

EAST GRAND FORKS PUBLIC SCHOOLS
CODE OF CONDUCT
DATE: Revised August 2026



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Level 1: Intensive support staff and appropriate administration.
Level 2: Administrative actions as indicated in notes with 1-day IS/OS suspension.
Level 3: Administrative actions as indicated in notes with 3-day IS/OS suspension.
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Starting School Year 2026-2027

School Climate/Safety

1. The East Grand Forks Public Schools Mission Statement is to empower each learner to succeed in our diverse and changing world. To do this, schools are working to provide engaging, safe environments that support the whole student, including academic, social-emotional, and physical growth and well-being. A healthy school climate is marked by effective leadership, positive relationships, engaging teaching and learning, a welcoming physical environment, and physical/mental safety. To ensure that every child receives a high-quality education, schools must create healthy and respectful climates for learning. Schools with a positive climate and culture should have the following characteristics:
 - 1.1. Effective leadership that creates and communicates clear expectations, communicates openly, and honestly, and is accessible and supportive of school staff and staff development.
 - 1.2. Positive relationships with all stakeholders - students, parents, teachers/staff, school resource officers, and community partners.
 - 1.3. Training and resources to resolve conflicts peacefully and respectfully, with suspensions, expulsions, and school resource officer interventions used only as measures of last resort.
 - 1.4. Professional support for students experiencing emotional crises, trauma, or serious challenges in their homes or communities.
 - 1.5. Engaging in academic and extracurricular activities for students who meet behavioral, developmental, and academic needs.
 - 1.6. Effective and responsive communication among schools, parents, and communities.
 - 1.7. Clean, well-maintained, and welcoming environments clearly demonstrate school pride and love of learning.
 - 1.8. A learning environment where students and staff feel physically and emotionally safe.

Desirable Behaviors That Should Be Modeled and Encouraged

1. **Respect the rights of others and respect ourselves.**
 - 1.1. Students need to develop skills that will help them to become good citizens and community members. Included is a basic knowledge of personal rights and responsibilities, learning to resolve conflicts appropriately, and making safe, healthy choices in their daily lives. It is important for students to learn to show common courtesy and respect to others and to learn to feel positive about themselves.
 - 1.2. All students must behave in a way that allows everyone, regardless of gender, race, disability, health, ethnicity, personal identity, and religious affiliation, to feel free of fear and intimidation.
2. **Display positive learning traits.**
 - 2.1. A significant factor in preventing violence is helping students feel and be more successful in school. A focus on helping students understand the importance of doing quality work, having high expectations for themselves, setting personal goals and achieving them, and learning to work and play cooperatively with others are critical components of assisting students to be successful persons. Opportunities to work as part of a team help develop a sense of belonging and purposefulness. District staff believe that improving students' personal feelings of success and self-worth will result in their exhibiting less aggressive and violent behaviors in the schools and the community.

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3. **Follow rules and accept responsibility.**

- 3.1. In any community, a system of rules is necessary for successful work and learning to occur and ensure personal safety. Students must learn school rules and understand the value and importance of following them. Another critical lesson that everyone needs to understand is the importance of staying in one's own personal space (both verbally and physically) and respecting the personal space of others. We want students to accept and understand when they have made a poor choice or done something inappropriate and accept the consequences for their behavior as part of their learning experience.
- 3.2. East Grand Forks Public Schools is a partnership of parents, students, and staff. In addition to academic goals, our purpose is to help students to learn and demonstrate appropriate social skills and positive behaviors. Throughout our Early Childhood and K-12 programs, we offer many curricular and co-curricular opportunities for students to learn and practice positive behavior and to develop good social skills, tolerance, and leadership skills.
- 3.3. In addition to educating students about appropriate behaviors, we follow a list of consequences for inappropriate behaviors to help ensure that all students can learn in a safe environment. Along with these consequences, we provide follow-up interventions such as medications, drug/alcohol referrals, suicide screenings/prevention, counseling referrals, etc. Additional behavior intervention program examples may include SEL (social-emotional learning) lessons, PBIS (Positive Behavioral Interventions and Supports), Responsive Classrooms, and Peer Mentors.

Consequences for Misbehavior Based Upon Student Code of Conduct

1. The consequences for misbehavior described in this regulation are designed to be fair and consistent for all East Grand Forks Public Schools students. **They apply to East Grand Forks students on district property, in district vehicles (including buses), at all school activities (in or out of the district), and at events on or off campus.**
2. Because it is not possible to list every misbehavior that occurs, misbehaviors not included in this regulation will be responded to as necessary by the staff. This regulation assumes that minor behaviors are dealt with by bus drivers, chaperones, teachers, counselors, administrators, and other appropriate district staff with administrative discretion.
 - 2.1. This policy applies to all students (including participants and those in attendance) in all district activities. **An additional policy (506) and the Minnesota State High School League rules also apply to extracurricular activities.**
 - 2.2. Violation of any Code of Conduct may be reported to law enforcement. Some violations, such as the misuse of social media, may occur outside of the school day but have a significant nexus and negative impact on the school's learning environment, social dynamics, student functioning, and academic pursuits.

Dissemination

1. To ensure that all parents and students are informed about the policy, the following procedures shall be followed:
 - 1.1. **Parents** - The policy shall be published on the district website before the beginning of each new school. Parents enrolling their children in school after the beginning of the school year shall be provided a copy of the policy.
 - 1.2. **Students** - When a student receives a consequence for a policy violation, he/she should be informed of the consequences for additional violations. During the first two weeks of each new school year, the consequences for misbehavior listed in this policy shall be reviewed with each student. Students beginning school at other times of the year shall have the policy reviewed within two weeks of entering the district. All 6th to 12th-grade students shall be asked to sign a form indicating that the policy was reviewed with them. The building principal shall keep the signed form on file until the student graduates or exits the district. The form shall include the following: student's name, school, grade, date of review, and signature.

