

Teacher Bill of Rights

FREQUENTLY ASKED QUESTIONS



What is current law regarding student conduct and removal from the classroom?

State law requires that districts have a code of conduct that has “rules pertaining to conduct and dress of pupils in order to maintain good decorum and a favorable academic atmosphere.” Wis. Stat. 120.13(1)(a).

Current law permits removal of pupils from class if the student displays “dangerous, unruly, or disruptive or exhibits behavior that interferes with the ability of the teacher to teach effectively” and violates the code of classroom conduct. The teacher must send the pupil to the school principal and notify the principal for the reasons for the removal as well as provide a written explanation for reasons for the removal within 24 hours.

Wis. Stat. 118.164(2).

The principal must place the pupil in one of the following:

- (1) An alternative education program
- (2) Another class or appropriate place in the school, as determined by the principal
- (3) Another instructional setting
- (4) Return the student to the original class, “after weighing the interests of the removed pupil, the other pupils in the class and the teacher, the school principal determines that readmission to the class is the best or only alternative.”

Wis. Stat. 118.164(3).

How does this bill amend or change current law?

The bill strengthens the teacher’s ability to maintain classroom order by clarifying when they can remove students for disruptive or violent behavior. It requires districts to adopt formal re-entry procedures, ensure parental notification for removals or incidents affecting school safety or instructional time, and provides protections for teachers acting in good faith. It also mandates behavior intervention plans for students before re-entry to the classroom.

What schools are required to comply with this bill?

The bill requires traditional public school districts to comply. This is consistent with current law.

Why isn’t current law protection for teachers and students enough?

Current law allows teachers to remove students but gives little direction on how removals should be handled, how parents should be notified, or what protections teachers have when they act. It also does not require districts to adopt re-entry procedures. This bill fills those gaps by standardizing removal procedures, ensuring parental notification within 5 days, and prohibiting retaliation against teachers who enforce discipline in good faith.

Does this law violate FERPA by requiring notification of parents?

No. The Family Educational Rights and Privacy Act (FERPA) is a law that protects the privacy of student education records. This bill requires traditional public schools to notify parents about disruptive incidents or classroom removals affecting their child without disclosing the identities of other students, ensuring compliance with federal and state privacy laws.

Doesn't this create too many state mandates?

While it does impose additional requirements, these mandates address gaps in existing law to protect students and teachers. The bill provides a clear framework for handling disruptive incidents, ensuring parental notification, and safeguarding teacher authority. The requirements are limited to actionable policies and procedures, such as removal, re-entry, and behavior plans, and are designed to improve the safety and order of the school environment rather than create administrative burdens.

Doesn't this bill encourage lawsuits against school districts?

This bill establishes a limited, structured process for enforcement through a writ of mandamus:

1. Parents must first notify the district of an alleged violation.
2. The district has 30 days to investigate and respond in writing.
3. If the district fails to resolve a violation within 30 days, parents may file the action.

This ensures that the district is given ample notice and opportunity to comply before litigation. This provision is designed to be used only if the district fails to comply with state law and to be a last-resort enforcement mechanism rather than a first step.

Why are existing teacher contracts not enough to protect teachers if they speak out against decisions by administrators about violence in the classroom?

The bill provides teachers with additional protection from being fired or retaliated against by the district for identifying disruptive students and removing them from the classroom.

How does the required policy interact with existing mandates for safety plans?

School safety plans focus on emergencies like fires, lockdowns, or active shooter situations, and they are required to be shared with local police and safety personnel.

This bill complements those plans by providing a framework for everyday classroom safety, specifically handling disruptive or violent student behavior, removal procedures, and re-entry plans. In contrast to school safety plans, these policies are not emergency-response measures.

What data is publicly available demonstrating that teachers feel the classroom is out of control?

Surveys show growing concerns about student behavior and violence. For example, a federal NCES survey for the 2020-21 school year reported that large percentages of teachers say classroom disruption interferes with teaching and that they lack administrative support after incidents. (National Center for Education Statistics. (2023). Teachers' Reports of Disruptive Student Behaviors and Staff Rule Enforcement. Condition of Education. U.S. Department of Education, Institute of Education Sciences. Retrieved October 14, 2025, from [COE - Teachers' Reports of Disruptive Student Behaviors and Staff Rule Enforcement.](#))

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According to the 2023 State of the American Teacher survey by RAND, 26% of teachers reported sometimes or often fearing for their physical safety at school. Among those, over half cited student misbehavior and verbal altercations as primary reasons for their concerns.

([Teacher Well-Being and Intentions to Leave: Findings from the 2023 State of the American Teacher Survey](#))

The same survey found that 49% of teachers felt school administrators only sometimes or never enforce school rules for student conduct and back them up when needed.

In addition, the 2nd Annual Merrimack College Teacher Survey found that only 20% of teachers were very satisfied with their jobs, 35% of teachers were very/fairly likely to leave the profession within 2 years, and 37% of teachers strongly agreed that they have a lot of control and influence over students' classroom behavior.

([Merrimack College Teacher Survey 2023](#)) Those data points support the need for stronger statutory protections for teachers.

What are examples of "appropriate action" a principal should take when a student is removed from class?

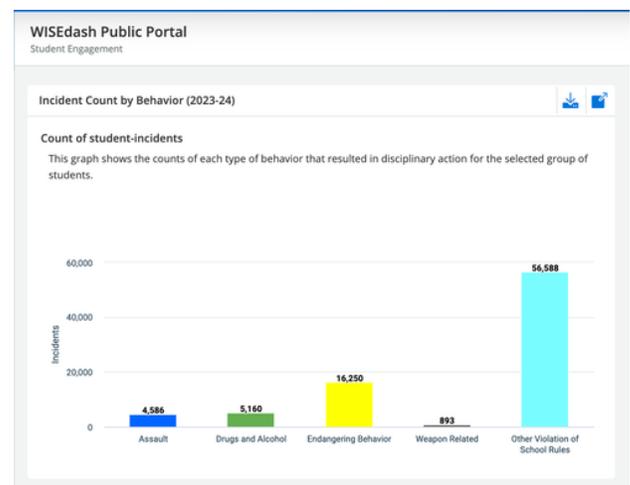
Appropriate actions include promptly investigating the reason for removal, notifying parents, developing or updating a behavior intervention plan, determining whether re-entry to the class is appropriate, and ensuring accountability or consequences before return. The bill specifically requires a behavior plan for any student removed for a disruptive or violent incident.

Have other states implemented similar efforts?

Yes. States such as [Alabama](#), [Louisiana](#), [Florida](#), and [Tennessee](#) have enacted "teacher protection" or "classroom discipline" laws that affirm teachers' authority to remove disruptive students, require parental notification, and protect teachers acting in good faith. Wisconsin's bill follows that model but adds a unique parental notification requirement and mandamus enforcement mechanism.

How often do schools experience these types of situations with students?

While the frequency varies by district and grade level, discipline data collected by the Wisconsin Department of Public Instruction (DPI) show thousands of incidents each year involving disorderly conduct, fighting, or threats. Many teachers report repeated low-level disruptions that cumulatively undermine instruction but are not captured in suspension or expulsion statistics, which is precisely the kind of behavior this bill targets.



How does this bill address the actions of students with disabilities?

The bill ensures that any action taken by teachers or school administrators is in accordance with existing laws and regulations for students with disabilities. It also requires a behavior plan for any student removed for a disruptive or violent incident, which is put in place for students who may need additional support and interventions to help change their behavior in a school environment. For a student with a disability, the behavior plan must be developed in accordance with IDEA requirements, maintaining compliance with federal law.