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### Released Members - Supporting Recall Actions

Our union's Executive Board has released two teacher leaders full-time this school year to conduct broad, intensive outreach efforts to members. Kim Schroeder and Bonnie Brusky are organizing members to lay the basis for new avenues of union strength in the upcoming "no contract" era. MTEA President Bob Peterson is supervising their activities.

Bonnie and Kim are activists who have served as elected leaders, both as BRs and Executive Board members. Kim, in fact, currently serves as our Vice-President, in addition to serving with Bonnie as a Released Member Organizer.

### Plus Consulting...

In addition, another union activist, Dave Weingrod, is employed part-time as a consultant for our recall activities. Dave, who retired last June after a career as a school social worker in MPS, was also employed for last summer's efforts to recall State Senator Alberta Darling.

### Recall Contacts

If you need information on gathering recall petition signatures, local and state recall actions, or any other aspect of the recall efforts, please call Bonnie, Dave, or Kim at our union office at 259-1990 or email them at:

bbrusky@mtea.weac.org

schroederk@mtea.weac.org

weingrodd@mtea.weac.org

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## Taking Part in Recall Activities

Our union is participating in the statewide campaign to obtain more than 700,000 signatures on the petitions to recall Gov. Walker and Lt. Gov. Rebecca Kleefisch. (If Mr. Walker is recalled but Ms. Kleefisch is not, she would remain as lieutenant governor.)

Last Saturday, MTEA members joined We Are Wisconsin's signature solicitations at sites in our area. Despite the all-day rain, approximately 90 volunteers gathered 20,000 signatures.

### Please Join Us This Saturday

You are invited to participate with We Are Wisconsin in a recall activity this Saturday, **December 10**.

**What:** Two hours, circulating petitions, in teams.

**Where:** Check in at the MTEA Building for instructions and team/location assignments.

**When:** Come to our union office at 9:00 a.m. or 12:00 noon - to gather signatures.

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## School Safety and Discipline

Districtwide policies to protect students and staff are effective only with **firm and consistent enforcement**. This special edition of Sharpener is being distributed to all members in MTEA's four units. It outlines the key rights and responsibilities of all educators.

### BR Leadership Key

If schoolwide discipline and security issues arise, members should inform their school's MTEA Building Representative (BR). In most schools, the BR will involve the Building Committee, which includes the school's EA Chairperson, to address the problems.

BRs have a leadership role in working with the principal and assistant principals to develop and follow through with agreed-upon solutions.

### BR Released for Crisis Periods

The teacher contract requires the principal to release the BR from classes/assignments during school crisis periods. The BR's role is to make certain that accurate, factual information is communicated. Furthermore, the principal is required to allow the BR to notify our union's staff "... if teachers feel a serious disturbance may develop."

All staff members should know their specific roles if the school's crisis plan implementation becomes necessary. All teachers should have a copy.

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### **Notify BR of Battery & Assault Incidents**

If you are the victim of an assault and/or battery, you should promptly initiate a series of steps - such as notifying your school's BR. The BR will assist you as needed and accompany you to any related conferences if you wish.

BRs should notify our union's staff of all serious battery incidents.

### **Continuous Discipline Problems?**

The BR is also the point person when discipline conditions call for action making use of the following Milwaukee School Board policy:

"When a school has continuous discipline problems, every effort will be made to provide released or compensated time for teachers. The principal and the teachers shall use such time to develop appropriate programs to reduce the causes of the problems."

### **EA Chairperson - Similar Responsibilities**

If you are an educational assistant, the EA Chairperson will assist you in much the same way as the BR helps teachers. Please notify your school's Chairperson of any battery incident.

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## **Contract and Policies Interlocked**

MPS has clear and definitive policies for maintaining safe and orderly schools. The "Parent/Student Handbook on Rights, Responsibilities, and Discipline" is an excellent example. The handbook spells out a range of discipline actions based on the specific misbehavior of a student. And it is written in a user-friendly format.