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Consequences

1. For each misbehavior described in this regulation, there are specific consequences for first (1st), second (2nd), third (3rd), and fourth (4th) violations. Consequences are defined as follows:
 - 1.1. **Restorative Practices and Interventions**, as referenced in this Code of Conduct, are engaging opportunities for our students to repair any harm created by poor decision-making to develop relational skills.
 - 1.2. **Disciplinary dismissals prohibited (M.S. 121A.425, Subd 1)** - A pupil enrolled in the following is not subject to dismissals under this chapter:
 - 1.2.1. a preschool or pre-kindergarten program, including an early childhood family education, school readiness, school readiness plus, voluntary prekindergarten, Head Start, or other school-based preschool or prekindergarten program or
 - 1.2.2. kindergarten through grade 3.
 - 1.2.3. This provision does not apply to dismissal from school for less than one school day, except as provided under Chapter 125A and federal law for a student receiving special education services.
 - 1.2.4. Notwithstanding this subdivision, expulsions and exclusions may be used only after resources outlined in subdivision two have been exhausted and only when there is an ongoing serious safety threat to the child or others.
 - 1.3. **Nonexclusionary disciplinary policies and practices; alternatives to pupil removal and dismissal. (M.S. 121A.41, Subd. 12)** - "Nonexclusionary disciplinary policies and practices" means policies and practices that are alternatives to dismissing a pupil from school, including but not limited to evidence-based positive behavior interventions and supports, social and emotional services, school-linked mental health services, counseling services, social work services, academic screening for Title 1 services or reading interventions, and alternative education services. Non-exclusionary disciplinary policies and practices include but are not limited to the policies and practices under sections [120B.12: 121A.575, clauses \(1\) and \(2\); 121A.031, subd. 4, paragraph \(a\), clause \(1\); 121A.61, subd. 3, paragraph \(r\); and 122A.627, clause \(3\).](#)
 - 1.4. **Detention** as referenced in this Code of Conduct, is addressed in the student handbook of each respective building.
 - 1.5. **Suspension (M.S. 121A.41, Subd. 10)** - "Suspension" means an action by the school administration, under rules promulgated by the school board, prohibiting a pupil from attending school for no more than ten school days. If a suspension is longer than five days, the suspending administrator must provide the superintendent with a reason for the longer suspension. This definition does not apply to dismissal from school for one school day or less, except as federal law provides for a student with a disability. Each suspension action may include a readmission plan. The readmission plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission and may not be used to extend the current suspension. Consistent with section 125A.09, subdivision 5, the readmission plan must not obligate a parent to provide a sympathomimetic medication for the parent's child as a condition of re-admission. The school administration may not impose consecutive suspensions against the same pupil for the same course of conduct or incident of misconduct except where the pupil will create an immediate and substantial danger to self or to surrounding persons or property or where the district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of 15 days. In the case of a student with a disability, the student's Individual Education Plan (IEP) team must meet immediately but not more than ten school days after the date on which the decision to remove the student from the student's current educational placement is made. The Individual Education Plan team shall, at that meeting: conduct a review of the relationship between the child's disability and the behavior subject to disciplinary action and determine the appropriateness of the child's education plan.
 - 1.5.1. The requirement of the Individual Education Plan team meeting applies when:
 - 1.5.1.1. the parent requests a meeting;
 - 1.5.1.2. the student is removed from the student's current placement for five or more consecutive days; or
 - 1.5.1.3. the student's total days of removal from the student's placement during the school year exceed ten cumulative days in a school year.

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- 1.5.1.3.1. The school administration shall implement alternative educational services when the suspension exceeds five days. A separate administrative conference is required for each period of suspension. Any student suspended is prohibited on school property, in school district vehicles (including buses), at school activities (in or out of the district), or events.
 - 1.5.1.3.2. Alternative educational services. "Alternative educational services" may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessment, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under section 123A.05 selected to allow the pupil to progress toward meeting graduation standards under section 1208.02 although in a different setting.
- 1.6. **Admission or readmission plan (M.S. 121A.47, Subd 14)** (a) A school administrator must prepare and enforce an admission or readmission plan for any pupil excluded or expelled from school. The plan must include measures to improve the pupil's behavior, which may include completing a character education program, consistent with section 120B.232, subdivision 1, social and emotional learning, counseling, social work services, mental health services, referrals for special education or 504 evaluation, and evidence-based academic interventions. The plan must include reasonable attempts to obtain parental involvement in the admission or readmission process and may indicate the consequences to the pupil of not improving the pupil's behavior.
- 1.6.1. The definition of suspension under section 121A.41, subdivision 10, does not apply to a student's dismissal from school for less than one school day, except as provided under federal law for a student with a disability. Each suspension action may include a readmission plan. A readmission plan must provide, where appropriate, alternative education services, which must not be used to extend the student's current suspension period. Consistent with section 125A.091, subdivision 5, a readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School officials must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground by itself to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect or medical or educational neglect.
- 1.7. **Exclusion (M.S. 121A.41, Subd. 4)** - "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a pupil for a period that shall not extend beyond the school year. Any student excluded is not allowed on school property, in school district vehicles (including buses), at school activities (in or out of the district), and at events.
- 1.8. **Expulsion (M.S. 121A.41, Subd. 5)** - "Expulsion" means a school board action prohibiting an enrolled pupil from further attendance for up to 12 months from the date the pupil is expelled. Any student expelled is prohibited on school property, in school district vehicles (including buses), at school activities (in or out of the district), and at events.
- 1.8.1. Any student excluded/expelled from another school in another district will not be allowed to attend a school within the East Grand Forks schools until the length of time of the expulsion/exclusion in the other district has expired. If a student enters an East Grand Forks school and district officials are not aware that the student has been expelled/excluded from another district, the student shall

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be excluded at the time district officials become aware of the expulsion/exclusion. Students fitting this description shall be allowed to attend alternative learning centers. The Board of Education may modify this provision on a case-by-case basis.

