

## **SPECIAL SERVICES**

### **Student Responsibilities and Rights**

### **Teacher Removal of Students From Classes**

This regulation supersedes Regulation 2606.1.

#### **I. PURPOSE**

To provide procedures for teachers to remove students from classes for significant periods of time.

#### **II. SUMMARY OF CHANGES SINCE LAST PUBLICATION**

No changes since last publication.

#### **III. REMOVAL OF STUDENTS FROM CLASSES**

The teacher shall have initial authority to remove a student from class for disruptive behavior that interrupts or obstructs the learning environment as provided for by Section 22.1-276.2 of the Code of Virginia. The removal of students from class under this regulation relates to a decision by the teacher that a student should be discharged and not returned to the classroom for an indeterminate time longer than one school day. This regulation is not applicable to referrals whereby students are sent from class to meet with school administrators about a particular issue or are sent from the classroom for a limited duration of time. Nor is this regulation applicable to student suspensions. Removal from the classroom is part of a continuum of interventions available to address problems of student conduct.

Nothing herein shall preclude the immediate removal of a student for behavior that might warrant suspension from school or limit or restrict other regulations related to maintaining student behavior and discipline.

#### **IV. CRITERIA FOR REMOVAL OF DISRUPTIVE STUDENTS FROM CLASSES**

A teacher may initially remove a student from a class when:

- A. The removal of the student by a teacher is necessary to restore a learning environment free from interruptions or obstructions caused by the student's behavior.
- B. The removal of a student by a teacher occurs only after teacher or administrative interventions have failed to end the student's disruptive behavior. Whenever possible, teachers should seek to involve the parent(s) or guardian(s) when disruptive behaviors are first identified.

- C. The removal of a student by a teacher is an appropriate response to student behavior that violates the rules of conduct established in the current version of Regulation 2601, *Student Responsibilities and Rights* booklet.
- D. The teacher gives written notice of the student's behavior to the parent(s) or guardian(s).

**V. INCIDENT REPORTS**

The teacher shall provide a written incident report of disruptive behavior to the principal that includes documentation to support such removal from class.

- A. Attachment A, Student Removal From Class, shall be completed by the teacher and submitted to the principal by the end of the school day when removing a student from class as provided for by this regulation.
- B. The incident report shall include documentation of teacher or administrative interventions that have failed to end the student's disruptive behavior.

**VI. PARENT OR GUARDIAN NOTIFICATION**

The teacher shall provide written notification to a student and to his or her parent(s) or guardian(s) any time a student's removal from class is implemented under this regulation.

- A. A sample letter is included for teacher use in notifying the parent(s) or guardian(s) of the teacher's decision to remove a student from the classroom (see Attachment B). Written notification shall be sent by the end of the school day when possible and must provide for the opportunity to meet with the teacher and school administrators to discuss the student's behavior and the possible consequences if such behavior does not cease. Reasonable efforts should be made by the teacher or school staff members to contact the parent(s) or guardian(s) by phone to inform them of the decision.
- B. Attachment A, Student Removal From Class, shall become an attachment to the teacher's letter to the parent(s) or guardian(s). A copy of the letter and attachment are to be retained in the student's disciplinary file.

**VII. ALTERNATIVE ASSIGNMENT AND INSTRUCTION**

The principal shall ensure that a student removed from class shall continue to receive instruction, unless the student is suspended or expelled from school.

- A. The principal shall make appropriate alternative instructional arrangements for the duration of the student's removal from class, which may include assignment to another classroom.

- B. The teacher removing the student must continue to provide assignments and grades for the duration of the removal.

**VIII. RETURN OF A STUDENT TO CLASS**

The duration of student removals shall be determined by the principal and shall not exceed ten consecutive school days. The principal shall determine when a student is to return to class and shall provide for teacher participation in any decision by the principal to return a student to the class from which he or she has been removed.

- A. Attachment A, Student Removal From Class, includes a section regarding the teacher's expected conditions for the student's return to class, which shall be considered when a decision is made on the student's return.
- B. In the event of any disagreement between the principal and the teacher regarding the student's return to class, an opportunity shall be provided to allow the teacher and the principal to meet. The teacher's objection to returning the student to his or her class shall be discussed, and alternatives to the student's return shall be considered. To the extent possible, any final decision regarding the student's return should be collaborative.

**IX. STUDENTS WITH DISABILITIES**

Application of this regulation to students with disabilities shall be in accordance with state and federal law and regulations. A student with an individualized education program (IEP) may not be removed from class for more than ten days in a school year without appropriate modification of the student's IEP.

Legal Reference: Code of Virginia, Section 22.1-276.2

See also the current version of: Regulation 2601, *Student Responsibilities and Rights* booklet

Attachments

**Attachment A  
Regulation 2606.2**

**Student Removal From Class<sup>1</sup>**

Student Name: \_\_\_\_\_ Class: \_\_\_\_\_

Teacher Name: \_\_\_\_\_ Period: \_\_\_\_\_

Description of incident prompting removal:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Documentation of teacher or administrative interventions that have failed to end student's disruptive behavior:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Expected conditions for the student's return to class:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Teacher

\_\_\_\_\_  
Date

<sup>1</sup>Completed by the teacher and submitted to the principal by the end of the school day when removing a student from class under the current version of Regulation 2606. A copy of this form is to be attached to the written notification provided to the parent(s) or guardian(s) regarding the student's removal.

**Attachment B  
Regulation 2606.2**

**Sample Notification Letter**

(School Letterhead)

(Date)

(Parent or Guardian Name)  
(Address)

Re: (Student Name)

Dear (Parent or Guardian Name):

This is to inform you that your son or daughter, (Student Name), has been removed from my class for disruptive behavior as provided for by Section 22.1-276.2 of the Code of Virginia. The principal will make appropriate alternative instructional arrangements for the duration of the student's removal from class, which may include assignment to another classroom.

The attached Student Removal From Class form summarizes the incident that prompted the removal as well as the prior interventions that have been attempted but failed to end the disruptive behavior. The incident report also indicates the conditions that are expected to be met in order for your child to be returned to my class.

The principal will determine, with my participation in the decision, the duration of your child's removal. However, the removal is not expected to exceed ten school days, unless a suspension or expulsion is recommended as a result of this or other misconduct. During the duration of the removal, I will continue to provide assignments and grades.

You may meet with the principal and me to discuss your child's behavior and the possible consequences if such behavior does not cease. Please contact me at (Phone Number) if you would like to schedule a meeting.

Sincerely,

(Teacher Name)

(Initials)  
Attachment

cc: (Principal Name)  
Disciplinary File