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Participation Fee Refunds - Students who choose to participate in athletics must realize there are no guarantees

regarding playing time or injuries. No participation fees will be refunded after the day prior to the first scheduled event.

Category One - \$500	Category Two - \$235	Category Three - \$185	Category Four - \$60
Hockey	Baseball Basketball Debate Football Soccer Softball Speech Swimming Volleyball	Cheerleading (Per Year) Cross Country Running Danceline (Per Year) Golf Skiing-Alpine/Nordic Tennis Track	Drama Knowledge Bowl Math Team

## Instrument Rental Fees

Class room instruments will be furnished by the School Board and include instruments such as rhythm instruments, bells, pianos, autoharps, cellos, flutophones, as well as other special items. Rental fees are reduced to one-half the amount that is listed for students who qualify for reduced

lunch, and waived for students who qualify for free lunch. The District also furnishes bands and orchestras with large instruments such as tympani, chimes, tubas, etc. In some cases instruments are furnished to students on a rental basis for the school year or during the summer month

Type	Duration	Cost
One Instrument (other than Percussion)	School Year	\$80
Two Instruments (large instruments that cannot be transported)	School Year	\$100
Percussion	School Year	\$80
One Instrument	Summer	\$20

## Student Rights and Responsibilities

Equal Opportunity	
<b>Rights</b>	<b>Responsibilities</b>
Students have the right to equal opportunity to participate in all school activities and school education programs for which they are eligible, within legal limits.	Students are responsible to follow the rules and regulations of the school sponsored activity in which they or others participate.
Student Government (Grades 6-12)	
<b>Rights</b>	<b>Responsibilities</b>
Students have the opportunity to participate in Student Government as available. The purpose of the existence of Student Government is to represent and to be responsive to the needs of all students.	Student government representatives have the responsibility to communicate with the student body, faculty, and administration, and to be aware of and comply with any policies of the school district that may affect them.
Privacy	
<b>Rights</b>	<b>Responsibilities</b>
Students have the right to be secure in their persons, papers, and effects; Students' rights to privacy regarding school records will be protected and any disclosure of information from student permanent records shall be consistent with legal requirements.	Students must refrain from bringing onto school property or to school-sponsored events any material or item that would cause, or tend to cause, a disruptive activity or endanger the health and safety of students or other persons.

<p>Students have the opportunity to utilize school lockers, desks, and other designated areas for storing appropriate items of personal property subject to the understanding that such areas are within the exclusive control of the school district, and that such areas may be searched for any reasons, at any time, without permission, consent, or requirement of a search warrant.</p> <p>The personal possessions of students within a school locker may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules.</p>	<p>Students are responsible for keeping their lockers free of any items that are illegal or that are prohibited under school rules and district policies.</p>
<p>Students have rights to live free of abuse and neglect. ISD 709 employees are mandatory reporters. Matters of child or sexual abuse must be reported to the proper authorities according to state law. Matters involving criminal behavior may also be reported to the proper authorities.</p>	<p>Students are responsible for reporting any illegal activities or serious violations that threaten their health, safety, or property of themselves or others.</p>
<b>Nondiscrimination</b>	
<b>Rights</b>	<b>Responsibilities</b>
<p>Students have the right to be free from discrimination based on race, color, creed, sex, religion, national origin, marital status, sexual orientation, status with regard to public assistance, or disability.</p>	<p>Students are responsible to treat other students and district employees in a nondiscriminatory manner. Violations should be reported to building principals.</p>
<b>Learning</b>	
<b>Rights</b>	<b>Responsibilities</b>
<p>Students have the right to attend school in a safe environment. Students have the right to a free public education.</p>	<p>Students are responsible for being in attendance each school day and are responsible to engage opportunities through:</p> <ul style="list-style-type: none"> <li>• Completing class assignments on time as instructed by the teacher.</li> <li>• Properly caring for the instructional materials furnished to them by the school district.</li> <li>• Bringing to class all materials required for daily classroom use.</li> <li>• Actively participating in the learning activities.</li> </ul>
<p>The right to learn also includes the right of classes to meet and carry on studies without interruptions, disruptions, or distractions, whether from inside or outside the classroom</p>	<p>Students are responsible to contribute positively to a safe environment and report any suspicious behavior.</p>
<p>Students shall be allowed the privilege of making up daily work, including tests upon return to class.</p>	<p>Students are responsible to obtain and complete make-up work assigned for periods of absence. Two days allowed for every day of absence.</p>
<p>Students have the right to necessary homebound instruction, as regulated by state guidelines, when absent for an extended period. See Policy 6190 – Homebound Instruction at <a href="#">6000 Series - Curriculum &amp; Instruction - Duluth Public Schools – ISD 709</a>.</p>	<p>Students are responsible to coordinate and meet with homebound instructor and complete assigned work as part of the homebound instructional process.</p>
<b>Fair Treatment</b>	
<b>Rights</b>	<b>Responsibilities</b>
<p>Students involved in a violation of district rules, have the right to hear the nature of the violation and to give their account of the situation.</p>	<p>Students are responsible to treat all persons respectfully and to follow rules and regulations that apply to them.</p>
<p>Students have the right to be informed of all policies, rules, and regulations they are expected to follow. Copies of these rules governing the code of conduct shall be available in each school office, and the basic rules shall be published and distributed to all students, parent(s) or guardian(s), and other interested persons.</p>	<p>Students are responsible for following all necessary procedures, rules, and regulations to make effective the school board policies relating to the standards of student behavior.</p>

