
Safety and Discipline

This **Sharpener** reviews School Board policies and contract provisions that are the foundation for secure and orderly schools:

- ◆ **Enforcement**, consistent and firm, is essential. See **page three**.
 - ◆ **Safety** measures address the threat of violence to students and staff. See **page two**.
 - ◆ **Discipline** procedures when administrative support becomes necessary. See **page four**.
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Constant Vigilance

Our union's teacher bargaining team made strengthening contractual provisions on security and discipline a priority in negotiating the 2007-09 teacher contract. Our team forged agreements with the Board's team to add several new measures to the contract.

In addition, a joint Safety and Discipline Labor/Management Committee was established to improve districtwide communications on these issues. It meets regularly to review policies and procedures, and solve problems on an ongoing basis.

More Preparations for Bargaining

A big **Thank You!** to teachers who completed the initial Negotiations News survey. Your participation will help our teacher bargaining team identify the membership's priorities for upcoming contract talks.

Sign Up for Online Updates and Surveys

Our teacher team plans to provide members with updates on contract talks and targeted surveys on specific issues via e-mail.

Targeted Update Example - If you are close to age 55 (or older), you may be extremely interested in the status of bargaining on retiree benefits. If we have your e-mail address and age data, we will send you updates on retirement issues.

Targeted Survey Example - Suppose our team needs to know how many minutes per week of individual prep time elementary classroom teachers receive. Only elementary teachers who have provided their e-mail and grade level data would receive a quick online survey.

We Need Your E-Mail Address!

If you did not provide your e-mail and demographic data through our recent survey, please register for exclusive, online bargaining communications at mtea.org.

Listening Forums in Early December

Our teacher bargaining team is holding five listening forums, open to all teachers (see below). These informal, drop-in sessions will provide an opportunity to explain your specific bargaining concerns to teacher team members, in depth and in person.

When: Tuesday, **December 2**, 3:15 p.m. – 4:30 p.m.
Where: Capitol Library – 3969 North 74th St.
 Bay View Library – 2566 South Kinnickinnic

When: Thursday, **December 4**, 4:15 p.m. – 5:30 p.m.
Where: Bay View Library and Capitol Library

When: Thursday, **December 11**, 3:15 p.m. – 5:15 p.m.
Where: MTEA Building, 5130 West Vliet Street

Please mark your calendar for a session that is convenient for you to meet members of our teacher bargaining team and talk about issues that matter to you.

Maintaining Safety in Your School

Introduction

Districtwide policies to protect students and staff are effective only with **firm and consistent enforcement**. This page outlines the key rights and responsibilities of all educators for school safety.

Avoid 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 and use sound judgement to protect yourself and your students. If you learn that someone in or near your school may have a gun or other dangerous weapon, you should 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!

Expulsion Recommendation for Serious Safety Offenses

School Board policy and the contract mandate an automatic expulsion recommendation for an assault, battery, and possession of a gun or other weapon. The MPS Parent/Student Handbook on Rights, Responsibilities and Discipline provides definitions:

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."

Teacher Action Needed to Initiate Discipline Steps

If you are involved in an assault, battery, or weapon incident, your prompt action starts the expulsion recommendation process. You need to complete an "Incident Referral" or "72" form and recommend expulsion.

Contractual Requirement to File an Assault Report

By contract, you must report an assault on the official MPS form. "Report of Assault Suffered by School Personnel" forms are available in every school. This report is for three "assault" 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.

Ten steps to follow if you are assaulted are outlined at mtea.org (Contract) Ask for your BR's help to make certain all appropriate steps are taken.

Immediate Removal for Assault or Battery

A student who threatens a teacher with bodily harm, or attempts physical contact, or commits a battery must be removed from the teacher's classroom (or area) **immediately**. The student must be suspended and excluded from the school.

During Expulsion Steps...

When an expulsion recommendation is made, the decision to expel a student or take other disciplinary action is determined through a

series of steps **outside the school building**. Until a resolution is reached, the student is suspended and excluded from school.

Teachers at Hearings

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

The statutory due process rights of the student must be upheld. An expulsion recommendation is mandated by Board policy but may **not** result in expulsion. For example, MPS may transfer the student to another school.

All Suspended Students - Excluded from School

When students get suspended, they must be under administrative supervision until escorted out of the building. If a student refuses to leave, the administration is to use assistance, other than teachers and EAs, to remove the student.

Suspended students may not attend class and other school activities, and are excluded from the school building - until they're reinstated.

Reinstatement Conference

A reinstatement conference must be held prior to reinstatement. If the suspension was due to an assault on a teacher or a threat to a teacher's physical safety, the teacher will be in the conference - in addition to the administrator, student, and parent.

In all other suspensions reinstatement conferences, the school administrator will make every effort to include the teacher.

Scheduling Requirements

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



Proactive Measures

The MBSD/MTEA Teacher Contract requires school administrators to start each school year with a series of steps, outlined below. These steps help set a framework for a safe and orderly school year.