2. In addition to the consequences detailed in this regulation, a specific school or the District Transportation Department may respond to student misbehavior in a variety of ways which include, but are not limited to, parent conferences, mediation, restitution, reports to probation services, criminal reports, community service, fines, loss of driving and parking privileges (at the high school level) and chemical evaluation.
 - 2.1. Administrators will refer all suspected crimes committed on District property, in district vehicles (including buses), and at all school activities (in or out of the district) and events to Law Enforcement.
 - 2.2. Building administrators or their designees are responsible for thoroughly investigating occurrences of misbehavior and, based on credible evidence, assigning consequences as listed in this document. Consequences should not be determined until all investigations are complete. If needed, another school day should be used to investigate all leads and sources of information. Students may need to be suspended until investigations are completed. Inappropriate behavior by a student on a school bus or at the school bus stop or transfer point shall be investigated by the Transportation Director and the administration in which the student attends. Consequences for the transportation violation shall be administered by the administration of the building the student attends.
 - 2.3. Any student suspended for committing a violent act against another person may be referred for restorative practices/conflict resolution intervention or other follow-ups.
 - 2.4. Any student who believes that he/she is being threatened with violence by another student is encouraged to tell an educator and/or his/her parents about the concern. The educator and/or parent should inform a building administrator of the threat. Information provided by a student to a bus driver about a threat should be passed on to the Transportation Director.
 - 2.5. Unless otherwise specified in an IEP, state, or federal laws, a student with a disability will comply with these procedures.
 - 2.6. Firearms (including replica firearms, airsoft guns, and paintball guns) shall not be brought onto school property.
 - 2.6.1. Any pupil who brings a firearm to school unlawfully shall, as soon as practical, be referred to the criminal justice or juvenile delinquency system.
 - 2.6.2. A student who discovers that he/she has accidentally brought a weapon or a "facsimile of" on the property or in school vehicles will not receive a consequence for possessing a weapon or "facsimile of" if immediately upon discovering he/she has it in his/her possession, the student informs a staff person about the weapon or "facsimile of."

Sources of Additional Information

1. For more information about student behavior, discipline, and related issues, refer to individual building:
 - [New Heights Handbook](#)
 - [South Point Handbook](#)
 - [Central Middle School Handbook](#)
 - [Senior High School Handbook](#)
2. See the appendix for references regarding state rules and statutes and district policies applicable to this document.

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Misbehaviors

Level 1	Examples of Administrative Interventions and Responses These interventions can involve the school administration and aim to correct behavior by stressing the seriousness of the behavior while keeping the student in school. Staff should use these responses in a graduated fashion.
Level 2	1-Day IS/OS Suspension and Potential Referral Responses These interventions will involve a 1-day removal of a student from the learning environment because of the severity of the behavior. Additionally, staff should consider which additional supports may be helpful to the student's future success
Level 3	3-Day IS/OS Suspension and Potential Referral Responses These interventions will involve a 3-day removal of a student from the learning environment because of the severity of the behavior. Additionally, staff should consider which additional support may be helpful to the student's future success.
Level 4	5-Day Suspension and Potential Referral Responses These interventions will involve a 5-day removal of a student from the school environment because of the severity of the behavior. Additionally, staff should consider which additional supports may be helpful to the student's future success.
Level 5	10-Day Suspension While Following Expulsion Process These interventions involve the removal/expulsion of a student from the school environment because of the severity of the behavior. They may involve the placement of the student in a safe environment that provides additional structure to address the behavior. These interventions focus on monitoring the safety of the school community and ending self-destructive and dangerous behavior and preparing the student for reintegration into our schools. The length of the expulsion may be dependent on follow-through with the additional outside supports.
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*Note: Applicable to all district facilities and/or school-sponsored activities or when involved in incidents affecting the safety or welfare of the school

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Early Intervention and Proactive Processes

Below is a list with processes and definitions of early interventions or proactive processes that are in place across the district to address behavioral concerns:

1. Multi-Tiered System of Supports (MTSS): MTSS is an integrated framework that aligns systems necessary for all students' academic, behavioral, and social success.
2. Building Mental Health Teams: Professional team members who act as consultants to the school administrative team employing evidence-based practices to support the success of all students across the district.
3. Crisis Team: A group of persons, which may include teachers and non-teaching school personnel, selected by the building administrator in each school building who have received crisis intervention training and are responsible for becoming actively involved with resolving crises. The building administrator or designee shall serve as the leader of the crisis team.
4. Restorative Justice & Practice Strategies: Restorative practice is a way of working with conflict that focuses on repairing the harm that has been done. It is an approach to conflict resolution that includes all parties involved.
5. Functional Behavioral Assessment and Development of Positive Behavioral Intervention and Support Plan
6. Family, School, Student behavior/attendance contract
7. Loss of Privileges
8. Restitution
9. Referrals as deemed appropriate

Students are expected to not engage in the following activities. The consequences apply regardless of whether the misbehavior occurred on school property, in a District vehicle, or at a school or district activity or event.

Recorded offenses accumulate for a maximum of four consecutive years and will not be considered for imposing new disciplinary consequences beyond four years of the offense. To track cumulative offenses, however, throughout the student's years in the school setting, the discipline record will remain a part of the student's permanent record. (Disciplinary actions from other school districts may be considered part of the student's discipline record.) An offense is dropped from the student's record four years from the date the offense occurred.

1. **EXAMPLE:** A first offense for ammunition possession that begins in grade 4 will continue through the same October date of grade 8. The subsequent offense of ammunition possession in March of grade 4 will remain on the student's record through the same March date of grade 8.

If a student returning from an expulsion commits another offense in the same category, he/she may again be expelled. The decision to expel a student is based on the category of misbehavior and whether the student has committed the number of offenses within four years that calls for expulsion.