Students have the right to know what standards of student behavior are required by the teacher. A copy of the teacher's expectations of acceptable behavior shall be posted in the teacher's classroom or provided in the course syllabus.	Each student is responsible for understanding and following classroom and school expectations.
Cooperative relationships between staff, students, and parent(s) or guardian(s) are the foundation for quality support and service.	Students are responsible to treat others, including other students and staff, in a respectful manner. Students are also expected to treat the property of others and the District responsibly.
Students have the right to be free from unreasonable physical contact from teachers and other staff persons.	Students have the responsibility to refrain from using force or physical contact for the purposes of inflicting physical and emotional harm on another.
<b>Free Speech</b>	
<b>Rights</b>	<b>Responsibilities</b>
Students in the Duluth Public Schools represent a wide range and diversity of opinion and background. Students have the right to express opinions, take stands, and support causes, either publicly or privately, provided such expressions are not libelous or obscene according to current legal definition, are not in violation of school district policies, and do not interfere with the rights of others or disrupt or distract from the atmosphere for learning in the school. The right to free expression of religion under the U.S. Constitution and the American Indian Religious Freedom Act is protected.	Students are responsible to maintain a working and learning environment that is free of harassment, violence and bullying based on sex, sexual orientation, race/ethnicity, religion or religious practices, disability, and other forms of harassment as defined in district policy #4015. Students are also responsible to report incidents of physical, sexual, and verbal harassment, intimidation, and/or abuse that they have experienced, or of which they are aware. Such reports are encouraged to be made to the building staff.
<b>Harassment</b>	
<b>Rights</b>	<b>Responsibilities</b>
Students have the right to be free from any form of harassment arising out of the physical or verbal conduct of other students, school staff, or others.	Students are responsible to follow school regulations regarding time, place, and manner when expressing opinions through speech or written materials. Students may distribute such literature as long as it is free from obscenity, discrimination, and defamation; does not interfere with the rights of others; or disrupt the atmosphere of learning in the school. See Policy 4015 – Prohibiting Harassment and Violence at <a href="http://www.isd709.org/district/policies/4000-series--human-resources">http://www.isd709.org/district/policies/4000-series--human-resources</a> .

## Philosophy of Learning

The Duluth School Board and administrative team believe that self-disciplined, respect-filled, restorative practices help to achieve the aims of high student achievement, a safe and welcoming environment, and efficient and effective systems.

The School Discipline Policy has been prepared to clearly define the rights and responsibilities of persons in the Duluth Public Schools, ISD 709. WE URGE EACH PARENT OR GUARDIAN AND STUDENT TO REVIEW THIS MATERIAL CAREFULLY AND REFER ANY QUESTIONS TO SCHOOL ADMINISTRATION.

The rights of individual students shall be protected and each student shall be expected to respect the person and rights of all other students, teachers, and other school personnel as well as school property.

### ROLES

**THE DULUTH SCHOOL BOARD** shall carry out the educational requirements as expressed in law and formulate and adopt policies for the organization, management, and control of the school system, including policies applicable to its operation. The board, acting through the superintendent of schools, is responsible for the supervision of the behavior of students while legally under the supervision of the school.

**THE SUPERINTENDENT OF SCHOOLS** shall establish all necessary procedures, rules, and regulations to make effective the school board policies relating to the standards of student behavior and shall be responsible to the board for discipline in the ISD 709 public schools.

**THE ASSISTANT SUPERINTENDENT OF SCHOOLS** shall be responsible to the superintendent and shall implement all necessary procedures, rules, and regulations to make effective the school board policies relating to

standards of student behavior in the schools and data collection regarding student behavior in the schools.

**PARENT(S) OR GUARDIAN(S)** have the legal responsibility for the behavior of their children as determined by law and community practice.

