

## **A Teacher's Guide to Student Discipline**

This general overview of discipline is designed to inform teachers of issues that arise in disciplinary situations. This is a supplementary document that complements the District's Student Code of Conduct. When in doubt, consult with appropriate administrators regarding disciplinary decisions.

***[District Administrator: Revise introduction with local application as needed.]***

### **Student Code of Conduct**

#### **What is a Student Code of Conduct? Does the district need one?**

Chapter 37 of the Texas Education Code requires all districts to have a Student Code of Conduct (SCOC), which includes the following:

- Standards for student conduct;
- Circumstances under which a student may be removed from a classroom, campus, or Disciplinary Alternative Education Program (DAEP);
- Conditions that authorize or require a principal or other appropriate administrator to place a student in a DAEP; and
- Conditions under which a student may be suspended or expelled from school.

The scope of the SCOC should be limited to establishing the behaviors that are acceptable and unacceptable to the district and the resulting consequences for unacceptable behavior.

#### **Where can I get a copy of our Student Code of Conduct?**

Teachers may request a copy from the principal or assistant principal. The district will post and prominently display the SCOC at each campus or make it available for review in the principal's office.

***[District Administrator: Revise with local procedures for dissemination. Does the District make the SCOC available online? ]***

#### **Does the Student Code of Conduct change from year to year?**

There are several ways that the SCOC could change. First, the Texas Legislature meets every other year and may enact legislation that requires changes in the SCOC. TASB revises the Model Student Code of Conduct as needed after a legislative session and district administrators incorporate those changes into the local SCOC. TASB also incorporates other changes that are required by law, including relevant federal legislation, federal and state regulations, and federal and state court decisions. Finally, district

administrators, with the approval of the Board of Trustees, might make changes that affect the local SCOC at any time. Generally, however, changes are made in order to start the school year with a new Student Code of Conduct.

### **How does the district go about revising the Student Code of Conduct?**

Revisions to the district's SCOC are usually initiated by the administrators with input from the district-level planning and decision-making committee. The SCOC must be adopted by the Board and has the same weight as any policy in the district's Local Policy Manual. All changes to the SCOC must be presented to the Board for adoption.

### **What happened to the discipline management plan some districts had?**

The legislature amended the Education Code in 1995 mandating a shift from the discipline management plan to a discipline management program anchored by the Student Code of Conduct. The district-level planning and decision-making committee is now tasked to include a discipline management program in the district improvement plan and the Board is required to adopt an SCOC.

### **Is it a good idea to categorize disciplinary offenses and punishments by "levels"?**

In the past, some plans and codes were organized into categories of offenses, such as "level 1" offenses, "level 2" offenses, and so on. The use of "levels" is no longer workable for an SCOC due to the structure and complexity of the Education Code's provisions related to discipline. Now, particular disciplinary measures, including expulsion or placement in a DAEP, are prescribed for a series of specific offenses. As a result, TASB Legal Services recommends that districts eliminate the use of, or reference to, levels in their SCOC. The TASB Model Student Code of Conduct does not categorize disciplinary actions by levels of offenses.

## **Classroom Discipline**

### **Besides the Student Code of Conduct, what else is relevant in disciplinary situations?**

There may be campus and classroom rules in addition to expectations and requirements found in the SCOC. The rules may be posted in the classroom, given to students, or printed in the Student Handbook and may overlap with some behaviors listed in the SCOC. For instance, the dress code is referred to in the SCOC, but it should be disseminated in the Student Handbook.

***[District Administrator: Revise to direct teachers to local resources other than the SCOC.]***

For violations of campus and classroom rules or SCOC behaviors that do not have mandatory consequences, the district may designate discipline management techniques for teachers to employ, such as the following:

- Verbal correction
- Seating changes within the classroom
- Temporary confiscation of items that disrupt the educational process
- “Cooling off” time
- Rewards or demerits
- Behavioral contracts
- Detention
- Counseling by teachers, counselors, or administrative personnel
- Parent-teacher conferences

***[District Administrator: Revise list and introductory sentence to reflect local practice.]***

#### **When can I remove a student from the classroom?**

Teachers may use discipline management techniques such as a "time out" either in or out of the classroom when a student misbehaves or is disruptive.

***[District Administrator: Insert local guidelines for a “time out,” if available.]***

There are also three categories of teacher removals to the principal's office:

- Informal removal
- Discretionary formal removal
- Mandatory formal removal

#### **What is an informal removal to the principal's office?**

An informal removal occurs when a student exhibits problem behavior and the teacher sends the student to the principal's office for a short period of time. The principal uses an appropriate discipline management technique consistent with the district's SCOC, such as detention, parent/teacher conference, assignment of tasks, or withdrawal of privileges. Generally, the student returns to the classroom later the same day or the next school day.