Violent Behavior

To provide a safe learning environment, the district may move to more severe penalties based on the degree of violent behavior/aggression that has been exhibited or the frequency/number of persisting occurrences.

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Misbehaviors and Consequences Matrix

Physical Violence Towards Others

Physical Aggression

Assault (Aggravated) - Committing an assault upon another person with a weapon or an assault that inflicts great bodily harm.

	K-3	4-5	6-12
Level 1			
Level 2			
Level 3			
Level 4			
Level 5	X	X	X

Assault - Physically assaulting a person responsible for enforcing school regulations which inflicts great physical harm.

	K-3	4-5	6-12
Level 1			
Level 2	X		
Level 3	X	X	
Level 4	X	X	X
Level 5	X	X	X

Assault - intentionally inflicting or attempting to inflict physical harm upon another person or acting with intent to cause fear in another person or immediate bodily harm. (Includes laser pointers, mace, pepper spray, or any non-essential school objects)

	K-3	4-5	6-12
Level 1			
Level 2	X		
Level 3	X	X	
Level 4	X	X	X
Level 5	X	X	X

Physical Aggression - Poking, pushing, slap boxing, shoving, etc., or any physical act that is not intended to cause harm but leads to harm or the disruption of learning

	K-3	4-5	6-12
Level 1	X	X	
Level 2			X
Level 3			X
Level 4			
Level 5			

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Bodily Harm - Committing a reckless act that unintentionally causes bodily harm or endangerment to self or others. (Includes laser pointers, mace, or pepper spray)

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	
Level 3	X	X	X
Level 4		X	X
Level 5		X	X

Fighting - Mutual combat that is different from poking, pushing, shoving, or scuffling in which both parties contributed to the situation by verbal and/or physical action

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	
Level 3	X	X	X
Level 4	X	X	X
Level 5	X	X	X

Bullying (including Cyberbullying) - Intimidating, threatening, abusive, sadistic, malicious or harmful conduct that is objectively offensive and fits three criteria:

- 1.1. An actual or perceived imbalance of power between students engaging in prohibited conduct and the target of the behavior.
- 1.2. The conduct is repeated or forms a pattern over time.
- 1.3. Intent to harm materially and substantially interferes with a student's educational opportunities, performance, or ability to participate in school functions, activities, or receive school benefits, services, or privileges.

[BULLYING INTAKE FORM](#) [DISTRICT POLICY](#)

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	
Level 3	X	X	X
Level 4		X	X
Level 5		X	X

Hazing - Committing an act against another student or coercing a student into committing an act that creates a substantial risk of harm to a person in order for the student to be initiated or affiliated with any organization.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	
Level 3	X	X	X
Level 4		X	X
Level 5		X	X

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Weapons

Firearms - Any firearm, whether loaded or unloaded.

	K-3	4-5	6-12
Level 1			
Level 2			
Level 3			
Level 4			
Level 5	X	X	X

Weapons - A weapon, device, instrument, liquid material, substance, animate or inanimate, that is used for or is readily capable of causing death or serious bodily injury. (EX: razor blades, straight razors, tasers, and all knives with a blade greater than two and one half (2^{1/2}) inches)

	K-3	4-5	6-12
Level 1			
Level 2			
Level 3	X		
Level 4	X		
Level 5		X	X

Replica Firearm/Weapon - This means a device or object that is not defined as a dangerous weapon, but that is a facsimile of one or reasonably appears to be a weapon (like a pistol, revolver, shotgun, sawed-off shotgun, rifle, machine gun, rocket launcher, grenade, knife splat/paintball gun, BB gun, pellet gun, or any other firearm/weapon).

	K-3	4-5	6-12
Level 1	X		
Level 2	X		
Level 3	X	X	
Level 4	X	X	
Level 5		X	X

Ammunition Possession - Possession of bullets, BBs, shots, or other projectiles designed to be used in a weapon.

	K-3	4-5	6-12
Level 1	X		
Level 2	X		
Level 3	X	X	
Level 4		X	
Level 5		X	X

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Explosives (Possession and/or Use) - Possession or using any compound or mixture, the primary or common purpose of which is to function by an explosion, with the substantial and instantaneous release of gas and heat.

	K-3	4-5	6-12
Level 1			
Level 2			
Level 3			
Level 4	X		
Level 5	X	X	X

Arson - Intentional destruction or damage to school or district buildings or property by means of fire.

Property by means of fire.			
	K-3	4-5	6-12
Level 1			
Level 2			
Level 3	X		
Level 4	X		
Level 5		X	X

Fireworks (Possession) - Possession or offering for sale any substance or combination of substances or articles prepared for producing a visible or audible effect by combustion, explosion, deflagration, or detonation.

	K-3	4-5	6-12
Level 1	X		
Level 2	X		
Level 3	X	X	X
Level 4		X	X
Level 5		X	X

Possession and/or misuse of devices or other potentially dangerous objects, including but not limited to laser pointers, mace, or pepper spray.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	X
Level 3	X	X	X
Level 4	X	X	X
Level 5		X	X

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Inappropriate Sexual Behavior

Sexual - Nonconsenting sexual intercourse/oral sex

	K-3	4-5	6-12
Level 1			
Level 2			
Level 3			
Level 4			
Level 5	X	X	X

Sexual Extortion - Threatening an individual to obtain sexual favors or promising preferential treatment for sexual favors.

	K-3	4-5	6-12
Level 1			
Level 2			
Level 3			
Level 4			
Level 5		X	X

Other - Non-Consenting sexual contact

	K-3	4-5	6-12
Level 1			
Level 2			
Level 3			
Level 4			
Level 5		X	X

Sexual Harassment/Inappropriate Sexual Behavior - This includes indecent exposure and behavior or public nudity and sexting using electronic devices, including the following of all data as defined:

- 1.1. Unwelcomed sexual behaviors - Including gestures, comments, physical actions, soliciting sexual acts, pictures, or written word creating a hostile learning environment
- 1.2. Cyberbullying - Willful and repeated harm inflicted using electronic media using a computer or cell phone substantially disrupts the learning environment.

