

### *Special Edition*

Today's Sharpener is for members in all four MTEA units.

◆ **Safety** "basics" for all educators are described on p. 3.

◆ **Administrative support for discipline** is outlined on p. 4.

### **One Union - Four Units**

Representatives from our union's four bargaining units meet monthly. School leader meetings include:

- BRs and teacher members of the MTEA Executive Board
- EA Chairpersons and members of the MEAA Executive Council
- Substitute teacher leaders on the MSTTA Executive Council
- The President of our school accountant/bookkeeper members.

### **One Meeting for All**

The monthly school leader meetings provide a forum to discuss issues and make policy decisions on matters that directly impact all MTEA members. The safety and discipline topics for the December meeting are a good example.

## **MTEA School Leaders to Discuss Discipline With Dr. Thornton**

MTEA President Mike Langyel and MTEA Executive Director Stan Johnson have invited Superintendent Gregory Thornton to the December meeting of our union's school leaders. The discussion will address the serious concerns educators have for safe and orderly conditions that support teaching and learning in our schools.

(As usual, the MTEA school leaders' meeting will be held at American Serb Hall, the second Wednesday of the month, **December 8**, at 4:30 p.m.)

### **Problems Prompt Direct Dialog**

This fall, many members have reported significant problems in maintaining discipline and security - on a schoolwide basis. In fact, several MTEA Building Representatives have already asked for the assistance of our union's professional staff. There is common concern: Administrators are not consistently enforcing the contract and district policies that are essential for an environment in which teachers can teach and their students can learn.

Our union's leadership determined that immediate steps were necessary to focus with the administration's attention on reversing what may become districtwide trends. **The first step:** The December 8 meeting where Superintendent Thornton will have the opportunity to hear directly from educators in MPS classrooms and visa versa.

### **Working Together for Positive Solutions**

There are no instant, universal answers to the complex challenges facing our schools. There will be no miracles after Wednesday's conversation with the new superintendent.

However, a shared understanding of current conditions is necessary to jointly shape well-reasoned, thoughtful, and effective solutions.

### **Initial Focus: Five Questions**

As a starting point for assessing and discussing school discipline and safety issues, MTEA Building Representatives and MEAA Chairpersons are asking members to respond to five questions (see page 2). The questions reflect changes school leaders have reported this school year.

### **Short Timeline for Member Feedback**

**December 1** - Five-point questionnaire e-mailed to all BRs and EA Chairpersons.

- MTEA Executive Board members review communication plan and prepare to call school leaders to briefly discuss the December 8 meeting.

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### Discipline Questions

1. As you reflect on the discipline issues facing your building, what are the major differences between this year's first semester and last year's? How would you gauge your staff's morale at this point in time?
  2. If your staff believes there has been a decline in discipline in your building, what are the leading factors causing the decline?
  3. What efforts has your staff engaged in to resolve discipline issues with your building administrators and/or regional specialist? What has been their response? (Please give examples.)
  4. Would a majority of your staff say they are in a safe and secure environment? If not, please give some examples why they feel they are not safe or secure. (As an example, has your building administrator followed the policy on visitors being escorted while in the building? When a staff member has been assaulted, has the student been suspended and recommended for expulsion?)
  5. What has your building administrator communicated to your staff as to central administration's direction on discipline overall and specifically suspensions?
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**December 2** - Leaders of our union and senior staff members of Superintendent Thornton's administration share plans for Wednesday's meeting/discussion.

**December 3** - All-member Sharpener mailed to homes of school safety assistants, substitute teachers, and certain groups of teacher members.

**December 5** - Calls to BRs and EA Chairpersons completed.

**December 6** - All-member Sharpener delivered to the schools.

**December 8** - School leaders complete their process of obtaining member feedback on the five discipline questions.

- Representatives bring feedback to the monthly meeting for dialog with Superintendent Thornton.

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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 Sid Hatch of the MTEA staff at [hatchs@mtea.weac.org](mailto:hatchs@mtea.weac.org) or 259-1990.



## Serious Offenses

The 2010-11 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.

### Steps Mandated for Assault or Battery

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](http://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.






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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.

## 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. The MBSD/MTEA teacher contract lists some of the more traditional approaches. (See column on left.)

Teachers are responsible for attempting alternative measures before they recommend an out-of-school suspension - unless there is a serious offense such as an assault.

### 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 a key excerpt 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.

### Administrators Must Communicate

The school board's policy also requires communication if an administrator does not agree with the teacher's recommendation. Again, here is a key excerpt:

"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."