, I focus much of my attention on special education. Since students who receive special education virtually all attend the same schools that are affected by general education laws, I am pleased to have the opportunity to present testimony in opposition to AB 484.

At first glance, AB 484 may appear to be simply a common sense piece of legislation designed to make it easier for school employees to remove unruly children from any portion of school property or a school sponsored activity. However, in actuality, it is a dangerous bill which would allow school employees such as janitors, the principal's secretary or anyone else who works at the school, to decide, without review, to remove any child that they wanted to remove from an activity.

The bill contains no definition of "dangerous, unruly or disruptive," so apparently any school employee can make that determination for him or herself. Moreover, the bill contains no limit to how often, or for how long the student may be removed. Thus, if this bill passes, the school janitor could remove as many students as he or she likes for as often as he or she pleases, and for an indefinite duration.

There is also no provision for either the student or the student's parents to dispute the removal. Thus, if a school employee simply does not like a particular student, there is absolutely nothing the student or parent can do to stop the employee from continually removing the student from school activities.

The bill also states that the child should be brought to the principal's office if he or she is removed. While that may make sense if the student is at school, it makes absolutely no sense if the removal occurs during a field trip or other school sponsored activity. The bill simply does not address the impracticalities of removing a student from a school sponsored activity which is not at the school building.

In addition, while the bill is subject to 20 USC 1415(k) which deals with certain issues pertaining

to children who receive special education, it does not address the potential for violating the special education student's Individualized Education Program (IEP).

Most important, is that regardless of whether or not the student does receive special education, this bill gives license to all school employees to disrupt as many students' educations, as often as they like, and due to the lack of definitions in the bill, for virtually any reason. Imagine the nightmare for both school administrators as this bill provides no recourse for a student, a parent, or even school administrators, to stop such unfettered removals.

This committee should kill this bill quickly. Thank you for your attention to this matter. I would be glad to answer any questions which you may have.

~~oversight process?~~ →

Newcomer - daughter w/ Asperger's - concerned about people w/o training dealing w/ IEPs & disciplining students w/ disabilities.





## The Wisconsin Council of Administrators of Special Services

September 25, 2007

Representative Brett Davis, Chair  
Assembly Committee on Education  
Room 308 North  
State Capitol  
P.O. Box 8952  
Madison, WI 53708

SB 251  
?

Dear Representative Davis and Members of Committee on Education,

The Wisconsin Council of Administrators of Special Services (WCASS) is a professional special education leadership organization in Wisconsin. We are requesting that the members of the committee not support Assembly Bill 484. The proposed bill would expand current law from a teacher being able to remove a student from his or her class for violations of the code of classroom conduct to any school district employee being able to remove a student from school property or from a school-sponsored activity supervised by that employee.

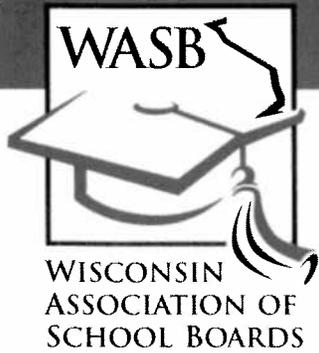
The proposed bill has major implications for students with disabilities that are enrolled in special education programs. All students in special education programs must have an Individual Education Plan (IEP) and many of these plans have behavior intervention plans as part of the IEP. The behavior intervention plan provides a process and procedure for dealing with special education students that may be having behavior problems in school or on school property. To give all school employees the authority to remove a student from school property or a school-sponsored activity sets up the possibility of the special education students IEP being violated. This then could make the school liable for legal action for not following the students IEP.

We believe that only individuals with administrative authority (principal or director of special education) should be responsible for removing a special education or any student from school property or school activities. WCASS encourages the Assembly Committee on Education to not support AB 484. If you have any questions please feel free to contact me.

Sincerely,

Philip Knobel  
Executive Director





122 W. WASHINGTON AVENUE, MADISON, WI 53703  
PHONE: 608-257-2622 • FAX: 608-257-8386

JOHN H. ASHLEY, EXECUTIVE DIRECTOR

TO: Assembly Committee on Education

FROM: Sheri Krause, Legislative Services Coordinator

DATE: September 25, 2007

RE: Assembly Bill 484, relating to removal of a pupil from class, from any portion of school property, or from a school-sponsored activity.

SB 251  
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**The Wisconsin Association of School Boards (WASB) opposes Assembly Bill (AB) 484 because it would interfere with the well-established policies currently used in schools to promote safe learning environments.**

AB 484 would allow any school employee to remove a student from school property or from a school-sponsored activity if the student is dangerous, unruly or disruptive or if the student interferes with the ability of a school employee to perform his or her job effectively; and require school districts to replace their codes of classroom conduct with codes of conduct.

#### **Removal of a Student**

The WASB is opposed to statutorily allowing all school employees the authority to remove students from school property or school-sponsored activities. School districts are legally responsible for their students. They already have the authority to allow any school employee to remove a student from a particular situation and send the student to the school principal or address the situation in another manner to ensure a safe learning environment. Policies and procedures are in place and are working in school buildings throughout the state. AB 484 would preempt those policies and create legal conflicts.

Under current law, teachers or other licensed staff, including special education aides, have the authority to remove a student from a classroom. They are required to send the student to the school principal or his or her designee and notify the principal of the reasons for the removal. The principal then determines if the student will return to the classroom or be placed in another instructional setting. The principal may also discipline the student.

AB 484 would allow all school employees the authority to "remove" a student. If the disruption occurred in a classroom, an employee would still be required to send the student to the principal. However, if the disruption occurred outside a classroom, an employee would have the authority under state law to "remove" the student from school property or from the activity and to determine whether or not to send the student to the school principal.