	K-3	4-5	6-12
Level 1			
Level 2			
Level 3			
Level 4			
Level 5		X	X

Guidelines:

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Level 2: Administrative actions as indicated in notes with 1-day IS/OS suspension.

Level 3: Administrative actions as indicated in notes with 3-day IS/OS suspension.

Level 4: Administrative actions as indicated in notes with 5-day suspension.

Level 5: Administrative actions as indicated in notes with Expulsion (which may start with a 10-day suspension during due process procedures).

Unacceptable sexual behavior (consensual)

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	
Level 3	X	X	X
Level 4		X	X
Level 5			X

Sexual intercourse/Oral Sex (consensual)

	K-3	4-5	6-12
Level 1			
Level 2	X		
Level 3	X	X	
Level 4	X	X	X
Level 5		X	X

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Verbal/Written Aggression Towards Others

Abuse - Directly or indirectly arousing alarm in others using language or gestures (verbal and written); regarding sexual orientation, race or any other comments and/or gestures that are discriminatory, abusive, obscene, or intended to provoke physical aggression.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	X
Level 3	X	X	X
Level 4		X	X
Level 5		X	X

Robbery or Extortion - Obtaining property from another person where his/her consent was induced by the use of force, threats of force, or under false pretense.

	K-3	4-5	6-12
Level 1	X		
Level 2	X		
Level 3	X	X	
Level 4		X	X
Level 5		X	X

Threats - Directly threatening (verbal, in writing, or through gestures) another person with bodily harm, including

- 1.1. Cyberbullying: This is harm that is willful and repeated through electronic media using a computer or cellphone, which creates substantial disruption in the learning environment.

- 1.2. Sexting

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	
Level 3	X	X	X
Level 4		X	X
Level 5		X	X

Threatening a person in authority.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	
Level 3	X	X	X
Level 4		X	X
Level 5		X	X

Guidelines:

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Terroristic Threats - Threats made directly or indirectly to commit any crime of violence to terrorize another or to cause evacuation of a building, place, assembly, vehicle, or facility.

	K-3	4-5	6-12
Level 1	X		
Level 2	X		
Level 3	X	X	
Level 4		X	
Level 5		X	X

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Level 4: Administrative actions as indicated in notes with 5-day suspension.

Level 5: Administrative actions as indicated in notes with Expulsion (which may start with a 10-day suspension during due process procedures).

Insubordinate and Disrespectful Behavior Towards Others or School

Insubordination - Willful refusal to follow an appropriate direction.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	X
Level 3	X	X	X
Level 4		X	X
Level 5			

Dress and Grooming - Wearing clothing that includes words and/or visuals that are obscene, abusive, discriminatory, or which advertise illegal narcotics, drugs, or alcohol.

	K-3	4-5	6-12
Level 1	X	X	X
Level 2	X	X	X
Level 3	X	X	X
Level 4		X	X
Level 5			

Interference, Disruption, or Obstruction - Any action taken or attempted to prevent a staff member or student from exercising his/her lawfully assigned duties.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	X
Level 3	X	X	X
Level 4	X	X	X
Level 5		X	X

Driving Motor Vehicles (Careless or Reckless) - Driving on school property in such a manner as to endanger persons or property.

	K-3	4-5	6-12
Level 1	X	X	X
Level 2		X	X
Level 3			X
Level 4			X
Level 5			

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Level 3: Administrative actions as indicated in notes with 3-day IS/OS suspension.

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Giving False Information - Falsifying signatures or data or refusing proper identification, or giving false information.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	X
Level 3	X	X	X
Level 4		X	X
Level 5			X

Use or Possession of Ignition Devices - Igniting matches, cigarette lighters, and other devices that produce flames.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	X
Level 3	X	X	X
Level 4		X	X
Level 5			X

Fire Alarm (False) - Intentionally giving a false alarm of fire or tampering or interfering with a fire alarm.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	
Level 3	X	X	
Level 4		X	X
Level 5			X

Stalking - Behaviors on school grounds that have a substantial impact on the school environment that causes another person to feel frightened, threatened, oppressed, persecuted, or intimidated.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	
Level 3	X	X	
Level 4		X	X
Level 5		X	X

Gambling - Playing a game of chance for any stakes.

	K-3	4-5	6-12
Level 1	X	X	
Level 2	X	X	X
Level 3	X	X	X
Level 4		X	X
Level 5			

Actions that indicate gang behavior.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	
Level 3	X	X	X
Level 4		X	X
Level 5		X	X

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Level 5: Administrative actions as indicated in notes with Expulsion (which may start with a 10-day suspension during due process procedures).

Damage or Destruction to School or Personal Property

Vandalism (Willful damage of property) - Defacing, cutting, or otherwise damaging property, including unauthorized entrance into a computer system, that belongs to the school, to other students, to staff members, or other individuals while the student is on school property, at a school activity, in a district vehicle, or under the supervision of school staff; restitution may be required

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	X
Level 3	X	X	X
Level 4		X	X
Level 5			X

False 911 or Emergency Response System notification calls.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	
Level 3	X	X	
Level 4	X	X	X
Level 5			X

Fire Extinguisher (Unauthorized Use) - An unauthorized handling of a fire extinguisher or other emergency equipment, including AEDs.

	K-3	4-5	6-12
Level 1			
Level 2	X		
Level 3	X	X	
Level 4	X	X	X
Level 5		X	X

Theft (Knowingly receiving or possessing stolen property) - Unauthorized taking of another person's property, receiving or processing such property, or unpaid theft of service.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	X
Level 3	X	X	X
Level 4		X	X
Level 5		X	X

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Level 3: Administrative actions as indicated in notes with 3-day IS/OS suspension.