- Parent(s) or guardian(s) are expected to exercise the required controls so that the student's behavior will be conducive to the development of self-discipline and will not be disruptive to the school's education program.
- Parent(s) or guardian(s) shall provide the school with information on how they may be contacted.
- Partnership between parent(s) or guardian(s) and school is essential in assisting students to work to the best of their ability and achieve a good school experience.
- Parent(s) or guardian(s) have a responsibility to help maintain communication with the school by participating in school community activities such as Parent-Teacher-Student Association (PTSA) meetings, attending scheduled individual conferences, and bringing matters of concern to the attention of the principal or faculty.
- Parent(s) or guardian(s) should report to school staff any information they have concerning illegal activities or any violations of school rules that threaten the health, safety, or property of others.

**THE SCHOOL PRINCIPAL** includes both the principal and assistant principal(s) and shall be responsible to the assistant superintendent of schools in implementing all necessary procedures, rules, and regulations to make effective the school board policies relating to the standards of student behavior, and:

- Shall have the responsibility and the authority to formulate school expectations and regulations not in conflict with school board policies relating to standards of student behavior and data collection regarding student behavior in the schools.
- Shall be responsible for disseminating the expectations and regulations currently in effect for the school to all faculty, students, parents / guardians, and all interested community groups at the beginning of each school year, and to each new student upon registration.
- Has the authority to impose suspensions and/or recommend to the superintendent of schools the exclusion or expulsion of a student consistent with the guidelines of M.S. 121A.41, The Pupil Fair Dismissal Act, for violation of law or failure to comply with school regulations.

**THE TEACHING STAFF** has the responsibility/authority to:

- Make clear what standards of student behavior are required by the teacher. A copy of the teacher's

expectations of acceptable behavior shall be posted in the teacher's classroom. These rules shall be consistent with district policy.

- Report any violations of the district and/or building discipline policy to the principal.
- Manage classroom privileges.
- Assign school classroom learning activities.
- Request a parent(s) or guardian(s) conference.
- Refer learning challenges to the building principal or for students with disabilities, to the Individual Education Plan (IEP) manager.
- Use reasonable measures as may be necessary to ensure an appropriate learning culture in the classroom, school, and on school grounds.
- Confront inappropriate behavior and respond pursuant to the ISD 709 Student Discipline Policy.

#### **OTHER SCHOOL DISTRICT PERSONNEL**

- **THE STAFF** shall be responsible to the principal for implementing all necessary procedures, rules, and regulations to make effective the school board policies relating to the standards of student behavior.
- When a staff member's efforts to solve a behavior problem are unsuccessful, the student shall be referred to the principal, who has the responsibility and authority to use such measures as may be necessary to maintain control within the classroom, school building, and on school property.
- All employees are expected to participate directly in the supervision and guidance of the behavior of all students within their scope of authority and responsibility. Principals will notify all personnel (including custodians, para-professionals, cafeteria personnel, and clerical staff) of their authority and responsibilities relating to student behavior.
- All staff are expected to deal with students in a fair, firm, and consistent fashion. It shall be the responsibility of the principal to assist all concerned with this task.

**MEMBERS OF THE COMMUNITY** are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

**ALL STUDENTS** shall be held individually responsible for their behavior and for knowing and obeying the district and building discipline policies.

**THE SCHOOL RESOURCE OFFICER (SRO)** is a police officer employed by the Duluth Police Department, not an employee of ISD 709. The officer is a resource to the school principal, staff, parent(s) or guardian(s), and students, and is available to talk to students about personal matters. When assisting the school in investigations initiated and conducted by the school district, the resource officer may speak with students who are victims, witnesses, and suspects. In such cases, questioning

should take place in the presence of the school principal or designee, and the school will attempt to notify the student's

parent(s) or guardian(s) if the student's actions could result in criminal charges.

## Harassment, Violence, and Bullying Behavior

Independent School District 709 is committed to creating and maintaining a learning and working environment where all individuals are treated with respect and dignity. Every individual has the right to learn/work in an environment free of harassment, violence and bullying behavior.

**PREVENTION** - Preventing harassment, violence, and bullying behavior before it happens is always best. Prevention keeps kids from experiencing adverse experiences in the first place, helps us focus on teaching and learning, and is an efficient and effective use of resources.

Efforts to intentionally develop a positive school climate and create positive relationships at school are preventing harassment, violence and bullying behavior. Furthermore, academic success is directly related to school engagement and school engagement is associated with peer and adult support and relationships. Nothing has a more positive impact in the life of a child than positive relationships.

**PREPARATION** - Preparing students, staff, and families for when adverse experiences happen is also important part of our creating safe and welcoming environments for everyone. We should know what to do and have a plan in place to do it well. Preparation includes teaching students what about these behaviors, roles people fulfill in an incident, what to do, and how to report it. We won't be able to plan for every situation yet we can teach some basic techniques that will help in most situations.