The WASB has serious concerns about the ability of school boards to put reasonable policies into place if all school employees must be allowed by state law to remove a student and allowed to determine whether the student is sent to the principal:

- Would school boards have the authority to define “removal” differently for different circumstances – classrooms, hallways, playgrounds, field trips, etc?
- Would school boards have the authority to require the employee to send a student to the principal if feasible?
- Would school boards have the authority to limit an employee to removing a student from the setting in which the disruption occurred? For instance, if a student misbehaves during lunch, can a food service aide be limited to removing the student from the lunchroom or must the aide be allowed to remove the student from school property entirely?
- If an employee removes a student from school property during the school day, is it considered a suspension with due process rights?
- If all school employees have the right to remove students, do all school employees have the right to be informed of which students have behavior intervention plans in place as required under special education laws and will they be trained to implement those plans and maintain confidentiality?

**Rather than create legal conflicts and inflexible policies that do not reflect the needs of local schools, the WASB requests that the Legislature continue to allow local policies to dictate how and when a student can be removed.**

#### **Classroom Codes of Conduct vs. Codes of Conduct**

Under the language of AB 484, school districts would be required to replace their current codes of classroom conduct with more general “codes of conduct.” A single “code of conduct” would have far greater legal implications and ought to be vetted thoroughly as a separate public policy proposal.

All school districts have a specific code of classroom conduct as well as many other student conduct codes, rules and policies, which are regularly reviewed and updated. Unlike the other policies, however, the code of classroom conduct is statutorily required to be developed in consultation with a committee of parents, students, school board members, school administrators, teachers, pupil services professionals and other district residents appointed by the school board.

The WASB has serious concerns about the amount of time, effort and resources it will take for all 426 school boards to convene district committees and compile comprehensive “codes of conduct” and the legal implications of a mandated, single “code of conduct” in schools.

**The WASB requests that the Legislature not require school boards to replace codes of classroom conduct with codes of conduct without a thorough review of the implications.**

**For these reasons, the WASB respectfully requests that AB 484 not be advanced. Thank you.**



**Stromme, Denise**

**From:** Richard Feutz [FEUTZR@fennimore.k12.wi.us]  
**Sent:** Tuesday, October 02, 2007 12:47 PM  
**To:** Sen.Lehman  
**Subject:** AB 484

Senator Lehman,

I understand that AB 484 is perceived to be supportive of school safety. If this bill becomes law it could, in fact, easily have the unintended consequences of threatening a safe environment by putting decision-making into the hands of folks who do not have the background, education or training to make decisions in the best interests of children. In addition, there will be a greater likelihood that a mis-judgement on the part of such staff would result in legal action against the district than would be the case with regard to those in charge of all operational aspects of the building. This is a bad idea, a dumb idea. I urge you to vigorously oppose this bill. Thank you for your efforts to support our children.

Dick Feutz, Fennimore District Administrator

**Stromme, Denise**

**From:** Ronald J. Walsh [rwalsh@elkmound.k12.wi.us]  
**Sent:** Tuesday, October 02, 2007 12:56 PM  
**To:** Rep.Moulton  
**Cc:** Rep.Davis; Sen.Lehman  
**Subject:** AB484 Opposition

J

Dear Assemblyman Moulton,  
I am writing you to encourage you to oppose AB484. I agree with the SAA's position on this matter. This proposal would diminish the ability of school districts to administer disciplinary policies uniformly and has the potential to increase districts' legal liability. If you have any questions regarding this issue please feel free to contact me.  
Thank you!  
Ron

Ronald J. Walsh  
Superintendent of Schools  
Elk Mound Area School District

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**Stromme, Denise**



**From:** Ronald J. Walsh [rwalsh@elkmound.k12.wi.us]  
**Sent:** Tuesday, October 02, 2007 1:03 PM  
**To:** Sen.Kreitlow  
**Cc:** Rep.Davis; Sen.Lehman  
**Subject:** AB484

Dear Senator Kreitlow,

I am writing you to encourage you to oppose ~~AB484~~. I agree with the SAA's position on this matter. This proposal would diminish the ability of school districts to administer disciplinary policies uniformly and has the potential to increase districts' legal liability. If you have any questions regarding this issue please feel free to contact me.

Thank you!

Ron

Ronald J. Walsh  
Superintendent of Schools  
Elk Mound Area School District

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**Stromme, Denise**

**From:** Joe Heinzelman [jheinzelman@oakfield.k12.wi.us]  
**Sent:** Tuesday, October 02, 2007 1:31 PM  
**To:** Sen.Lehman  
**Subject:** AB 484



Dear Senator Lehman,

I am writing regarding AB 484 which allows any employee of a school district to remove a pupil from class, school property or a school-sponsored activity. I have some real concerns about this legislation. First of all, our support staff are not trained to work in these areas, especially if we are talking about students with Special Needs. I believe there are many legal consequences for having an employee make decisions regarding these students. Many times, due to their disability, these students have the most troublesome behavior. This could lead to lawsuits which we surely cannot afford at this time.

Second, in most cases, the certified staff make good decisions regarding our students and our Principals will support them. However, sometimes they do not see the bigger picture and a different decision needs to be made that is best for the child. Many of the laws regarding student discipline are state and federally mandated. Our staff does not have the training nor do they have the time to get that training to make sure we are in compliance. That is why removal of students is left to administrators.

I am sure the intent of this bill is to make it safer for everyone at our school, but I believe the negative consequences far outweigh the safety consideration. Therefore, I am strongly urging you to oppose AB 484.

As always, thank you for your consideration and being willing to listen.