Level 4: Administrative actions as indicated in notes with 5-day suspension.

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Burglary - Entering a building or computer system without consent and with the intent to commit a crime or entering a building or computer system without consent and committing a crime.

	K-3	4-5	6-12
Level 1	X		
Level 2	X		
Level 3	X	X	
Level 4		X	
Level 5		X	X

Trespassing - Being present in any district facility or portion of a district facility when it is closed to the public or unauthorized presence in a district vehicle. (includes unauthorized entrance into a computer system)

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	
Level 3	X	X	X
Level 4		X	X
Level 5			

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Level 3: Administrative actions as indicated in notes with 3-day IS/OS suspension.

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Substance and Alcohol Use (Any student committing an offense under this category must meet with the appropriate staff with a parent invite.)

Alcohol or Chemicals (Possession or Use) - Possessing or using any narcotic, inhalant, or synthetic substances that mimic a controlled substance, look-alike substances, or a controlled substance where possession or use is prohibited by MN or Federal Law. (Any prescription medication a student is required to take, except prescribed inhalers, must be left with and administered by the school nurse in accordance with district administrative regulations.)

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	
Level 3	X	X	X
Level 4		X	X
Level 5		X	X

Alcohol (Distribute/Intent) - Distributed or possession intending to distribute alcohol where sale or distribution is prohibited by MN or Federal Law.

	K-3	4-5	6-12
Level 1			
Level 2			
Level 3	X	X	
Level 4	X	X	X
Level 5		X	X

Chemicals (Distribute/Intent) - Distributing or possessing with the intent to distribute any narcotic, inhalant, or controlled substance (IE prescription drugs) or look-alike substances when the sale or distribution is prohibited by MN or Federal Law.

	K-3	4-5	6-12
Level 1			
Level 2			
Level 3	X	X	
Level 4	X	X	
Level 5	X	X	X

Substance and Alcohol Use (Any student committing an offense under this category must meet with the appropriate staff with a parent invite.)

Guidelines:

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Level 3: Administrative actions as indicated in notes with 3-day IS/OS suspension.

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Tobacco - Possessing or using tobacco/nicotine products in district buildings, on district grounds, in district vehicles or at district events, in violation of district administrative regulations.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	X
Level 3	X	X	X
Level 4			X
Level 5			

Drug Paraphernalia - Possessing drug paraphernalia in district buildings, on district grounds, in district vehicles or at district events.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	X
Level 3	X	X	X
Level 4		X	X
Level 5			

Possession with intent to distribute over-the-counter medication in district buildings, in district vehicles or at district events, in violation of district administrative regulations.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	
Level 3	X	X	X
Level 4		X	X
Level 5			X

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Technology and Telecommunication Misuse

Misuse of equipment (personal or district-owned) such as computers, phones, etc.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	X
Level 3	X	X	X
Level 4		X	X
Level 5			X

Transmitting obscene, abusive, or sexually explicit language.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	X
Level 3	X	X	X
Level 4		X	X
Level 5			X

Unethical use of information or violation of copyright laws - Accessing, uploading, printing, or distributing pornographic, obscene, abusive, or sexually explicit material.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	
Level 3	X	X	X
Level 4		X	X
Level 5			X

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Technology and Telecommunication Misuse

Unauthorized commercial use or financial gain of the user.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	X
Level 3	X	X	X
Level 4		X	X
Level 5			X

Videotaping, distributing, or promoting of fights, assaults, or other inappropriate acts - This includes an accomplice to any act who may assist by encouraging the act of the fight by instigating, promoting, or videotaping/recording the fight.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	X
Level 3	X	X	X
Level 4		X	X
Level 5			

Creating fake Internet accounts for the purposes of bullying, harassing, or defaming.

	K-3	4-5	6-12
Level 1	X		
Level 2	X	X	X
Level 3	X	X	X
Level 4		X	X
Level 5		X	X

The use of electronic devices such as Bluetooth speakers, apps, or other devices that disrupt the learning environment.

	K-3	4-5	6-12
Level 1	X	X	X
Level 2	X	X	X
Level 3		X	X
Level 4			
Level 5			

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Appendix

State Statutes

M.S. 120A.22, Subd. 4 School defined: For the purpose of compulsory attendance, a "school" means a public school, as defined in section 120A.05, subdivisions 9, 11, 13, and 17, or a nonpublic school, church or religious organization, or home school in which a child is provided instruction in compliance with this section and section 120A.24.

M.S. 121A.59: Bus Transportation a Privilege Not a Right: Transportation by school bus is a privilege not a right for an eligible student. A student's eligibility to ride a school bus may be revoked for a violation of school bus safety or conduct policies, or for violation of any other law governing student conduct on a school bus, pursuant to a written school district discipline policy. Revocation of a student's bus riding privilege is not an exclusion, expulsion, or suspension under the Pupil Fair Dismissal Act. Revocation procedures for a student who is an individual with a disability under the Individuals with Disabilities Education Act, United States Code, title 20, section 1400 et seq., section 504 of the Rehabilitation Act of 1973, United States Code, title 29, section 794, and the Americans with Disabilities Act, Public Law 101-336, are governed by these provisions.