**RESPONSE** - When harassment, violence, or bullying behavior is reported or witnessed, response includes: How we tell the person to stop, create separation and safety, investigate incidents, plan and implement interventions, and inform others are all part of response. Each situation is different and unique and may require different and unique intervention. Intervention will often include a combination of student conferencing, parent involvement, school discipline, connection to other resources, and at times restorative practices.

**RECOVERY** - Even when prevention is done well and we

prepare and respond effectively, kids may still benefit from support and assistance in recovering from incidents of harassment, violence, and bullying behavior. Helping kids recover may look different from kid to kid and school to school. Schools have resources available in a crisis and can help families connect to on-going supports in the community. Many schools have "co-located" mental health services as well. The focus of recovery is to return kids back to regular school activity in a safe and welcoming environment.

**REPORTING HARASSMENT, VIOLENCE, AND BULLYING BEHAVIOR** - Harassment, violence, and bullying behavior is concern across our nation and here in Duluth; reducing it is important to Duluth Public Schools, we take it seriously.

Any time you witness or are involved in a situation involving harassment, violence, or bullying behavior it is important to report it. Help is available; speak with your Teacher, School Principal, or another trusted adult at school, home, or in your community.

1. When a report is made to any staff member at school, keep a few things in mind to help us resolve the issue:
2. If someone is hurting you, tell them to stop, walk away, and talk to an adult about it.
3. Report it right away; a prompt report increases safety, reduce response time, improves the results of the investigation and intervention.
4. Be specific; share who was with you or might have seen something, who said or did what, when and where it happened.
5. Keep text messages and social media posts that contain harassment, violent, or bullying behavior so you can show it to an adult at school.

**MINNESOTA LAW** - Minnesota has recently passed the Safe Schools Act. We are working to adjust policy to align with requirements of the act as well as with model policies as they become available. We intend for our new policies to be in effect at the start of the 2014-15 school year.

## District Policies

**5025-Attendance Policy** - The school board believes that regular school attendance is directly related to success in academic work. Absences, whether excused or unexcused, are detrimental to the learning process in that work made up outside of class is not as effective as the actual classroom experience. Furthermore, excessive absences, as defined below, may result in loss of credit. Such experiences as class discussion and student-teacher interaction are difficult to replicate outside the classroom or at a later time. In addition, regular attendance develops habits of dependability important to the future of the student.

**5025R - Attendance Regulation** - Administration and staff will inform parents of the options available to them to excuse their child from school when necessary.

**5090 - Use of Cell Phones, (Digital Imaging Devices and Other Personal Electronics** - The Duluth Public Schools holds high expectations for student behavior, academic integrity and responsible use of existing and emerging technologies. Students who possess devices at school or school sponsored events shall demonstrate the greatest respect for the educational environment and the rights and privacy of all individuals within the school community.

**5150 -Chemical Use, Abuse, and Dependency** - The School Board recognizes the existence of conditions such as chemical use, abuse, and dependency which impede the educational process. Therefore, the School District shall assist in the prevention, identification, and response to chemical use problems in the early stages.

**3180 - Child Nutrition** - The School District's purpose in having a Child Nutrition program is to make it possible for all students to have a nutritionally adequate lunch and, in selected situations, breakfast. Breakfast programs will be provided at school sites where experimental programs sustained a participation of at least twenty-five (25) students.

**5060 - Collection, Maintenance, and Retention of Student Records and Information** - Schools maintain extensive and intimate information about students and their families for legitimate educational purposes, including instructional, guidance, evaluation, and research. The collection and maintenance of information about students or their families constitutes an intrusion into their privacy. Therefore, efficient administration of student records is a fundamental responsibility of the School District.

**5085 - School Discipline Policy** - The School Board believes that a self-disciplined citizenry is essential for the

maintenance of a free society. The rights of individual students shall be protected and each student shall be expected to respect the person and rights of all other students, teachers, and other school personnel.

**5165 - Distribution of Non-School Sponsored Materials on School Premises by Students and Employees** - The purpose of this policy is to protect the exercise of students' and employees' free speech rights, taking into consideration the educational objectives and responsibilities of the School District.

**6140 - Extra-curricular and Co-curricular Activities** - Extra-curricular or co-curricular activities are recognized as integral parts of the school program which extend and support the curricular offerings. Due to its informal nature, extreme care and planning must be given to its organization and administration. Every effort should be made to encourage participation of all students.

**5154 - Student Disability Non-discrimination, Policy** - The purpose of this policy is to protect disabled students from discrimination on the basis of disability and to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973, need special services, accommodations, or programs in order that such learners may receive a free appropriate public education.

**4015 - Prohibiting Harassment, Violence, and Bullying/4015R – Prohibiting Harassment, Violence, and Bullying** - Independent School District 709 (ISD 709) is committed to creating and maintaining a learning and working environment where all individuals are treated with respect and dignity. Every individual has the right to learn/work in an environment free of harassment and violence.