Sincerely,

Joe Heinzelman  
Oakfield School District  
330 Oak Street  
Oakfield, WI 53065  
920-583-3146

**Stromme, Denise**

**From:** Braun, Randy [rbraun@cameron.k12.wi.us]  
**Sent:** Tuesday, October 02, 2007 2:07 PM  
**To:** Sen.Lehman; Rep.Davis  
**Subject:** AB 484

Dear Senator Lehman and Representative Davis:

A quick note to express my opposition to AB 484. This bill, packaged and supported by WEAC as a "safety" measure, is not a safety measure. Instead it is an intrusive measure that promises to tie the hands of local officials and undermine school districts' abilities to fairly administer ADA and IDEA provisions. Under local policies teachers and support staff personnel have ways to seek solutions to problems with students.

Just imagine one scenario: In the cafeteria, Bobby and Billy are doing their usual 6<sup>th</sup> grade pushy-shovey. Miss Jones is stepping over to curtail this activity when Billy's fully loaded tray crashes to the floor. Mr. Smith, the custodian, newly transferred from the night shift, has had a bellyful of "these rotten kids" and their horseplay resulting in more work for him. As Miss Jones begins to handle the situation, Mr. Smith says, "Oh no. These kids are OUT!" and insists that the students are removed from the school. To make things more complicated, Billy has an IEP which states that certain behaviors are the function of his disability and has already reached the limit of suspensions from school (by law an IEP review must be held before any further suspensions can occur). Bobby is the son of the school board president, is an honor student and has no previous record of misbehavior in seven stellar years in the District.

It is so obvious that it isn't even funny that this situation is going to take discretion and skill to resolve. That is why these decisions are left to the district to have policy which provides for who will deal with the situation and what his or her parameters are. Even less serious and less complicated situations need to be handled by those professionals trained to do this work. AB 484 takes discretion and decision making out of the hands of the professional educators and places them in the hands of those hired in a supporting role.

Make no mistake. I have the highest regard for custodians, aides, secretaries and others who function as support for teachers. I often tell my staff that my function is supportive just like those who cook or clean. Those jobs are essential to running a school district; I know because I have driven the bus, swept the floor, tutored students, and performed many of the jobs in the office. But decisions on suspensions, providing for due process, and applying discretion in situations have been traditionally assigned to trained and credentialed individuals. This should remain so.

Please do not continue to support AB 484. Thank you.

Randal Braun  
District Administrator  
School District of Cameron  
600 Wisconsin Ave.  
Cameron, WI 54822

(715) 458-4560

## Stromme, Denise

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**From:** Steven Lozeau [Lozeaus@potosisd.k12.wi.us]  
**Sent:** Tuesday, October 02, 2007 2:40 PM  
**To:** Rep.Garthwaite; Sen.Schultz  
**Cc:** Rep.Davis; Sen.Fitzgerald; Sen.Lehman; Sen.Olsen  
**Subject:** AB 484

Dear Honorable Legislators:

Please do ~~not~~ support AB 484. Although it has good intentions, it is not appropriate in the manner in which ~~it is being~~ presented.

Will we have to train non-instructional staff? Or do we just expect that everyone just knows how to handle those situations?

Is there really not anyone around with the authority to remedy situations if advised by the staff member?

I see this as a real potential problem that will rear its ugly head and put the administration in a compromising situation.

IT WILL NOT IMPROVE SCHOOL OR COMMUNITY SAFETY! We have staff at events to take care of that.

PLEASE USE COMMON SENSE and think this through. It will likely lead to extra costs for districts not to mention potential lawsuits and administrative oversight when it's not needed.

SAY NO to the political groups that are advocating this until it can be accurately and completely discussed with those who it will affect most.  
School Administrators and Boards of Education.

Thank you,

Dr. Steven Lozeau  
Potosi School District Administrator

## Stromme, Denise

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**From:** garvey [garvey@johnsoncreek.k12.wi.us]  
**Sent:** Tuesday, October 02, 2007 2:44 PM  
**To:** Rep.Nass; Sen.Kedzie  
**Cc:** Rep.Davis; Sen.Lehman; Joyce Hamm  
**Subject:** AB 484

To: Representatives Nass and Davis  
Senators Kedzie and Lehman

From: Michael P. Garvey, Superintendent

As the Superintendent of Schools in Johnson Creek, I am concerned about AB 484. This proposal would reduce the ability of school districts to administer disciplinary policies uniformly and has the potential to increase districts' legal liability especially with regard to students with disabilities.

As a superintendent of a small district I have an administrative team of three. My two principals handle the day-to-day discipline of students and find ways to lead staff, handle parent concerns and appropriately administer the policies of the Board of Education. They are seasoned educators with policies, rules, best practice and experience to guide them in decisions. My 18 years experience as a teacher and administrator have taught me that determining academic futures are best left to administrators, parents and school boards.

Placing these decisions in the hands of classroom teachers and other school staff who may be inexperienced, not up-to-date on current laws, or ill prepared seems to be a recipe for disaster. I support school staff applying the first level of discipline and administering classroom rules and regulations. We support staff referring students to the administrators when interventions are needed. As administrators we also have the knowledge about special education plans and Section 504 plans, and accommodations being made for disabled students. We often have an understanding of other baggage a student brings with them to school. We have an excellent staff in our district. However, I am sure like most districts, there are a few staff that after being pushed may take an easy out and remove a student from class.

Current law permits staff to administer classroom level interventions to address discipline issues. Most districts not only allow all staff members to intervene in discipline situations but expects them to intervene. Local policies and practices dictate procedures.

As a District, we leave decisions of discipline, suspension and expulsion to teachers at the classroom level administrators at the building level and Superintendents and Boards of Education at the district level. I ask that you leave these decisions to them, as well.

Please oppose passage of AB 484.