***[District Administrator: Revise the list of techniques as needed.]***

#### **What is a discretionary formal removal to the principal's office?**

In some instances, a teacher has the discretion to remove a student from the classroom. Such discretionary formal removals may result in a longer student absence from the classroom. A teacher may initiate a discretionary formal removal from the classroom in one of two circumstances:

1. The student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach the class; or
2. The student's behavior is so unruly, disruptive, or abusive that the teacher cannot teach, and the students in the classroom cannot learn.

When a teacher initiates a formal removal, the principal may place the student into another appropriate classroom, into in-school suspension, or into a Disciplinary Alternative Education Program, depending on the nature of the behavior. The principal may also use other discipline management techniques.

***[District Administrator: If the District has a prescribed procedure for principals insert it here. The Education Code does not specifically address how much documentation is to be collected before a teacher formally removes a student. Each district must decide locally and should provide guidance to teachers as to what information should be documented and how much detail should be included.]***

#### **What is a mandatory formal removal to the principal's office?**

If the student's behavior requires mandatory placement in a Disciplinary Alternative Education Program or expulsion, the teacher must remove the student from class and send the student to the principal's office. The SCOC lists the offenses that receive mandatory consequences, some of which are identified by law and some of which have been designated by the district.

#### **What is an emergency removal?**

The Education Code includes a provision that allows administrators to place a student in a Disciplinary Alternative Education Program or to expel the student from the regular classroom in an emergency situation. To order an emergency removal to a DAEP, the principal or his or her designee must reasonably believe that the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with one or more of the following: 1) a teacher's ability to communicate effectively with the students in a class; 2) the ability of the student's classmates to learn; or 3) with the operation of school or a school-sponsored activity.

To order an emergency expulsion, the principal or his or her designee must reasonably believe that the action is necessary to protect persons or property from imminent harm. At the time of an emergency placement or expulsion, the student must be given oral notice of the reason for the action. It must be a reason for which placement in a DAEP or

expulsion could also be made on a non-emergency basis. The district must conduct further due process proceedings as set out in the SCOC. The appropriate administrator should be contacted for direction.

***[District Administrator: Districts may develop guidelines for emergency removal or expulsion. If the District has guidelines, include here.]***

**Do I have a choice whether to report a student who violates the Student Code of Conduct?**

Many violations of the SCOC are handled through discipline management techniques in the classroom. Violations that carry a mandated consequence through law or district choice, however, must be reported.

**What can I do if I object to a student being returned to my classroom after he or she has been removed for disciplinary reasons?**

After a formal teacher removal, if the teacher objects to the return of the student to the classroom, a placement review committee will review the situation. The placement review committee consists of three members: two teachers who are chosen by campus faculty and one professional staff member appointed by the campus principal. If the placement review committee determines that returning the student to the teacher's class is the best or only alternative available, then the student shall be returned to the class.

**What can I do if I disagree with how a disciplinary situation has been handled?**

A teacher should first attempt to resolve the differences informally with the administrators responsible for the disciplinary decision. If the teacher is not satisfied after attempts at informal resolution, he or she may file a grievance by following the process described at DGBA(LOCAL) in the district's Local Policy Manual.

**Why do I no longer have to prepare written reports of disciplinary actions?**

The law has changed to give districts greater local control over written reports related to discipline. The Education Code requires school boards to include information about written disciplinary reports in their Student Codes of Conduct. Also, the Education Code limits the type of written reports that a teacher can be required to prepare. School districts are not precluded from collecting additional essential information from a classroom teacher upon agreement between a teacher and the district.

**How is the educational process continued when a student is placed in a Disciplinary Alternative Education Program (DAEP), a Juvenile Justice Alternative Education Program (JJAEP), or in-school suspension?**

The Education Code obligates districts to provide students in a DAEP and in-school suspension with the opportunity to complete coursework before the beginning of the next

school year through some method, which may include correspondence courses, distance learning, or summer school.

***[District Administrator: Add local procedures for continuing coursework after a placement if available.]***

**How does discipline in extracurricular activities relate to the Student Code of Conduct?**

The SCOC applies to students in extracurricular activities outside of the instructional day and away from district facilities. With the principal's approval, sponsors and coaches may also establish higher standards of discipline and dress for participating students. These standards should be distributed to students upon joining an activity. In addition, when a student's behavior requires placement in a DAEP according to state law, the law also prohibits that student from participating in school-sponsored or school-related extracurricular activities. Local policy may also prohibit a student from participating in these activities if the student is placed in a DAEP for discretionary reasons.

***[District Administrator: References to specific extracurricular documents, such as the athletic handbook, could be included here.]***

**How can I learn more about the law and policy governing student discipline?**

Section 37.018 of the Education Code directs all districts to provide each teacher and administrator with a copy of [Education Code Chapter 37 Subchapter A](#) and any local policies relating to this subchapter. The Student Code of Conduct is adopted by the Board and constitutes local policy regarding discipline in the District.

Chapter 37 Subchapter A: [http://www.tasb.org/policy/discipline/chapter37\\_clean.pdf](http://www.tasb.org/policy/discipline/chapter37_clean.pdf)