**5083 - Hazing Prohibition** - The purpose of this policy is to maintain a safe learning environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the school district and are prohibited at all times.

**6165 - Homework** - The School Board is supportive of homework being assigned to students by their teachers as long as it can be considered to be of benefit to the individual student.

**5040 - Student Transfers/5040R - Student Transfers** - The intent of the transfer policy is to minimize disruption of the education process for the student by maintaining continuous attendance in a school setting with his/her peers. Each school year requires extensive advance

planning relative to projected enrollments, curriculum offerings, and staffing for each building. Approval of transfers from one building to another will be limited to reasonable requests following designated timelines.

**3187 - Use Policy for Internet Access/3187R - Internet Use** - This policy is to set forth guidelines for access to, as well as for acceptable and safe use of the School District's electronic technologies and state statutes

**4040 - Safety of Students, Staff, and Public, Policy** - Every reasonable precaution must be taken to protect the safety of students, employees, and other citizens present on School District property or at school approved events. It is the basic responsibility of all supervisory personnel to assure that safe conditions exist and that those who they supervise use safe practices for the conduct of their work. In addition, all students and employees shall adhere to Occupational Safety and Health Act Rules, Right-to-Know laws and rules, and such other safety regulations as may be promulgated from time to time by the Superintendent. The rules and regulations are to be on file in the School District's Department of Human and Community Resources and Relations.

**2035 - Police School Liaison (School Resource Officer SRO)/ 1155 - Police Department Relationship Policy** - For the positions of Police-School Officers, when mutually agreed upon by the School District and the City of Duluth, the candidates shall be selected by the Chief of Police, recommended by the Superintendent of Schools, and approved by the School Board. The principal of the school affected will consult with the Superintendent relative to the recommendation being made. It must be understood by all parties involved in the selection process of Police-School Liaison Officers that the office must have a particular interest in children and an aptitude for working with them.

The schools have an obligation to cooperate with police officers in law enforcement and crime prevention. A cooperative climate shall be maintained between School District officials and law enforcement agencies. The schools also have an obligation to protect the legal rights of children who are in their charge. The purpose of this statement of policy is to clarify the responsibility of the principal when police officers want to interrogate a pupil in the course of their investigation of some violation of the law or wish to take a pupil into custody.

**5100 Student Dress (Grooming Code)** - The dress and grooming of students becomes the concern of the school if

it causes disruption of the educational program or is offensive or inappropriate to others. Students should dress in a manner that takes into consideration the educational environment, safety, health and welfare of others.

**1140 - Tobacco (Free) School** - The School Board has a responsibility to promote a safe and healthy environment for students, staff, and community members. Tobacco use is identified as a major health risk for both the users and the non-users. It is the intention of the School Board to provide school district sites that are tobacco-free and, consistent with the messages of health education programs. The School Board believes this policy decision regarding tobacco accommodates the concerns expressed by parents, students, and community officials.

**1080 - Visits to Schools (and Sites)** - Members of the community and other interested persons are welcome and encouraged to visit the schools. Both visitors and school personnel will make every effort to ensure that school visits will enhance the effect of the educational program. All school visitors, community persons and/or School District staff are expected to identify themselves at the principal's office before visiting elsewhere in the building. All community visitors will be accompanied by the principal or by the principal's designee. Neither teachers nor students will be interviewed, questioned, or solicited by visitors without the permission of the principal

**1083 - Weapons Free Zone** - The Board believes Duluth Public School buildings, grounds, and vehicles must be safe for students, staff, and the community. Zero tolerance for firearms applies to adults as well as to students.

**6300 - Wellness, Policy** - This policy assures a school environment that promotes and protects students' health, well-being, and ability to learn by supporting healthy eating and physical activity.

**5005 - Focus On Students** - The focus of the School District is on the learner/student. His/her educational development is the central concern and purpose of the School Board's policies and regulations. Each young person shall be given equal opportunity such that his/her development to the fullest can be achieved. The School Board will attempt to erase any limitations of facilities that may stand in the way of serving all citizens of the School District.



## Standards of Conduct

Standards of conduct are developed to ensure the district's aim of high achievement and safe and welcoming environments. Disciplinary policies within the elementary and secondary schools shall be enforced within the general guidelines as set forth in the grid below and are designed to prevent student's inappropriate behavior from recurring. These guidelines clearly describe the various administrative actions that may be taken for violations of the law and the school district standards of behavior.

The listing of minimum guidelines does not require that a "step-by-step" progression of increasing severity be employed by an administrator in dealing with a violation. However, there should be a logical relationship between the severity of the offense and the administrative action. The intent of this section is to list the guidelines for minimum disciplinary actions for each violation.