Thank you for your attention to my personal viewpoint. If you have any questions regarding my position, please feel free to contact me at 920-699-2811.

Michael P. Garvey, Ph.D.  
Superintendent  
Johnson Creek School District

SB 251  
?**Stromme, Denise**

**From:** Sam McGrew [Sam.McGrew@cubacity.k12.wi.us]  
**Sent:** Tuesday, October 02, 2007 2:48 PM  
**To:** Rep.Garthwaite; Sen.Schultz; Rep.Hilgenberg  
**Cc:** Sen.Lehman; Rep.Davis; 'john.forester@wsaa.org'  
**Subject:** AB 484

SARA  
~~\_\_\_\_\_~~

Dear members of the legislature representing Cuba City School District,

This is to inform you of my opposition to AB484. I concede that the motivation and surface logic to remove potentially dangerous students from school and school activities seem sound. However, the solution is wrong.

Every teacher and administrator is required to receive education concerning behavioral sciences, learning styles, and motivations, as well as discipline techniques and special education laws. The result has been better educational practices. Now you are proposing that discipline should be shared equally with persons who have had none of the training. This is counter intuitive and just plain wrong.

Currently support staff members are empowered by most districts to intervene when there is true danger. This bill would allow a custodian can remove a special education student from class for discipline reasons. I'm concerned about the possible litigation we could face if a student's individual rights were violated, rights guaranteed by state and federal law to which the support staff may or may not have knowledge. This is especially true when it relates to either a section 504 plan or an Individualized Education Plan (IEP). If a custodian acts and the district is sued, the courts have ruled the district may be held responsible for the legal costs of the student as well as their own. Can you imagine attempting to pass a referendum to pay the costs of such action?

Please oppose AB 484.

## Stromme, Denise

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**From:** Gus Mancuso [Gus.Mancuso@wrps.org]  
**Sent:** Tuesday, October 02, 2007 2:51 PM  
**To:** Sen.Lehman  
**Subject:** AB 484

SB 251  
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Senator Lehman,

I talked with a member of your office this afternoon. I shared with him my concerns about AB 484 and I ask you to NOT support this bill.

Support staff members are not in a position to make such critical and potentially long lasting impact decisions that will affect student lives.

Question? Please feel free to contact me @ 715-422-7305

**Stromme, Denise**

**From:** Wessel, David [DWESSEL@sheboyganfalls.k12.wi.us]  
**Sent:** Tuesday, October 02, 2007 3:00 PM  
**To:** Sen. Lehman  
**Subject:** AB484

SB 251 ?

SARA

I am writing because of my deep concern with this bill. I appreciate your interest and concern for public education, but my understanding of the legislation is that it is well-intentioned but flawed. I've worked in public education for 37 years, 12 as a classroom teacher, 25 in administration and the last eight as a district administrator. One of the things that I always try to counsel my administrative team is to be consistent and fair. This requires patience and the willingness to make a well-informed decision, as opposed to a rash decision made in the heat of passion. The ability to suspend a student or remove a student from school is a serious responsibility for us, but it is not for all staff- legal ramifications, due process issues, special education/IEPs/504 plans, etc. means that we must be prudent and reasoned and I fear this bill will create many unintended problems. Support staff are important members of our educational team and they need to be involved- sharing concerns, asking students to go to the office or by making a referral to someone in authority. However, we need to take into consideration an individual's level of training and experience. Please listen to the educational community and reconsider your support of this bill.

**Stromme, Denise**

**From:** LUKE VALITCHKA [LVALITCH@greenbay.k12.wi.us]  
**Sent:** Tuesday, October 02, 2007 3:02 PM  
**To:** Rep.Van Roy  
**Cc:** Rep.Davis; Sen.Lehman  
**Subject:** AB 484

SB 251  
?

Saved

Representative Van Roy,

Good afternoon, and greetings from Green Bay West High School.

I want to voice to you my opposition to AB 484, a bill that would authorize any school district employee to remove a pupil from ~~class, school property, or school-sponsored activity.~~

Under current law, teachers are generally allowed to remove a pupil from class if the pupil violates the code of classroom conduct; is dangerous, unruly, or disruptive; or exhibits behavior that interferes with the teacher's ability to teach effectively.

Having this ability extended to any school district employee and allowing that employee to remove a pupil from school property or a school-sponsored activity supervised by that employee would be highly problematic.

This proposal would impede and diminish the ability of my school and district to uniformly administer disciplinary policies as well as increase my district's potential for exposure to legal liability.

I appreciate your time and consideration of my opinion, as well as your support for the students and families of Green Bay West High School.

Sincerely,

Luke Valitchka  
Principal  
Green Bay West High School

## Stromme, Denise

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**From:** Craig Anderson [andersonc@granton.k12.wi.us]  
**Sent:** Tuesday, October 02, 2007 3:06 PM  
**To:** Rep.Suder  
**Cc:** Rep.Davis; Sen.Lehman; Joyce Hamm  
**Subject:** oppose AB 484

SB 251?  
ditto

Representative Suder:

I just wanted to express my concern with Assembly Bill 484. I see that you are not one of the Representatives sponsoring that bill and I appreciate your stance on this matter. As one of my esteemed colleagues from Monroe has already shared with others in Madison, one of the many jobs that I have as a building principal is to find solutions for the fair administration of our school rules and district regulations. My experience as a teacher for six years and a principal for five years tells me, that placing the responsibility of determining students' academic future in the hands of untrained often inexperienced support staff, in spite of their good intentions, can do irreparable harm. I have worked with a number of support staff over the years and while they are good people, I don't think they always have the training, background experience and/or knowledge of the law to understand the implications of suspending a child from school. Teachers in my school do an excellent job of monitoring student behavior and taking appropriate actions. In most cases, I am able to support their choices for consequences and applaud them for finding solutions that I have not even thought of. I'm also concerned about the possible litigation we could face if a student's individual rights were violated.

