

Draft Document for Removing a Seriously Abusive Student

To: Principal Smith
Re: Removal of Student

Today during my 9th-grade English class, Joe/Jane passed a note to Jane/Joe. I found the note in Jane/Joe's seat after Jane/Joe jumped up and ran from the room crying. I stepped out of the room and saw Jane/Joe going into the restroom. The student sitting next to Jane/Joe picked the note up from the floor and started to read it out loud. I immediately stopped the student from continuing to read the note, but not before some of the sexually obscene suggestions were read. Jane/Joe did not come back to class for ten minutes and then left again in tears when Jane/Joe learned that the class heard part of the note. This time Jane/Joe went to the counselor's office. I found out from the counselor that Jane/Joe has asked to change to another class.

The note (see accompanying copy) constitutes sexual harassment and is very abusive towards Jane/Joe. Joe/Jane's act in giving Jane/Joe this note was so unruly, abusive, and disruptive that it caused Jane/Joe to leave class and to ask to be removed from class. It was so abusive that it seriously interfered with my ability to communicate with the students in my class and with Joe/Jane's classmates ability to learn. The entire class was interrupted twice and missed significant instructional time. Pursuant to Section 37.002(b)(2) of the Texas Education Code, I am removing Joe/Jane from class.

Pursuant to TEC Section 37.002(d), I request that Joe/Jane not be returned to my class.

I will be available at your convenience and at Joe/Jane's parents' convenience for the removal meeting required by TEC Section 37.009.

This document notifies you of the removal of Joe/Jane from my class and a notice that Joe/Jane has violated the district's policies against peer sexual harassment.

Pursuant to TEC Section 37.001, this memo also constitutes notice that Joe/Jane has violated the student code of conduct, and a copy should be provided to Joe/Jane's parents within 24 hours.

Signature Date

Note: The next-to-last statement in this document satisfies the teacher's obligation to report serious peer sexual harassment – an obligation that should appear in all school district policy manuals. The principal may decide to redact the name of the victim when as required by law the principal notifies the victimizer's parents of the conduct. If the victim has requested anonymity, you should mention that to the administrator. Additionally, in case of serious sexual harassment, the district may have an obligation to notify the victim's parents.