Out of school suspension is used for the purpose of creating separation and safety during investigation and intervention planning in response to a behavioral incident. At all age levels, use of out-of-school suspension should be paired with environmental, instructional, and/or restorative intervention.

The Assistant Superintendent will be consulted if any site desires to implement policy which exceeds the disciplinary action for violations

For students with a history of violent behavior, staff will be notified per Policy 5022 - <http://www.isd709.org/district/policies/5000-series---students..>

The following grid represent the majority of violations that occur in the schools, but others may occur which will warrant disciplinary action. Principal discretion to the enforcement of policy will be used when age, culture, and development/ability are factors to behavioral issues.

ALCOHOL		A student shall not possess, use, transmit, or be under the influence of alcoholic beverages of any kind: On school grounds immediately before, during, or after school hours.	
		<ul style="list-style-type: none"> <li>On school grounds at any time when the school is being used by any school group.</li> <li>Off school grounds at a school activity, function, or event.</li> <li>On any district-provided transportation.</li> <li>In a school zone as defined by Minnesota Statutes.</li> </ul>	
Grades	First Offense	Second Offense	Third Offense
K-2	*IU Report; referral to building resources	*	*
3-5	*IU Report; referral to building resources	Referral to building resources; notification of police	Dismissal or 1 day out-of-school school suspension
6-12	Notification of parent(s) or guardian(s); notification of police or probation officer; 1 day out-of-school suspension with consideration of 2-3 day out-of-school suspension	3 day out-of-school suspension	5 day out-of-school suspension; consideration for expulsion (fourth offense)

<b>ARSON</b>		<ol style="list-style-type: none"> <li>"Arson" is the intent or intentional destruction of or damage to any school building, school or personal property, injury to persons by means of fire or explosives. This includes all behaviors within the 'school zone' on school-sponsored/supervised activities.</li> <li>Failure to exercise ordinary caution resulting in fire within any area identified in #1 above, damage to school or personal property, or injury to person(s).</li> <li>False alarm or tampering with any part of a fire suppression system (including, but not limited to sprinkler, fire alarms, smoke detectors, fire extinguishers, or any other part of the fire suppression system). Giving a false alarm (police, fire, ambulance, 911) or tampering or interfering with any fire alarm system.</li> <li>Matches, lighters, and other fire starting materials are not allowed on school premises.</li> </ol>	
Grades	First Offense	Second Offense	Third Offense
K-2	*Notification of parent(s) or guardian(s); IIU Report; referral to building resources	*1 day out-of-school suspension	*3 day out-of-school suspension
3-5	*Notification of parent(s) or guardian(s); IIU Report; referral to building resources	*1 day out-of-school suspension	*
6-12	<ol style="list-style-type: none"> <li>Mandatory notification of police, Fire Marshall, and F.I.R.S.T. Program; notification of parent(s) or guardian(s); refer for attendance at F.I.R.S.T. Program</li> <li>Mandatory notification of police and Fire Marshall; notification of parent(s) or guardian(s); restitution if damage occurred; suspension; consideration for expulsion</li> <li>Mandatory notification of Fire Marshall or appropriate authorities; notification of parent(s) or guardian(s); 3 day out-of-school suspension; consideration for expulsion</li> <li>Materials will be confiscated and parents may be notified</li> </ol>	<ol style="list-style-type: none"> <li>5 day out-of-school suspension; consideration for expulsion</li> <li>Consideration for expulsion</li> </ol>	
<b>ASSAULT</b>		*Assault" is acting to cause fear in another of immediate bodily harm or death or intentionally inflicting or attempting to inflict bodily harm upon another.	
Grades	First Offense	Second Offense	Third Offense
K-2	*Notification of parent(s) or guardian(s); same or next day dismissal	*1 day out-of-school suspension	*1 day out-of-school suspension; referral to building resources
3-5	*Notification of parent(s) or guardian(s)	*1 day out-of-school suspension	1 day out-of-school suspension; referral to building resources
6-12	Notification of parent(s) or guardian(s), police or probation officer, if applicable; 1-3 day out-of-school suspension	3-5 day out-of-school suspension	
<b>ASSAULT (AGGRAVATED)</b>		*Aggravated assault" is committing an assault upon another person with a dangerous weapon or an assault that inflicts great bodily harm upon another person. (In cases involving harassment, as defined in the Harassment Policy, a district specialist will be consulted.)	
Grades	First Offense	Second Offense	Third Offense
K-2	*Notification of parent(s) or guardian(s)	* Referral to building resources	* Referral to building resources
3-5	*Notification of parent(s) or guardian(s)	* Referral to building resources	Same/next day dismissal