Those rights are often granted by state and federal law to which the support staff may or may not have knowledge. I am speaking in particular of students with either a section 504 plan or an Individualized Education Plan (IEP). This has the potential to be costly to a district already strapped for funds.

If you have questions regarding my concerns, I'd be happy to discuss them with you.

Respectfully,

Craig L. Anderson Ruskin  
PK-12 Principal  
Granton Area School District  
217 N. Main Street  
Granton, WI 54436  
Phone: 715-238-7175  
Fax: 715-238-7827  
andersonc@granton.k12.wi.us

**Stromme, Denise**

**From:** Whitsell, Chuck [cwhitsel@SDWD.k12.wi.us]  
**Sent:** Tuesday, October 02, 2007 3:13 PM  
**To:** Rep.Albers; Rep.Hines; Sen.Schultz; Sen.Olsen  
**Cc:** Rep.Davis; Sen.Lehman  
**Subject:** AB 484

Good Afternoon,

I was just informed that the chair of the Assembly Education Committee (Representative Brett Davis) and the chair of the Senate Education Committee (Senator John Lehman) are co-sponsoring a piece of legislation (AB 484) that would authorize any school district employee to remove a pupil from class, school property or a school-sponsored activity.

Although I assume the sponsors believe such legislation would be helpful to Wisconsin's public schools, I believe that it is fraught with potential problems. Under current law, teachers are allowed to remove students from their classroom and may assign detentions and other minor levels of discipline to students. Principals investigate incidents of student misconduct that occur at school and determine consequences that involve suspension and detentions.

Support staff members play an integral part in maintaining a disciplined school environment. However, they are not entrusted with the authority to discipline students and this proposed legislation would allow. Maintaining a well-disciplined, safe and nurturing environment where teachers can teach and students can learn is everyone's responsibility, but with different levels of responsibility. School support staff members, including custodians, bus drivers, cooks, aides and secretaries have not been hired nor trained to carry out discipline that includes removing students from class, school property or school-sponsored activities.

Sorting out who did what, and when, and to whom can be quite complex and time-consuming. Principals receive professional training and are hired to fulfill that responsibility in our schools. It is absolutely imperative that discipline be administered in a fair and consistent manner. Students will generally respond well to the school's code of conduct if it is administered consistently and fairly, and parents will support the consequences earned by their children's misconduct.

This bill would place untrained individuals in a position of great authority and fraught with the opportunity for a miscarriage of justice in the administration of school discipline. I am writing to encourage each of you to vote against Assembly Bill 484.

Thanks for listening,

Charles A. Whitsell  
District Administrator  
School district of Wisconsin Dells

(608) 254-7769 X26  
[cwhitsel@sdwd.k12.wi.us](mailto:cwhitsel@sdwd.k12.wi.us)

## Stromme, Denise

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**From:** Rebecca vail [Vail@twinlakes.k12.wi.us]  
**Sent:** Tuesday, October 02, 2007 3:29 PM  
**To:** Rep.Kerkman; Sen.Kedzie; Sen.Wirch  
**Cc:** Rep.Davis; Sen.Lehman; john.forester@wsaa.org  
**Subject:** AB484

It has come to my attention that there is another bill being considered that would allow any school district employee to remove a pupil from class, the school property, or a school activity. I do believe this concept has been attempted before and has failed.

I would like to express my dismay that this concept is being attempted again. It is not in the best interest of my district's children to have any district employee remove and suspend them. These children have needs (educationally and emotionally) and rights that must be taken into consideration before discipline is applied. The principals and some certified teachers are the most knowledgeable to attend to discipline of a significant level. It is most interesting that a concept that would so dramatically effect our school districts comes about during a time when we are all on pins and needles as we wait for resolution to the budget.

Thank you,

Rebecca Vail  
Twin Lakes S.D. #4 Administrator  
Lake Geneva Resident

## Stromme, Denise

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**From:** Michelle Jensen [jensenm@deerfield.k12.wi.us]  
**Sent:** Tuesday, October 02, 2007 3:42 PM  
**To:** Sen.Fitzgerald; Rep.Jorgensen; Sen.Lehman; Rep.Davis; john.forester@wsaa.org; Tom Bush; Doug Cwik; Chuck Poirier; Chris Page; Karl Arps; Sandy Fischer; Jeff Winkler  
**Subject:** AB 484

\*Dear Sen. Fitzgerald, Rep. Jorgensen, Rep. Davis and Sen. Lehman,

While some might believe that Assembly Bill 484 is meant to encourage school safety, I would like to urge those involved with conversation regarding this bill to understand the far-reaching consequences it could have if passed. Currently, all schools have a student code of conduct policy, as required by state law, which allows teachers to remove a student from their classroom for a variety of reasons. This code is clear in setting a high standard for student behavior in the school setting. In addition, districts have many policies that allow us to address student behaviors outside of the school day but while in attendance at school functions. To continue to push AB 484 through as a safety concerns bill is illogical and, in many cases, potentially illegal.\*

\*Assembly Bill 484, relating to\* \*\*authorizing any school district employee to remove a pupil from class, school property or a school-sponsored activity, is very concerning to me for a number of reasons. First, the legal implications that could result from this bill can not be ignored. There are many non-certified staff that work in districts that have little, if any, training on how to deal with various student behaviors. We train employees to seek out an administrator or designee to avoid further conflict and to resolve the matter in an acceptable manner based on our school policies and based on a student's right to due process. To circumvent the procedures in place opens the district to legal liabilities for possible infractions of student rights and increases the potential for negative student/employee relationship issues that we work diligently to deescalate.