Mandated Reviews

On organization day, school administrators must meet with teachers to:

- ◆ Review the school's student disciplinary policy.
- ◆ Provide a copy of the MPS Parent/Student Handbook on Rights, Responsibilities, and Discipline to each teacher and review it.
- ◆ Review the emergency communication procedure.
- ◆ Provide teachers with a copy of the school's crisis plan and review it with teachers, including the staff's role.

Policies Sent Home

Schools are required to send two items to the homes of the students by September 30:

- ◆ The school's discipline policy.
- ◆ Each teacher's classroom discipline policy.

Better Late Than...

The above steps should have been implemented at your school this fall. If not, your school's Building Committee/BR should ask the principal to follow them now.

For example, your school should have an emergency communication procedure - so that teachers can notify the office and receive help immediately. If not, the principal should establish one now.

School Safety and Discipline

A secure and orderly school environment, which supports teaching and learning, requires:

- ◆ Clear policies and procedures
- ◆ Firm and consistent enforcement

Both of these key elements are described below.

School Board Has Clear Policies

The MPS Parent/Student Handbook on Rights, Responsibilities and Discipline includes a detailed code of conduct for students. This Board policy document defines a wide range of infractions - along with the administrative actions prescribed for each type of offense.

Contract Dovetails with MPS Policies

The teacher contract also addresses a variety of security and discipline issues. For example, the contract requires the principal to allow the BR to call the MTEA office if "teachers feel a serious disturbance may develop."

The contract also calls for the release of the school's Building Representative "from his/her assignment during crisis periods, so that communication with teachers on the facts of the incident is accurate."

Teacher/Administration Enforcement Essential

The district's policies and the contract provisions can support and help protect students and staff only through firm enforcement within each school.

Contract rights and responsibilities as well as district policies for school safety are explained on page two. For example, Board policy mandates an automatic expulsion recommendation for assaults, weapon possession, and other serious offenses. **The key:** Teachers and administrators must do their part to strictly enforce the policies.

Page four explains the steps teachers must take to obtain administrative follow-through when students seriously misbehave or continually disrupt a class. **The key:** To receive the support you need, you must use the official MPS department form and insist on receiving a written disposition before the student returns to class.

Enforcement Support for Teachers

Each teacher needs to be informed and vigilant in working for conditions that support teaching and learning. **But you are not alone.**

Your school's MTEA Building Representative and Building Committee can be very effective in addressing safety and discipline issues. You should alert your BR if enforcement problems arise or if you need assistance.

In addition, if your school experiences persistent problems, your BR should ask for advice and support from the MTEA staff.

Administrative Support in Discipline Situations

The contract and the School Board policies spell out procedures for administrative support when teachers need help in disciplining a student.

Use the Official Form

It is essential to use the official MPS student department form - the "Incident Referral Form," available in most schools. (A few schools still use "72" forms.) The official form supports communication and provides documentation.

For best results, you should:

- ◆ **Always** use the official form when the steps you have taken do not result in the appropriate change in student behavior. If a pattern of disruption develops, the forms will 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.

- ◆ **Most importantly, retain the "Teacher's Copy" and send the other two copies to administration.**

The student should not be returned to your class until you receive the "Administrative Disposition Copy."

- ◆ Your recommendation for action and the administrator's disposition must be consistent with the district's discipline policy.

MPS Policy Prescribes Discipline Actions

The School Board policy on discipline actions is contained in the "Parent/Student Handbook on Rights, Responsibilities, and Discipline." The handbook spells out a range of discipline actions based on the specific misbehavior of a student.

There is only one action prescribed for a few serious offences. For example, if a student commits a battery (bodily harm) against a staff member or a student, the discipline action is an expulsion recommendation.

Likewise, for an assault, a sexual assault, or possession/ownership/use of a gun or other weapon (including a laser pointer or pepper spray), the discipline recommendation is expulsion.

Policy Mandates Support

The School Board's policies which require administrative support in disciplining students are reprinted below. (References to Form 72 apply to the Incident Referral Form.)

Department forms are available in each school office.

Students Should Not Return to Class Without Disposition

The Board policy on returning students to class states: "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. This will not be required in emergency situations. To the extent possible, teachers should supply necessary background information to assist the administrator in making the decision concerning the referral."

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.

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

Administrators Must Communicate

The school board's policy provides: "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."

Dealing with a Student Who Constantly Disrupts a Class

The contract provides a series of steps to be taken.

First - The contract lists alternatives ranging from counseling and student contracts to behavior classes and in-school suspension. In-school measures should be attempted first.

Second - If in-school corrective steps are not effective, it may be necessary to attempt out-of-school suspension 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 the help of support personnel. Remedial and/or behavior modification classes should be attempted - either at the school or at an appropriate alternative site.

Schools With Continuous Discipline Problems

For schools with continuous problems, the Board policy states: "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." In these cases, the BR should ask for the assistance of an MTEA staff member.

Extremely Important - Any non-school personnel entering a school must immediately report to the office. If authorized to proceed to a classroom, visitors must be escorted by the school administrator/school leader or his/her designee.