6-12	Notification of parent(s) or guardian(s); police or probation officer, if applicable; 3-5 day out-of-school suspension; consideration for expulsion depending on the severity of assault and past infractions		
<b>ASSAULT (CRIMINAL SEXUAL)</b>		*Criminal Sexual Assault* is defined by M.S. 609.341. (Refer to Sexual Harassment/Assault Response Protocol.)	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	* Notification of parent(s) or guardian(s)	*	* Referral to building resources
3-5	* Notification of parent(s) or guardian(s)	* Referral to building resources	Same/next day dismissal
6-12	Notification of parent(s) or guardian(s); police or probation officer; 3-5 day out-of-school suspension	Move for expulsion	
<b>BOMB</b>		A student shall not possess or commit crimes of violence using explosive devices including, but not limited to, bombs, grenades, rockets and mines. This also means devices that produce a chemical reaction that results in destruction.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	Notification of parent(s) or guardian(s)	* Referral to building resources	Same/next day dismissal
3-5	Notification of parent(s) or guardian(s)	* Referral to building resources	Same/next day dismissal
6-12	Notification of parent(s) or guardian(s); up to 5 day out-of-school suspension; consideration for expulsion; mandatory notification of police or probation officer, if applicable	Move for expulsion	
<b>BOMB THREAT</b>		A student shall not threaten directly or indirectly, to commit any crime of violence with purpose to cause an emergency response of a school building or grounds or a school-related activity.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	Notification of parent(s) or guardian(s); referral to building resources	1 day out-of-school suspension	Notification of police; 1-3 day out-of-school suspension; referral to building resources
3-5	Notification of parent(s) or guardian(s); referral to building resources; 1 day out-of-school suspension	1-3 day out-of-school suspension; referral to building resources	Police notification; 3-5 day out-of-school suspension
6-12	Notification of parent(s) or guardians(s); 3-5 day out-of-school suspension; consideration for expulsion; mandatory notification of police <b>Note:</b> A plan for readmission must be developed, which may include a risk assessment if the student is to return to school.		

<b>BULLYING</b>		<p>Bullying means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:</p> <ul style="list-style-type: none"> <li>• There is an actual or perceived imbalance of power between the student engaging in prohibited conduct and the target of the behavior and</li> <li>• The conduct is repeated or forms a pattern; or</li> <li>• The conduct materially and substantially interferes with a student's educational opportunities, performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.</li> </ul>	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	*Notification of parent(s) or guardian(s)	*	*
3-5	*Notification of parent(s) or guardian(s)	1 day out-of-school suspension; referral to building resources	1-3 day out-of-school suspension
6-12	Student conference; notification of parent(s) or guardian(s); consideration for 1 day out-of-school suspension or dismissal; conference with parent(s) or guardian(s) if suspended	1-3 day out-of-school suspension	5 day out-of-school suspension; consideration for expulsion
<b>CYBER BULLYIN</b>		<p>Cyber Bullying means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network, Internet Web site or forum, transmitted through a computer, cell phone, or other electronic device.</p>	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	*Notification of parent(s) or guardian(s)	*	*
3-5	*Notification of parent(s) or guardian(s)	1 day out-of-school suspension; referral to building resources	1-3 day out-of-school suspension
6-12	Student conference; notification of parent(s) or guardian(s); consideration for 1 day out-of-school suspension or dismissal	1-3 day out-of-school suspension	5 day out-of-school suspension; consideration for expulsion
<b>COMPUTER</b>		<p>Data tampering, unauthorized use of data, violations of Policy 3187-Use Policy for Internet Access and Regulation 3187R - Internet Use Regulations (<a href="http://www.isd709.org/district/policies/3000-series--business-finance">http://www.isd709.org/district/policies/3000-series--business-finance</a>) ( i.e. software modification or copyright violation, any attempt to install or use software that has not been approved by the district, violation of district network security, hardware damage/vandalism, etc.) is prohibited.</p>	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	*Notification of parent(s) or guardian(s)	*	*Referral to building resource; loss or restriction of technology use
3-5	*Notification of parent(s) or guardian(s)	*Loss or restriction of technology use	Loss or restriction of technology use; possible 1 day out-of-school suspension;
6-12	Student conference; loss or restriction of technology use; notification of parent(s) or guardian(s) and police or probation officer, if applicable; required restitution by parent(s) or guardian(s) and student; consideration for suspension	Loss or restriction of technology use; consideration for suspension; Required restitution by parent(s) or guardian(s) and student	Consideration for expulsion