Second, supervision and accountability for authorizing any employee to remove a student would become a logistical nightmare. It would take an administrator a great deal of time to investigate these types of removals-after the fact-TIME which few administrators have. Our current policies and procedures are in place so that administrators are directly dealing with such removals. They are responsible for making a reasonable decision based on the student conduct policies we have in place and as a leader that directly reports to the superintendent and school board. To allow any employee such authorization would somehow \_presume that the employee has the background and training to make a reasonable decision and to assume they would know the conduct policies\_. No district has the time or money to ensure that all employees have this knowledge.

Third, special education law holds districts to strict confidentiality laws for very good reasons. Administrators know and work with special education students and their behavior plans on a daily basis in a confidential manner. Are you telling us that AB 484 would supercede special education laws and behavior plans that districts are REQUIRED TO UPHOLD for students? Creating a separate system for special education students would only make their relationships more devisive with their regular education peers. Employees of the district do not have access to special education records and plans unless they directly deal with the student. To provide this information to the entire staff could have a detrimental impact on these students.

Fourth, AB 484 puts a great deal of responsibility and pressure on non-administrative employees to comply with this law. Currently an employee that sees concerning behaviors has the ability to turn the problem over to an administrator. The creation of this type of law can put unwanted pressure on an employee to act on a situation that they don't feel qualified to handle. It would also be difficult to defend an employee's job status if they removed the student in a manner that is against school policy and against the law. For the purposes of protecting my district staff, I would encourage them not to use this authority if I couldn't guarantee that their actions were liability-proof.

Lastly, when any education bill is created we must ask ourselves what the underlying

motivation is. Is this bill a response to recent school violence? Is this bill a reaction to teachers asking for more rights? Is this bill a reaction to parents who are concerned about student safety at school? State laws do require districts to address student conduct. School boards have the responsibility and authority to create policy that ensures student safety. Teachers, parents, students and community members have the right to attend school board meetings to address their individual concerns and have input on policy decisions and changes. AB 484 presumes that school boards and administrators are not upholding these policies nor addressing school safety issues. This is simply not the case. School safety continues to be at the forefront of our discussions throughout the year. I strongly urge the legislature to consider the very large impact this bill would have on districts across the state both financially and legally.

Thank you for your time and consideration of my views.

Sincerely,  
Michelle R. Jensen

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\*Michelle R. Jensen\*  
District Administrator  
Deerfield Community School District  
300 Simonson Blvd.  
Deerfield, WI 53531  
(608)764-5431  
jensenm@deerfield.k12.wi.us <mailto:jensenm@deerfield.k12.wi.us>

**Stromme, Denise**

**From:** John Parks [joparks@mail.rosholt.k12.wi.us]  
**Sent:** Tuesday, October 02, 2007 4:12 PM  
**To:** Sen.Decker; Rep.Petrowski  
**Cc:** Rep.Davis; Sen.Lehman  
**Subject:** Assembly Bill 484

Gentlemen:

I am writing this email to aknowledge my oposition to Assembly Bill 484. Authorizing **any** school district employee from removing a pupil from class, school property or school-sponsored activity does so at the risk of compromising the authority structure of our school districts. I have not read the entire argument for such legislation, but I am guessing that someone argued that there would be times when this would be necessary? What times would that be?

In our district, there is always someone around that is "in charge" to handle such matters. In virutally all cases, it is a school administrator, school building principal or his/her designee. In fact, I am not sure why a district employee would want that type of "power?"

Please understand that students do know the authorities in charge in our district and would respond in a more favorable way to those authority figures then they would to another adult that works in our district. The trouble arising from such a bill (dealing with a disrespectful, billigerent, or violent-prone student) without knowing the background information about this student that is generally available to teachers and administrators, might do more harm than good.

In addition, we need to be sensitive to our strict and stringent special education laws when it comes to students with disabilities. (Especially in cases where removal from the educational setting is proposed)

Please keep this in mind when voting on this bill.

Thanks for your listening ear!

John

John R. Parks-Elementary Principal/DAC/Director of Instruction

Rosholt Elementary School  
P.O. Box 310  
346 W. Randolph Street  
Rosholt, WI 54473-0310  
Phone: 715-677-4543  
Fax: 715-677-3543  
Cell Phone: 920-915-4290

**Stromme, Denise**

**From:** Weiss, Shelley [sweiss@waunakee.k12.wi.us]  
**Sent:** Tuesday, October 02, 2007 4:28 PM  
**To:** Sen.Lehman  
**Subject:** Opposition to AB 484

Dear Senator Lehman,

I realize that I am writing about an Assembly Bill, but wanted to share my thoughts as it may end up with the Senate.

I am opposed to AB 484. As a building level principal, I have the opportunity to help find solutions for students who have made poor choices in the school setting. I have worked diligently to learn and remain current with laws, regulations, and policies related to the fair administration of age-appropriate consequences for middle school students. I was a teacher for several years prior to becoming a building level administrator and I am concerned about the implications for students and for school districts if the authority for disciplining students is placed in the hands of untrained, and often inexperienced support staff members. A student's academic future can be determined through a single disciplinary action. I believe that students deserve to have a principal, someone with knowledge and experience in school law, specialized training for working with students with disabilities, and experience with a broad spectrum of children, balancing the needs of the immediate situation, the long term needs of the student, and the needs of the school district.

I have worked with outstanding support staff throughout my career and I respect all that they bring to the educational environment, but do not believe disciplining school aged children is one of those responsibilities. That responsibility comes with years of specialized training and experience that is required of a school administrator. The professional educators and the support staff I work with are exceptional and I work every day to support the good things that they do for our students, but I do not want them or the school district put into a difficult legal liability situation because they are operating out of an emotional moment - rather than basing a decision on a solid legal foundation.

