

# FORMAL REMOVAL OF A STUDENT BY A TEACHER - PROCEDURES -

## Step 1 - Formal Removal of a Student

The teacher may remove a student from a class when the teacher has documented that a student:

- has repeatedly interfered with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn.

or

- whose behavior the teacher determines is so unruly, disruptive or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn.

The teacher **must** remove a student when the student engages in the statutory list of reasons or offenses set forth in sections 37.006 and 37.007 of the Texas Education Code. **The teacher should write the word "Remove" along with the nature of the problem on the referral form or verbally notify the principal to invoke this procedure** and then the teacher should complete the "Formal Notice: Removal Of A Student From A Classroom" form and submit it to the principal.

## Step 2 - Administrative Action:

The principal or other appropriate administrator will notify the parent/guardian of the student's removal by the teacher and establish a date and time for a conference with the teacher, student and parent. The conference is to be held within three class days of the removal. A copy of the student removal form shall be given to the parent. The student shall be assigned to a temporary placement until the conference is held (emergency removal, in-school suspension, principal's office, etc).

## Step 3 - Administrative Removal Conference

The campus principal shall conduct a conference to review the teacher's documentation for removal of the student and to hear the student's and parent's documentation concerning the removal. At the conference, the student is entitled to written or oral notice of the reasons for the removal, or explanation of the basis for removal, and an opportunity to respond to the reasons for removal. If the principal determines that the teacher has sufficient reason to remove the student, the principal shall order the placement of the student as provided by Section 37.002 for a period consistent with the student code of conduct. **The student may not be returned to the teacher's classroom without the teacher's consent unless the placement review committee determines that such placement is the best or only alternative available. A teacher may not be coerced to consent.**

## Step 4 - Placement Review Committee

If a teacher refuses the return of a student to the teacher's class after the administrative removal conference, a Placement Review Committee determines (1) the available placement options, (2) the best placement from among the options for this student, or (3) that the removing teacher's class is the best or only alternative available. The Committee may be utilized to recommend a placement of a returning expelled student.

## Step 5 - Teacher Consent Required

Students formally removed from class by a teacher for conduct against the teacher containing elements of assault, aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, or criminal attempt to commit murder or capital murder, the student may not be returned to the teacher's class without the teacher's consent. The teacher may not be coerced to consent.

# FORMAL NOTICE: REMOVAL OF A STUDENT FROM A CLASSROOM

School \_\_\_\_\_

STUDENT: \_\_\_\_\_ DATE: \_\_\_\_\_

SUBJECT: \_\_\_\_\_ PERIOD: \_\_\_\_\_ GRADE: \_\_\_\_\_

This student has been formally removed from my classroom for the following reasons:

- \_\_\_\_\_ Repeatedly interferes with the teacher's ability to communicate effectively with students in the class or with the ability of the student's classmates to learn.
- \_\_\_\_\_ Exhibits behavior that is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn.
- \_\_\_\_\_ Engaging in conduct, while in class, as described in Phase III or Phase IV of the Irving ISD Student Code of Conduct (TEC 37.006, TEC 37.007)

DATE	CONSEQUENCE(S) (attach additional pages if necessary)	OFFENSE(S)

\_\_\_\_\_ Teacher Signature \_\_\_\_\_ Date \_\_\_\_\_

This report has been reviewed by the Principal/Vice Principal.

\_\_\_\_\_ Principal/Vice-Principal Signature \_\_\_\_\_ Date \_\_\_\_\_

Notice to Parent: It is required by law that the parent and student meet with this teacher and Principal/Vice-Principal within three class days to determine if the student committed the offenses described; and if he/she did so, the disciplinary consequences.

Please meet with us on \_\_\_\_\_ at \_\_\_\_\_.

If you need to re-schedule this appointment, please call \_\_\_\_\_.

## Administrative Removal Conference:

The law requires a conference to be scheduled within three day of a student's formal removal by a teacher. At the conference, the student is entitled to written or oral notice of the reasons for the removal, an explanation of the basis for the removal, and an opportunity to respond to the reasons for removal. At the conference, the campus administrator shall determine if the alleged offense was committed, and if so, the necessary disciplinary consequences. The conference will include the teacher, the principal/vice principal, the parent, the student, and others that may have knowledge of the alleged offense(s).

Student: \_\_\_\_\_ Grade: \_\_\_\_\_

Campus: \_\_\_\_\_

Date of Conference: \_\_\_\_\_ Time: \_\_\_\_\_ Location: \_\_\_\_\_

Individuals Present at the Conference: \_\_\_\_\_  
\_\_\_\_\_

Decision:

\_\_\_\_\_ The student committed the alleged offense(s).

\_\_\_\_\_ The teacher consents to the return of the student to the class.

\_\_\_\_\_  
Teacher Signature

\_\_\_\_\_  
Date

\_\_\_\_\_ The teacher does not consent to the return of the student to class.  
The student is referred to the Placement Review Committee for educational placement.

\_\_\_\_\_ The student did not commit the alleged offense(s).

\*Disciplinary Consequence(s): \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Administrator's Signature

\_\_\_\_\_  
Date

\* Note: Disciplinary consequences, if any, are in addition to the removal of a student from a teacher's class.

# Placement Review Committee Meeting

Student: \_\_\_\_\_ Grade: \_\_\_\_\_

Campus: \_\_\_\_\_

Date of Meeting: \_\_\_\_\_ Time: \_\_\_\_\_

Individuals Present: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Placement Decision: \_\_\_\_\_

Reason(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Committee Signatures:

\_\_\_\_\_  
Faculty Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Faculty Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Principal Representative

\_\_\_\_\_  
Date