

Classroom Behavior Management Plan

Mr. Jones

April 2006

If a student misbehaves frequently and does not respond to minimal reprimands, s/he is put on a behavior management plan in which behavior is rated on a scale of "merit". Minor misbehaviors are worth a lower number of demerits than stronger misbehaviors.

"Demerits" need to be erased by "Merits". Erasing demerits provides consequences to help students change their behavior and a sense of compensation or "justice": a wrong made right and hopefully a return to positive relations with teacher and classmates. Demerit and merit points expire 25 days from the date of infraction.

There is no way to list all of the possible student behaviors. The chart on the next page illustrates the kind of typical behaviors that are associated with each rating. If misbehavior is assigned demerits by the teacher and that misbehavior is not on this list, the teacher will assign demerits based on the most similar misbehavior listed. Meritorious behavior can also be awarded based on teacher's judgment.

It is important to note that it will not be practical or necessary to record each and every small infraction of all of my 70+ students every day. Many small errors are easily corrected with a quick remark and these will not be recorded. Students get on this system when their conduct is frequently improper.

Most students tend not to even notice this system as they are never on it. It comes into effect for the most serious pattern of misbehavior and it allows students to improve, compensate for misbehavior, and then move on.

Demerits	Typical behaviors...	Merits
2	Leaning in chair; minor disruption; feet on furniture; annoying to classmates; excessive tardiness; lack of class materials; general mischief; leaving book in the classroom	<p>Students clear their demerits in several ways:</p> <ul style="list-style-type: none"> • By serving detention (+7 merits awarded, exceptions noted below.) • By engaging in voluntary "merit" acts of compensation (believable apology to injured party, offering to clean desks, sweep floor, dust shelves, other voluntary service duty) • By going a long time without accumulating any demerits (After 25 days from date of points earned, merits / demerits are erased). • By showing especially positive behavior in class. • Merit points cannot be "banked" over 3.
4	Disobedience, disrespect; talking back or arguing with a reprimand; poor attitude; stalling or balking at assigned work; excessive talking; failing to change behavior immediately after being reprimanded.	
6	Add this to score if severity or frequency of misbehavior required student to be sent to the office;	

Students who earn 10 demerits are assigned detention with Mr. Jones, usually within 24 hours. In this event, a letter is sent home with a copy to the school administrator the next day.

Scenario 1: Student refused to show for detention.	Scenario 2: Student refused to serve either of two additional detentions assigned for skipping first.
<p>Students who do not show up for detention for any reason except legal absence¹ will be assigned 2 additional detentions with Mr. Jones.</p> <p>At this point, the behavior point system ends for this student until scenario 2 has been played out.</p>	<p>Students who do not serve either of the two detentions in scenario 1 will be removed from the classroom during the next regular class meeting time(s) for 1-5 days. The student will be sent to the office during this time and alternative instruction will be provided by Mr. Jones from 3-3:55 on those days. The detention may include more than one teacher. This will be arranged according to the procedures set out in New York State Education Law (see below).</p> <p>The number of days of removal from class will depend on the student's behavior record throughout the year so far. Upon return to the regular classroom, the student's behavior score will be set to -6.</p>

¹ Parents or guardians have the right to appeal a disciplinary action, but cannot legally excuse students from school disciplinary actions. Quoted from Commissioner of Education's decision in the *Appeal of Auch*, dec. no. 12,984 (1993): "*Pursuant to NYS Education Law §1709(2), a board of education is authorized to establish rules concerning order and discipline of the schools as it may deem necessary. Such rules are not subject to the consent of a parent.*"

Legal Procedures and References

Education law authorizes teachers to detain students after school as a penalty, as well as prohibit students from participating in such activities as recess, interscholastic athletics, and field trips².

Education Law authorizes a teacher to remove a disruptive pupil from the classroom³ for up to 5 days. It also provides that school districts must [a] ensure the same due process rights as would be provided in the case of suspension from school⁴ and [b] continue the educational programming of students removed by their teacher from the classroom for disruptive behavior⁵.

Steps⁶:

1. Teacher informs student and principal of the reasons for removal.
2. Within 24 hours, the following occurs:
 - a. student is to have opportunity to present his/her version of relevant events;
 - b. students' parents are informed of the removal and, on request, a meeting with principal may be set up to discuss the reasons for removal.
 - i. Conforming with State Education Law pertaining to parent notification of removal from class, parents will be notified by express mail⁷
 - ii. Depending on the circumstances, the student may be permitted to attend the regular class meeting if it falls during the 24 hour period over which the due process requirements are fulfilled.
 - c. If parents object to the removal, an informal hearing is convened within 48 hours of the students' removal. The principal must make his/her finding at the close of business day on the day of the informal hearing.
 - i. The principal may only set aside the teacher's disciplinary action if s/he finds
 1. the charges are not supported by substantial evidence;
 2. the removal constitutes a violation of law
 3. the conduct warrants suspension from school and a suspension will be imposed.
3. Education law provides that students removed from the class will have alternative instruction that is substantially equivalent⁸; however this need not match in every respect the instructional program previously offered to the student. Mr. Jones will provide these lessons from 3-3:55pm on the days students are suspended from class.

Students will be allowed to return to the classroom when the suspensions and alternative instruction have been carried out.

² *Matter of Kubinski*, 26 Educ. Dep't Rep. 348(1987)

³ New York State Education Law §3214(3-a)

⁴ *Appeal of Trombly* 26 Educ. Dep't Rep. 214 (1986)

⁵ New York State Education Law §2801(2)(e)

⁶ § 3214(3-A)(a); See also *Appeal of R.F.*, 43 Educ. Dep't Rep., decision no. 14,972(2003)).

⁷ Notice by telephone was found to be insufficient even when followed by same day regular mail notification, *Appeal of RF*, 43 Educ. Dep't Rep. dec. no. 14972(2003)

⁸ *Turner v Kowalski*, 49 A.D.2d 943 (1975); *Appeal of McMahon*, 38 Educ. Dep't Rep. 22 (1998); *Appeal of Bridges*, 34 Educ. Dep't Rep. 232 (1994); *Appeal of Klug*, 20 Educ. Dep't Rep. 134 (1980))