I want all students, staff, and visitors to feel welcome in a safe environment that is built on current knowledge and research. I want the rights of students and staff members respected. This is the work of a building administrator. Please support my administrative colleagues and me in my opposition of AB 484.

Thank you for your consideration. Please know that you are always welcome at Waunakee Community Middle School!

Shelley Joan Weiss  
Principal  
Waunakee Community Middle School  
1001 South Street  
Waunakee, WI 53597  
sweiss@waunakee.k12.wi.us  
(608) 849-2060  
FAX (608) 849-2088  
<http://www.waunakee.k12.wi.us/midlschl/mshome.htm>  
"Committed to Children, Committed to Community, Committed to Excellence!"

Shelley Joan Weiss  
Principal  
Waunakee Community Middle School

10/2/2007

1001 South Street  
Waunakee, WI 53597  
sweiss@waunakee.k12.wi.us  
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<http://www.waunakee.k12.wi.us/midschl/mshome.htm>  
"Committed to Children, Committed to Community, Committed to Excellence!"

**Stromme, Denise**

**From:** Ann Wicklund [awicklun@wausau.k12.wi.us]  
**Sent:** Tuesday, October 02, 2007 4:39 PM  
**To:** Rep.Petrowski; Sen.Decker  
**Cc:** Rep.Davis; Rep.Seidel; Sen.Lehman; Steve Murley; john.forester@wsaa.org  
**Subject:** Opposed to Assembly Bill 484  
**Attachments:** AB 484.doc

I am respectfully submitting my thoughts on Assembly Bill 484 and the reasons why I do not believe it would be in the best interests of Wisconsin students to pass this Bill.

Sincerely,

Ann Wicklund  
Director of Special Education  
Wausau School District  
715-261-0535  
715-261-2556 (fax)  
[awicklun@wausau.k12.wi.us](mailto:awicklun@wausau.k12.wi.us)

**TO:** Assembly Committee of Education  
**FROM:** Ann Wicklund, Director of Special Education  
**DATE:** October 2, 2007  
**RE:** Assembly Bill 484 – Removal of a Pupil from Class, School Property, etc.

It has come to my attention that Assembly Bill 484 would authorize any school district employee to remove a pupil from class, school property or a school-sponsored activity. As the Director of Special Education for the Wausau School District, I am strongly opposed to such legislation.

The Pupil Services/Special Education office is where principals turn when faced with discipline issues in their buildings. Our office routinely handles student behavior problems ranging from bullying to actual physical assault. Due to the fact that our Administrators are trained in Crisis Prevention, and are routinely provided with staff development training on discipline our office only handles serious offenses, which fortunately do not occur all that often.

Allowing any school district employee to remove a pupil from class, school property or a school-sponsored activity could potentially escalate a situation that could be handled proactively if a trained teacher or Administrator were involved prior to such a severe measure. Removing a student from class may involve physical involvement or intervention which in turn tends to escalate a student to a higher level of disorder. We firmly believe that student success depends upon active participation and engagement in their school environment. This amendment is contrary to best practices in education that stress the importance of establishing relationships and giving each child a sense of belonging.

I do not understand the foundation for such legislation. Support staff has important roles in school districts but they are not trained as disciplinarians with authority to make such drastic decisions. I would be happy to hear your comments or answer any questions you may have. Thank you.

## **Stromme, Denise**

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**From:** Scott Winch [swinch@stratford.k12.wi.us]  
**Sent:** Wednesday, October 03, 2007 7:46 AM  
**To:** Rep.Suder; Sen.Kreitlow  
**Cc:** Rep.Davis; Sen.Lehman; John Forester  
**Subject:** AB 484

Senator Kreitlow, Assemblyman Suder

I am writing today to ask that you oppose AB 484, which would allow any school personnel to remove a student from class or school sponsored event. I believe that passage of this bill could pose a number of different problems for school districts, including the handling of students with IEPs, which could obviously include legal action against a District.

In addition, I believe that this bill would hamper a school district's discipline policy, in particular the ability for a district to be fair and consistent in the manner in which a policy is enforced.

Thank you for your time and consideration in this matter, if you would like to speak with me regarding this or any other matter please feel free to call me at 715-687-3130 or simply reply to this email.

Scott

Scott Winch  
Superintendent  
School District of Stratford

**Stromme, Denise**

**From:** DeBroux James [jdebroux@mosineeschools.org]  
**Sent:** Wednesday, October 03, 2007 8:27 AM  
**To:** Rep.Petrowski  
**Cc:** Rep.Davis; Sen.Lehman; john.forester@wsaa.org  
**Subject:** AB 484

Dear Jerry:

I just wanted to express my concern with Assembly Bill 484. One of my many jobs as a building principal is to find solutions for the fair administration of our school rules and district regulations. My experience as a teacher for 11 years and a principal for 20+ years tells me that placing the responsibility of determining students' academic future in the hands of untrained, often inexperienced support staff, in spite of their good intentions, can do irreparable harm. I have worked with hundreds of support staff over the years and while they are good people, I don't think they always have the training, background experience and/or knowledge of the law to understand the implications of suspending a child from school.

Teachers in our school do an excellent job of monitoring student behavior and taking appropriate actions within the context of school policies. In most cases, I am able to support their choices for consequences and applaud them for finding solutions that I have not even thought of. However, there are times when they are too close to the immediate incident, and welcome appropriate assistance from administrative personnel.

I'm also concerned about the possible litigation we could face if a student's individual rights were violated.

Those rights are often granted by state and federal law to which the support staff, and in some cases teachers may or may not have knowledge. I am speaking in particular of students with either a section 504 plan or an Individualized Education Plan (IEP). Violations of student rights in these areas have the potential to be costly to a district already strapped for funds.

