



Know Your Contract!

The increase in both frequency and intensity of student behaviors has been alarming. While there are various explanations for why the increase is occurring, those of us working in classrooms with students are trying to find a balance between one student's right to stay in our learning environments vs. the rights of other students to learn in a disruption-free environment.

Let's Highlight two important phrases in section 419 D that speak to the educator's right to maintain an optimal learning environment for all students:

- 1) ***"A member may exclude a student from the classroom for the class period or activity when the member judges the student's behavior to be disruptive to the instructional program. Such exclusions may include sending the student to the office or calling for assistance."*** It's appropriate to remove a student who is causing disruptions to learning. The most important part of this sentence that is most misunderstood by principals is your right to keep that student out of the learning space for the period or activity. If the student returns after five minutes and is still disruptive, remind your administrator of this clause and that you are working to teach all your students equitably. If your right is being denied, contact your [Rights Advocate](#) or the AEA office.
- 2) Moreover, you have a right to express your behavioral expectations for your learning environment and develop a plan, with your administrator, that is best for all. ***"The member and the administrator may collaboratively develop an agreement specifying future behavior expectations and consequences."*** Again, if you are denied this opportunity, contact your [Rights Advocate](#) or the AEA office.

Other important notations from Article 419:

- 419 A & G: Schools (principals) must collaboratively develop and review their schoolwide discipline plan annually with staff.
- 419 E: Any instances of an assault (physical or verbal) should be reported immediately and documented thoroughly.

Additionally, you have a right to call a meeting to address issues and concerns before the student returns to your learning environment. 419 E states: ***"The student shall only be returned to the member's classroom after a suspension from that classroom has been served, a conference has been held with the member, administrator, and parent (unless member and administrator agree otherwise) and appropriate action has been taken to prevent future occurrences."***

For our special education students with an IEP and/or a BIP, see article 403 L2. It states: ***"Students who have been removed from the classroom for violent or severely disruptive behavior shall only be returned to the classroom after appropriate action has been taken. It is strongly encouraged that a meeting between the member, administrator, and parent occur prior to the student returning to the classroom."***

Do not hesitate to contact a [Rights Advocate](#) or your Uniserv Director for assistance.

Thanks, *AEA Rights Committee*



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419 DISCIPLINE PROCEDURE FOR STUDENTS

The District and the Association are jointly committed to providing quality educational programs which protect the safety and security of all students and staff and expect acceptable behavior in line with the Student Handbook.

- A. The administrator and the staff shall collaboratively develop and/or review building discipline procedures annually in the fall, to include procedures for compliance with Article 419. Duties, responsibilities and relationships of all personnel regarding the enforcement of discipline policies shall be discussed with all staff involved with student discipline. Copies of the proposed discipline procedures shall be shared with the PTA for discussion upon request. The procedures established shall be followed and enforced by the administrator(s) and staff.
- B. Members shall be informed prior to entry into the member's classroom of a student with known behaviors that could present a safety problem to students or staff. The protocol for informing those with a need to know regarding students with a known history of violent behavior shall include an alert in the student information management system. The list of those with a need to know shall include members who are assigned responsibility for managing the behavior of such students. Members shall be provided with suggested strategies for managing student behaviors.
- C. Building procedures for maintaining student discipline shall address standard methods utilized by the member before administrator referral (such as conferences with a student, discussions with parents/guardians and counselor referrals) as well as procedures for cases of extreme or unusual breaches of discipline including but not limited to physical assault or possession of weapons.
- D. The primary responsibility of members is to provide comprehensive educational opportunities for their students. **A member may exclude a student from the classroom for the class period or activity when the member judges the student's behavior to be disruptive to the instructional program. Such exclusions may include sending the student to the office or calling for assistance.** If a member and the administrator concur that the learning environment has been severely disrupted by a student(s), the student(s) shall be suspended from that classroom in order to fully de-escalate the situation and restore conditions that are conducive to student success and learning. The student(s) shall only be returned to that classroom after appropriate disciplinary action has been taken and a member, administrator and parent (unless member and administrator agree otherwise) conference has been held.

The member and the administrator may collaboratively develop an agreement specifying future behavior expectations and consequences.



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- E. Members will report immediately to the administrator or designee the details of all instances of assault. Incidents of verbal and physical assault of members shall be documented by the principal. When a member has been physically assaulted by a student or when a student directs a threat of violence toward a member, the administrator shall remove the student from the member's classroom unless the member requests otherwise. The student shall only be returned to the member's classroom after a suspension from that classroom has been served, a conference has been held with the member, administrator and parent (unless member and administrator agree otherwise) and appropriate action has been taken to prevent future occurrences. Consistent with Workers' Compensation Law, the District shall assume full liability for job related member injury. Protection against damage to property shall be limited to the terms of the District's existing liability policy. Generally, personal property is not the responsibility of the District unless damage to such property is the direct result of District action or due to assault while a member is engaged in a duty- related activity.
- F. A member may use reasonable and necessary physical force on a student to protect the member, a student(s) or others from physical injury; or to obtain possession of weapons or other dangerous objects from a student.
- G. The Safety Committee of each school shall develop and annually review a plan for providing emergency support to any member who calls for assistance when facing a potential danger from violence, either to students or to self. Such plan must identify an effective method of communication to be used as well as the prescribed response.