M.S. 121A.41, Subd. 10. Suspension: "Suspension" means an action by the school administration, under rules promulgated by the school board, prohibiting a pupil from attending school for a period of no more than ten school days. If a suspension is longer than five days, the suspending administrator must provide the superintendent with a reason for the longer suspension. This definition does not apply to dismissal from school for one school day or less, except as provided in federal law for a student with a disability. Each suspension action may include a readmission plan. The readmission plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission and may not be used to extend the current suspension. Consistent with section 125A.09, subdivision 5, the readmission plan must not obligate a parent to provide a sympathomimetic medication for the parent's child as a condition of re-admission. The school administration may not impose consecutive suspensions against the same pupil for the same course of conduct, or incident of misconduct, except where the pupil will create an immediate and substantial danger to self or to surrounding persons or property, or where the district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of 15 days. In the case of a student with a disability, the student's Individual Education Plan (IEP) team must meet immediately but not more than ten school days after the date on which the decision to remove the student from the student's current educational placement is made. The Individual Education Plan team shall at that meeting: conduct a review of the relationship between the child's disability and the behavior subject to disciplinary action and determine the appropriateness of the child's education plan.

The requirement of the Individual Education Plan team meeting applies when:

- (1) the parent requests a meeting;
- (2) the student is removed from the student's current placement for five or more consecutive days; or
- (3) the student's total days of removal from the student's placement during the school year exceed ten cumulative days in a school year.

The school administration shall implement alternative educational services when the suspension exceeds five days. A separate administrative conference is required for each period of suspension.

M.S. 121A.41, Subd. 4. Exclusion: "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a pupil for a period that shall not extend beyond the school year.

M.S. 121A.41, Subd. 5. Expulsion: "Expulsion" means a school board action to prohibit an enrolled pupil from further attendance for up to 12 months from the date the pupil is expelled.

Withdrawal Agreement In lieu of Expulsion: A withdrawal agreement in lieu of expulsion provides that the student will withdraw from enrollment in the district and, as a result, the district will not proceed with an expulsion. The agreement gives students an alternative to being expelled from school for the most serious acts of disobedience or misconduct. The district may consider such an agreement for Level 5 offenses. This agreement may be offered by the building principal when a

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student has acknowledged involvement in the misconduct and expressed appropriate understanding of the implications of the misconduct, remorse and/or a commitment to avoid serious misconduct in the future. The agreement will not exceed the maximum duration of an expulsion (i.e., 12 months). All withdrawal agreements in lieu of expulsion require the approval of parent/guardian, building principal, and Superintendent or his/her designee.

Alternative educational services. "Alternative educational services" may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessment, homebound instruction, supervision homework, or enrollment in another district or in an alternative learning center under section 123A.05 selected to allow the pupil to progress toward meeting graduation standards under section 1208 .02 although in a different setting.

M.S. 121A.43: Exclusion and expulsion of pupils with a disability:

(a) Consistent with federal law governing days of removal and section 121A.46, school personnel may suspend a child with a disability. When a child with a disability has been suspended for more than five consecutive school days or ten cumulative school days in the same school year, and that suspension does not involve a recommendation for expulsion or exclusion or other change of placement under federal law, relevant members of the child's individualized education program team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's individualized education program. That meeting must occur as soon as possible, but no more than ten days after the sixth consecutive day of suspension or the tenth cumulative day of suspension has elapsed.

(b) A dismissal for one school day or less is a day or a partial day of suspension if the child with a disability does not receive regular or special education instruction during that dismissal period. The notice requirements under section 121A.46 do not apply to a dismissal of one day or less.

(c) A child with a disability shall be provided alternative educational services to the extent a suspension exceeds five consecutive school days.

(d) Before initiating an expulsion or exclusion under sections 121A.40 to 121A.56, the district, relevant members of the child's individualized education program team, and the child's parent shall, consistent with federal law, determine whether the child's behavior was caused by or had a direct and substantial relationship to the child's disability and whether the child's conduct was a direct result of a failure to implement the child's individualized education program. When a child with a disability who has an individualized education program is excluded or expelled under sections 121A.40 to 121A.56 for misbehavior that is not a manifestation of the child's disability, the district shall continue to provide special education and related services during the exclusion or expulsion.

M.S. 121A.44. Firearms Expulsion:

(a) Notwithstanding the time limitation in section 121A.41, subdivision 5, a school board must expel for a period of at least one year a pupil who is determined to have brought a firearm to school except the board may modify this expulsion requirement for a pupil on a case-by-case basis. For the purposes of this section, firearm is as defined in United States Code, title 18, section 921.

(b) Notwithstanding chapter 13, a student's expulsion or withdrawal or transfer from a school after an expulsion action is initiated against the student for a weapons violation under paragraph (a) may be disclosed by the school district initiating the expulsion proceeding. Unless the information is otherwise public, the disclosure may be made only to another school district in connection with the possible admission of the student to the other district.

M.S. 626.556, Subd. 3: Reporting Maltreatment of Minors. SBR 700-90-3 based on [M.S. 626.556](#) requires that:

(a) A person who knows or has reason to believe a child is being neglected or physically or sexually abused, as defined in subdivision 2, or has been neglected or physically or sexually abused within the preceding three years, shall immediately report the information to the local welfare agency, agency responsible for assessing or investigating the report, police department, county sheriff, tribal social services agency, or tribal police department if the person is:

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(1) a professional or professional's delegate who is engaged in the practice of the healing arts, social services, hospital administration, psychological or psychiatric treatment, child care, education, correctional supervision, probation and correctional services, or law enforcement; or

(2) employed as a member of the clergy and received the information while engaged in ministerial duties, provided that a member of the clergy is not required by this subdivision to report information that is otherwise privileged under section 595.02, subdivision 1, paragraph (c).

(b) Any person may voluntarily report to the local welfare agency, agency responsible for assessing or investigating the report, police department, county sheriff, tribal social services agency, or tribal police department if the person knows, has reason to believe, or suspects a child is being or has been neglected or subjected to physical or sexual abuse.