If you have any questions regarding my concerns, I'd be happy to discuss them with you. We are all committed to safety in our schools, and have procedures in place for the removal of disruptive students. I believe that this bill will do more harm than good in improving safety within our school.

Jim DeBroux  
Principal  
Mosinee High School

**Stromme, Denise**

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**From:** DAVE WALL [WALLDAV@rhinelander.k12.wi.us]  
**Sent:** Thursday, October 04, 2007 8:28 AM  
**To:** Rep.Davis; Sen.Lehman  
**Cc:** Sen.Breske; Rep.Meyer; joyce.hamm@wsaa.org  
**Subject:** AB 484

SB 251 ?

Dear Sirs;

By way of this e-mail communication I wish to express my opposition to AB 484. Having been a school administrator for the past 25 years I have witnessed and experienced the inconsistency of disciplinary expectations based on an individual's own ideologies. Of greatest concern is the procedural due process violations of pupils that could lead to potential and costly litigation for school districts.

Thank you,

Dave Wall, Assistant Superintendent  
Rhineland Area Schools  
665 Coolidge Ave., Suite B  
Rhineland, WI 54501  
walldav@rhinelander.k12.wi.us  
715-365-9728

We don't learn from our experiences, we learn from reflecting on our experiences. C. Danielson

\*\*\*\*\*Confidentiality Notice\*\*\*\*\*

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SB 251 ?

**Stromme, Denise**

**From:** Blake Peuse [bpeuse@bdsd.k12.wi.us]  
**Sent:** Thursday, October 04, 2007 10:19 AM  
**To:** Rep.Davis; Sen.Lehman  
**Cc:** Dimitrious Foster; Deb Kerr  
**Subject:** Opposition to Assembly Bill 484

*Sara  
Sabe*

Dear Representative Davis and Senator Lehman,

Please read the following concern that I forwarded to my local Senator Alberta Darling. I feel strongly that this legislation, while well intentioned, will create a situation that could cause irreparable harm. Please also understand that I have spoken to a number of others in the administration field and we all feel that this legislation is a recipe for negative consequences for schools and for children (whether intended or unintended). Thank you for your time and consideration. My contact information is located below as well if you wish to speak with me.

Blake Peuse

Good day Senator Darling,

I am writing this correspondence in regard to Assembly Bill 484. In reading the bill, I was very discouraged to see the language that is proposed. Giving this far-reaching authority to any school employee to remove a student from class, school, and school property for violating the code of conduct, exhibiting dangerous or unruly behavior, or behavior that interferes with the ability to teach, seems pretty far-reaching and not in line with common school practices. In all of these situations, I feel that teacher subjectivity can be called into question and there will be many, many angry parents and possible lawsuits/complaints filed with the school district. This would, likely, also create a situation that could be viewed as deprivation of educational opportunities for students. I cringe at the thought of this far-reaching authority...it will give much more ability to people who are not as familiar with educational law and due process. I do not see positive things coming out of this Assembly Bill 484. Thank you for considering my thoughts in this process and I would be happy to discuss this further with you.

Sincerely,

Blake A. Peuse  
Principal  
Brown Deer Middle School  
5757 W. Dean Rd.  
Brown Deer, WI 53223  
414-371-6905

**Stromme, Denise**

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**From:** Dean Gorrell [Dean.Gorrell@verona.k12.wi.us]  
**Sent:** Monday, October 08, 2007 7:18 AM  
**To:** Rep.Davis; Sen.Lehman; john.forester@wsaa.org  
**Subject:** AB 484

SB 251?

Dear Senator Lehman and Representative Davis,

I am writing to express my opposition to AB 484 which would extend the right to remove a student from class from teachers to any school district employee.

In our district (Verona Area School District), it is not uncommon to have another adult in a classroom in addition to the teacher. Often times this is an employee serving in a support role to the instruction of a child or a small group of children. I believe it is imperative for the teacher to have complete determination of if, when and who should be removed from the classroom for misbehavior or other issues. Allowing anyone other than the teacher to have this authority can put that person / those persons at odds with the classroom teacher and would certainly send mixed messages to the children in that classroom. There should only be one 'captain' in any classroom, and that clearly should be the teacher.

Thank you for your attention to my position on this matter.

Sincerely,

Dean Gorrell  
Superintendent  
Verona Area School District

Dean Gorrell  
Superintendent  
Verona Area School District

SB 251 ? → SB-2511  
AB-484

**Stromme, Denise**

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**From:** John Knight [JKnight@dasd.k12.wi.us]  
**Sent:** Thursday, October 11, 2007 2:58 PM  
**To:** Sen.Jauch  
**Cc:** Sen.Lehman; joyce.hamm@wsaa.org  
**Subject:** ABA 484



Sen. Jauch,

I am sure that you are aware of the potential dangers of such misguided legislation. I am proud to be a resident of Wisconsin, in part, because our elected officials have always demonstrated a great concern for education. I understand the reasoning behind such a bill but this bill will do nothing to improve the safety in our schools. I have great respect for all those that choose to work in our public schools from cooks to superintendents. We certainly don't do it for the money. As I would not feel qualified or ever want to be put in the position of having to cook the school lunch or clean the building, I doubt that these fine individuals would want to be put in the position of determining whether a student is suspended from class or school. What makes our schools great is that we all have specific duties and responsibilities that when put together make the "machine" run well.

Thank you for your continued service to the residents of the state.

John Knight  
Elementary Principal/Pupil Services Director Drummond Area School District 52440 Eastern  
Avenue PO Box 40 Drummond, WI 54832  
715-739-6731 ext. 300