The school board has adopted other policies that are not spelled out in the handbook. In addition, our union has negotiated contract provisions related to the safety of educators.

The policies and contracts do not conflict. In fact, negotiators for both our union and the district have made certain that they are aligned and mutually reinforcing.

### **MBSD/MTEA Contracts**

The four unit contracts which the MTEA has negotiated with the school board contain provisions that directly relate to safety and discipline in the schools.

For example, the MBSD/MTEA contract for substitute teachers spells out their right to use the Incidental Referral Form. The contract for EAs requires administrative support and reinforcement for assistants supervising students.

Because teachers have the primary responsibility for classroom discipline, their contract provisions are extensive and contain very specific language. It explicitly ties school board policies to negotiated procedures. For example, it names and incorporates the district's "Parent/Student Handbook."

### **Systemwide Monitoring**

A joint Safety and Discipline Labor/Management Committee meets regularly to review policies and procedures. MTEA and MPS representatives work together to improve districtwide communications and solve problems on an ongoing basis.

If you have a concern which has systemwide implications, please contact Don Ernest of the MTEA staff at [ernestd@mtea.weac.org](mailto:ernestd@mtea.weac.org) or 259-1990.

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## Mandated Expulsion Recommendations

The 2011-12 MPS Parent/Student Handbook on Rights, Responsibilities and Discipline defines four safety offenses which mandate a recommendation for expulsion:

**Assault** - "Aggressive behavior exhibited in an attempt to do immediate bodily harm, or to threaten to do immediate bodily harm to others, or to put others in fear of immediate bodily injury."

**Battery** - "Unprovoked/unanswered intentional physical contact without consent causing bodily harm."

**Gun** - "Possessing, having under one's control, using, or threatening with a gun (pistol, BB, pellet, rifle, starter, replica, or toy gun).

**Weapon Other Than a Gun** - "Possessing, having under one's control, using, or threatening with a knife, razor, karate stick, metal knuckle, box cutter, laser pointer used to do bodily harm, pepper spray, or any other object that by the way it is used or intended to be used is capable of inflicting bodily harm."

# Safety Basics for All Educators

All of our union's members have rights and responsibilities for the protection of staff and students. A few fundamental safety provisions, included in all four MBSD/MTEA contracts, are explained below.

## Avoid Clear and Imminent Danger

By contract, you are not required to place yourself in "any clear or imminent danger" to your safety. It is extremely important to strictly adhere to this basic safety step!

You need to be alert to the possibility of weapons in school and use sound judgement to protect yourself and students. If you learn that someone in or near your school may have a gun or other dangerous weapon, notify the administrator immediately so that the police can be called.

Because of risks to yourself and students: Do **not** investigate the presence of a gun or other weapon. Do **not** try to take a weapon away from a student or outsider.

## Report Serious Safety Offenses

You have an obligation to report four serious offenses which jeopardize the safety of students and staff: assault, battery, possession of a gun, and possession of other weapons. (See column on left for definitions.)

To report such offenses, use the official MPS "Incident Referral Form" and write "expulsion" on the teacher recommendation line. Your report will start the disciplinary steps.

## File an Assault Form

If you are assaulted, you are required by contract to file a district form, "Report of Assault Suffered by School Personnel." Report forms, available in every school, are used for three situations: 1) **battery** - actual physical contact, 2) **assault** with intent to commit battery - a battery attempt that was prevented, and 3) **personal threat** with the ability to carry it out.

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## Discipline Procedures for Serious Offenses

When educators report an assault and recommend expulsion, the district is required to follow a step-by-step process outlined below.

### Immediate Removal Mandated

A student who threatens an educator with bodily harm, attempts physical contact, or commits a battery must be removed from the classroom (or other area) **immediately**.

The student must be suspended and remain under administrative supervision until escorted out of the building. If a student refuses to leave, the school administrator should obtain assistance, *other than teachers and EAs*, to remove the student.

### Process Takes Place Outside the School

When an expulsion is recommended, there is a series of steps **outside the school building**. Until the district's disciplinary action is determined, the student is excluded from classes and other school activities.

