

OFFICE OF THE SUPERINTENDENT

Millburn Public Schools

INFORMATION ITEM

December 6, 2010

To: Board of Education Members

From: Ellen E. Mauer, PhD

Subject: Policy 5:230-Maintaining Student Discipline

This policy has been changed to reflect the minimum requirements by law. This replaces the wording that refers to the collective bargaining agreement. It is advisable to delete this type of wording in order to be sure we are in compliance with all state and federal laws and that we do not need to change the collective bargaining agreement each time the policy is updated.

We can use this as our first reading and place this on the consent agenda for next time.

Professional Personnel

Maintaining Student Discipline ¹

Maintaining an orderly learning environment is an essential part of each teacher's instructional responsibilities. A teacher's ability to foster appropriate student behavior is an important factor in the teacher's educational effectiveness. The Superintendent shall ensure that teachers, other certificated employees, and persons providing a student's related service: (1) maintain discipline in the schools as required in The School Code, and (2) follow the School Board policies and administrative procedures on student conduct and discipline.

When a student's behavior is unacceptable, the teacher should first discuss the matter with the student. If the unacceptable behavior continues, the teacher should consult with the Building Principal and/or discuss the problem with the parent(s)/guardian(s). A teacher may remove any student from the learning setting whose behavior interferes with the lessons or participation of fellow students. ² A student's removal must be in accordance with Board policy and administrative procedures.

Teachers shall not use disciplinary methods that may be damaging to students, such as ridicule, sarcasm, or excessive temper displays. Corporal punishment (including slapping, paddling, or prolonged maintenance of a student in physically painful positions, and intentional infliction of bodily harm) may not be used. Teachers may use reasonable force as needed to keep students, school personnel, and others safe, or for self-defense or defense of property. ³

LEGAL REF.: 105 ILCS 5/24-24.
23 Ill.Admin.Code §1.280.

CROSS REF.: 2:150 (Committees), 7:190 (Student Discipline), 7:230 (Misconduct by Students with Disabilities)

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

¹ State or federal law controls this policy's content. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

This policy is consistent with the minimum requirements of State law. The local collective bargaining agreement may contain provisions that exceed these requirements. When a policy's subject matter is superseded by a bargaining agreement, the board policy can state, "Please refer to the Professional Agreement between the Classroom Teachers' Association and the School Board."

² Teachers must be given the authority to remove disruptive students from the classroom (105 ILCS 5/24-24).

³ Required by 105 ILCS 5/24-24. See sample policy 7:190, *Student Discipline*, for a discussion of corporal punishment.

Professional Personnel

Maintaining Student Discipline

Please refer to the “Agreement between the District #24 Board of Education Millburn Community Consolidated School Lake County, Illinois and the Millburn Teachers.”

LEGAL REF.: 105 ILCS 5/24-24.

CROSS REF.: 7:190 (Student Discipline)

ADOPTED May 20, 2002