



November 6, 2025

Rep. Kitchens, Assembly Education Chair
Wisconsin State Capitol, 314 N
Madison, WI 53708

Dear Chairperson Kitchens and members of the committee:

The Wisconsin Board for People with Developmental Disabilities (BPDD) is concerned that proposed [AB 613](#) and [AB 614](#) would disproportionately and negatively impact students with disabilities and their families. BPDD hears from families and students hears from students with disabilities and families from across the state.

Some families have had excellent experiences with school districts and credit involved teachers and supportive district policies in their student achieving educational success and being prepared for life and work after school. Unfortunately, other families have had to struggle with their districts and individual educators to get needed supports and make sure strategies are in place that work for the individual student or have had to leave districts that cannot or refuse to meet the student's needs.

These bills would:

- Make it easier for teachers to take students out of classrooms if the teacher says the student's behavior is disruptive.
- Add time consuming paperwork requirements that can delay a student's return to the classroom.
- Require the school to notify all parents of every student in the class each time a student is removed from the class and say how the removed student diminished the quality or quantity of instructional time provided to the class.

Students with disabilities are already removed from class more often than non-disabled peers

Wisconsin law already gives schools broad authority to remove students from classrooms, suspend, and expel students. Many parents of students with disabilities say students are sent home, removed from classrooms, or suspended more often than is necessary already, and Wisconsin incident data reported by schools shows students with disabilities are disproportionately represented in disciplinary actions.

In the most recent data from the 2023-2024 school year, schools reported 83,500 total incidents involving students with disabilities—almost 57,000 of which were for the broad category of violations of school rules. Students with disabilities already make up 24% of all suspensions and 25% of reported incidents.

Many common behaviors could fit the definition of disruptive incident

Under the bill, the definition of “disruptive incident” is broad and gives a lot of room for the teacher to fit many behaviors into the definition. The bill says any behavior the teacher says “interrupts instruction or compromises safety, and the pupil’s behavior 1) intentionally causes damage to another person’s physical property or 2) is violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct” would meet the definition.

Advocates are concerned that many minor behaviors (throwing a pencil, passing notes, stimming, loud talking etc.) could be labeled as disruptive and be used as a reason for removing students from class. Students who have multiple disruptive incidents would be required to have a behavior intervention plan in place before they could go back to class.

Schools are required to provide educational services for students with IEP’s even when they are removed from classrooms. Policies that result in more frequent removals which places more burden on schools and staff to meet that need. Not all students with a disability have an IEP or 504 plan; for these students’ removal from the classroom would mean they would not receive educational services.

Requiring paperwork adds barriers and delay to students returning to class

Requiring a behavior plans as a pre-requisite for students being allowed back into the classroom creates a punitive barrier that can mean the loss of instructional time for the student. Behavioral plans take time to write, and in districts where many students are being deemed to have caused “disruptive incidents” administrative delays or timely completion of paperwork will directly impact education or disruption of education for individual students.

There are no provisions in the bill that specify when a required behavior plan must be completed to ensure that a student can return to class as soon as possible. For students who do not have a disability or are undiagnosed, it appears the student could be removed from class indefinitely if the behavior plan has not been completed.

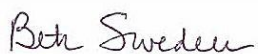
Students with an IEP may have an existing behavior plan. Federal IDEA law requires districts to implement changes to IEPs or behavior plans no later than ten school days. Ten school days is a significant gap in educational instruction.

When students cannot be in class for extended periods their education is negatively impacted. Preventing students from attending school disrupts families and can lead to parents missing work and other commitments that have consequences for family stability.

Universal notification can unfairly target individual students

Students are guaranteed certain privacy protections under federal law. We question whether AB 613 is compliant with the [Family Educational Rights and Privacy Act](#).

Sincerely,



Beth Swedeen, Executive Director,
Wisconsin Board for People with Developmental Disabilities