The statutory due process rights of the student must be upheld. Although an expulsion **recommendation** is mandated, the district may take other disciplinary actions. For example, a transfer to another school.

### Testifying at Hearings

A teacher who has been physically assaulted must be offered the opportunity to testify at the central services suspension and/or expulsion hearing(s).

Every effort will be made to schedule hearings during the teacher's workday. If that is not possible, they must be held immediately before or after the teacher's workday.

### Guidelines on Testifying

The due process procedures for testimony at a central services conference are different from those required by state law for expulsion hearings. The district's guidelines are available at mtea.org.

### Mandatory Reinstatement Conference

If MPS reinstates a student suspended for assaulting or threatening a teacher, the teacher must be included in the conference required **prior** to reinstatement (in addition to the administrator, parent, and student).

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## Classroom Discipline: Alternative Approaches

Some examples of *in-school*, measures for changing disruptive student behavior are listed below:

- Counseling
  - Demerit Systems
  - Detentions
  - Withdrawal of Privileges
  - Student Contracts
  - Parent Contacts (in writing, by phone, or in person)
  - Buddy System
  - Peer Counseling
  - Behavior Classes
  - Timeout Room
  - Modified Curricula
  - In-School Suspension
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### For a Student Who Repeatedly Disrupts

**First**, in-school measures for changing unacceptable behavior should be attempted. (See above.)

**Second**, out-of-school suspension may be necessary as a strategy to involve parents in improving the student's behavior.

**Third**, if in-school measures and suspensions are not successful, more intensive corrective measures should be taken, including: using:

- ◆ Involving support personnel for special counseling.
- ◆ Remedial and/or behavior modification classes at the school or at an appropriate alternative site.

# New Administrative Support for Classroom Discipline

When a student does not follow school rules or the teacher's classroom discipline policies, a wide variety of measures are available. Some of the more traditional approaches are listed in the column on the left. Teachers are responsible for attempting alternative measures before they recommend an out-of-school suspension - except for serious offenses like an assault.

When teachers need help with disciplining a student, administration support is required by Board policy, summarized below.

## Incident Referral Form - A Communication Must

To communicate and document discipline behaviors warranting administrative action, you should always use the MPS "Incident Referral Form." Forms are available in all schools. For best results, you should:

- ◆ **Always** use this official form when the steps you have taken do not result in the appropriate change in student behavior. For a pattern of disruption, the forms document the need for administrative action.
- ◆ Under the "teacher intervention strategies" section, note the steps you have already taken if a student repeatedly disrupts the class.
- ◆ State the facts clearly, objectively, and in complete detail.
- ◆ Your recommendation for action must be consistent with the district's discipline policy.
- ◆ **Most importantly, retain the "Teacher's Copy" and send the other two copies to administration.**

## Students Not Returned to Class Without Disposition

School board policy mandates that a student not be returned to class until the teacher receives the "Administrative Disposition Copy" of the "Incident Referral Form." The following is from this long-standing policy:

"When a pupil is referred to the administrator by a teacher for disciplinary purposes, he/she shall not be returned to the area under that teacher's jurisdiction in which the infraction occurred until he/she has been seen by an administrator and that administrator has communicated the disposition of the case to the teacher on the Form 72." (The policy was adopted before Incident Referral Forms replaced 72 cards.)

The policy does provide a limited exception. In an "emergency situation," where an administrator is not available, the teacher must be notified that the breach of discipline has been noted by the office and will be addressed ASAP.

*Please note that students involved in serious breaches of discipline, such as battery, are not to be returned to the classroom until after an administrator reviews the matter.*

## Administrators Must Communicate

The school board's policy also requires communication if an administrator does not agree with the teacher's recommendation: "When the teacher recommends a particular disciplinary action and the administrator processing the referral does not concur, the administrator shall communicate with the teacher in writing on the 72 card why he/she did not follow the recommendation. It is understood that a conference elaborating on the remarks on the 72 card may often be helpful and appropriate."