(c) A person mandated to report physical or sexual child abuse or neglect occurring within a licensed facility shall report the information to the agency responsible for licensing or certifying the facility under sections 144.50 to 144.58; 241.021; 245A.01 to 245A.16; or chapter 144H, 245D, or 245H; or a nonlicensed personal care provider organization as defined in section 256B.0625, subdivision 19a. A health or corrections agency receiving a report may request the local welfare agency to provide assistance pursuant to subdivisions 10, 10a, and 10b. A board or other entity whose licensees perform work within a school facility, upon receiving a complaint of alleged maltreatment, shall provide information about the circumstances of the alleged maltreatment to the commissioner of education. Section 13.03, subdivision 4, applies to data received by the commissioner of education from a licensing entity.

(d) Notification requirements under subdivision 10 apply to all reports received under this section.

(e) For purposes of this section, "immediately" means as soon as possible but in no event longer than 24 hours.

Subd. 3a. Report of deprivation of parental rights or kidnapping. A person mandated to report under subdivision 3, who knows or has reason to know of a violation of section 609.25 or 609.26, shall report the information to the local police department or the county sheriff. Receipt by a local welfare agency of a report or notification of a report of a violation of section 609.25 or 609.26 shall not be construed to invoke the duties of subdivision 10, 10a, or 10b.

Subd. 3b. Agency responsible for assessing or investigating reports of maltreatment. The Department of Education is the agency responsible for assessing or investigating allegations of child maltreatment in schools as defined in section 120A.05, subdivisions 9, 11, and 13; and chapter 124E. The Department of Education's responsibility to assess and investigate includes allegations of maltreatment involving students 18 to 21 years of age, including students receiving special education services, up to and until graduation and the issuance of a secondary or high school diploma.

Subd. 3c. Local welfare agency, Department of Human Services or Department of Health responsible for assessing or investigating reports of maltreatment. (a) The local welfare agency is the agency responsible for assessing or investigating allegations of maltreatment in child foster care, family child care, legally nonlicensed child care, and reports involving children served by an unlicensed personal care provider organization under section 256B.0659. Copies of findings related to personal care provider organizations under section 256B.0659 must be forwarded to the Department of Human Services provider enrollment.

(b) The Department of Human Services is the agency responsible for assessing or investigating allegations of maltreatment in juvenile correctional facilities listed under section 241.021 located in the local welfare agency's county and in facilities licensed or certified under chapters 245A, 245D, and 245H, except for child foster care and family child care.

(c) The Department of Health is the agency responsible for assessing or investigating allegations of child maltreatment in facilities licensed under sections 144.50 to 144.58 and 144A.43 to 144A.482 or chapter 144H.

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Subd. 3d. Authority to interview. The agency responsible for assessing or investigating reports of child maltreatment has the authority to interview the child, the person or persons responsible for the child's care, the alleged perpetrator, and any other person with knowledge of the abuse or neglect for the purpose of gathering the facts, assessing safety and risk to the child, and formulating a plan.

Subd. 3e. Agency responsible for assessing or investigating reports of sexual abuse. The local welfare agency is the agency responsible for investigating allegations of sexual abuse if the alleged offender is the parent, guardian, sibling, or an individual functioning within the family unit as a person responsible for the child's care, or a person with a significant relationship to the child if that person resides in the child's household. The local welfare agency is also responsible for investigating when a child is identified as a victim of sex trafficking.

Subd. 3f. Law enforcement agency responsible for investigating maltreatment. The local law enforcement agency has responsibility for investigating any report of child maltreatment if a violation of a criminal statute is alleged. Law enforcement and the responsible agency must coordinate their investigations or assessments as required under subdivision 10.

Expulsion and Exclusion Hearings: Expulsion and exclusion hearings shall be conducted by an independent, impartial hearing officer (unless determined otherwise by the school board) and recommendations made to the school board and served upon the parties within two days of the end of the hearing. The school board has final authority regarding expulsion or exclusion of a student from school and shall render its decision within five days of receiving the recommendation of the hearing officer.

121A.64 NOTIFICATION: TEACHERS' LEGITIMATE EDUCATIONAL INTEREST.

Guidelines:

Level 1: Intensive support staff and appropriate administration.

Level 2: Administrative actions as indicated in notes with 1-day IS/OS suspension.

Level 3: Administrative actions as indicated in notes with 3-day IS/OS suspension.

Level 4: Administrative actions as indicated in notes with 5-day suspension.

Level 5: Administrative actions as indicated in notes with Expulsion (which may start with a 10-day suspension during due process procedures).

APPEAL PROCESS

Parents/guardians, staff, and students who are concerned about a specific disciplinary action or student conduct violation may consult with staff (Example: Principals, teachers, social workers, counselors, psychologists, etc.) to informally resolve the concern. If the concern cannot be resolved using these informal channels, parents/guardians, staff, and students may appeal their concerns through the channels listed in the appeals process shown below.

Appeals Process (Grades K-12)

Principal
Superintendent or Designee
Board of Education

In cases involving transporting students, the Transportation Coordinator should be involved with the principal in the appeal process.

Appeals regarding expulsion or exclusion decisions may be made under **M.S. 121A.40 to 121A.575** to the Commissioner of Education at the Minnesota Department of Education.

It is reviewed and updated annually. All changes to the policy require School Board approval.

Discipline Appeal Procedure

Guidelines:

Level 1: Intensive support staff and appropriate administration.

Level 2: Administrative actions as indicated in notes with 1-day IS/OS suspension.

Level 3: Administrative actions as indicated in notes with 3-day IS/OS suspension.

Level 4: Administrative actions as indicated in notes with 5-day suspension.

Level 5: Administrative actions as indicated in notes with Expulsion (which may start with a 10-day suspension during due process procedures).

Guidelines:

Level 1: Intensive support staff and appropriate administration.

Level 2: Administrative actions as indicated in notes with 1-day IS/OS suspension.

Level 3: Administrative actions as indicated in notes with 3-day IS/OS suspension.

Level 4: Administrative actions as indicated in notes with 5-day suspension.

Level 5: Administrative actions as indicated in notes with Expulsion (which may start with a 10-day suspension during due process procedures).