<b>CONTROLLED SUBSTANCE (Prescription)</b>		<p>A student shall not possess, use, transmit or be under the influence of a controlled substance that is not prescribed to the student by a licensed health care professional:</p> <ul style="list-style-type: none"> <li>• In a school zone as defined by Minnesota Statutes immediately before, during, or after school hours.</li> <li>• On school grounds at any time when the school is being used by any school group.</li> <li>• Off school grounds at a school activity, function, or event.</li> <li>• On any district-provided transportation.</li> </ul> <p>Refer to Regulation 6180R – Procedures of Administration of Medication During the School Day.</p>	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	Notification of parent(s) or guardian(s); County IIU Referral	*	*
3-5	Notification of parent(s) or guardian(s); County IIU Referral	*Referral to building resources; 1 day out-of-school suspension	1-3 day out-of-school suspension
6-12	Notification of parent(s) or guardian(s); 1-3 day out-of-school suspension; referral to building resources; mandatory notification of police; consideration for expulsion <b>NOTE:</b> Students who sell or deal controlled substances on school premises may be subject to expulsion on the first offense.	3 day out-of-school suspension; referral to building resources	5 day out-of-school suspension;
<b>EXTORTION</b>		A student shall not obtain property from another by verbal intimidation.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	*Notification of parent(s) or guardian(s)	*	*Referral to building resources
3-5	*Notification of parent(s) or guardian(s)	* Same/next day dismissal; referral to building resources	1-3 day out-of-school suspension
6-12	Notification of parent(s) or guardian(s), police or probation officer, if applicable; consideration for 1-3 day out-of-school suspension	3-5 day out-of-school suspension	3-5 day out-of-school suspension; consideration for expulsion
<b>FIGHTING</b>		*Fighting* is mutual combat in which both parties have contributed to the situation by verbal and/or physical action.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	*Notification of parent(s) or guardian(s); same or next day dismissal	*1-3 day out-of-school suspension	*Referral to building resource: 1-3 day out-of-school suspension
3-5	*Notification of parent(s) or guardian(s); same or next day dismissal	*1-3 day out-of-school suspension	1-3 day out-of-school suspension
6-12	Notification of parent(s) or guardian(s), police or probation officer, if applicable; 1-3 day out-of-school suspension	3-5 day out-of-school suspension	3-5 day out-of-school suspension; consideration for expulsion

GANG ACTIVITY		Gang activity is strictly prohibited. A "gang" is herein identified as any group that participates in disruptive, intimidating, illegal, and/or violent activities as defined in this policy. This includes gang symbols, gestures, and attire.	
Grades	First Offense	Second Offense	Third Offense
K-2	*Notification of parent(s) or guardian(s)	*	*Referral to building resource
3-5	*Notification of parent(s) or guardian(s)	* Referral to building resource	*Referral to building resource
6-12	Student conference; notification of parent(s) or guardian(s), police or probation officer; consideration for 1-3 day out-of-school suspension	1-3 day out-of-school suspension	3 day out-of-school suspension <b>NOTE:</b> Repeated offenses involving assault, intimidation, or other illegal activity may result in recommendation for expulsion.
HARASSMENT		Sexual harassment , sexual orientation harassment , religious harassment, ethnic/ racial harassment (racial slurs, displays, emblems, graffiti, etc.), and disability harassment, as defined in Policy 4015 and Regulation 4015R Prohibiting Harassment and Violence ( <a href="http://www.isd709.org/district/policies/4000-series---human-resources">http://www.isd709.org/district/policies/4000-series---human-resources</a> ). (These actions may also constitute harassment as defined in Policy 4015 and Regulation 4015R Prohibiting Harassment and Violence.)	
Grades	First Offense	Second Offense	Third Offense
K-2	*Notification of parent(s) or guardian(s)	*Possible same or next day dismissal; referral to building resource	1-3 day out-of-school suspension
3-5	*Notification of parent(s) or guardian(s)	*Possible same or next day dismissal; referral to building resource	1-3 day out-of-school suspension
6-12	Student conference; notification of parent(s) or guardian(s); consideration for 1 day out-of-school suspension; consideration of filing of a complaint with ISD 709 Human Resources	1-3 day out-of-school suspension; mandatory filing of a complaint with ISD 709 Human Resources	3-5 day out-of-school suspension.
HAZING		"Hazing" means committing an act against a 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 into or affiliated with a student organization. "Student organization" means a group, club, or organization having students as its primary members or participants. Hazing may be reported to any staff member or administrator. Refer to Policy 5083 Hazing Prohibition ( <a href="http://www.isd709.org/district/policies/5000-series---students">http://www.isd709.org/district/policies/5000-series---students</a> ).	
Grades	First Offense	Second Offense	Third Offense
K-2	*Notification of parent(s) or guardian(s)	*Referral to building resources	*
3-5	*Notification of parent(s) or guardian(s)	*Referral to building resources	*
6-12	Student conference; notification of parent(s) or guardian(s); 1-3 day out-of-school suspension	3-5 day out-of-school suspension	5 day out-of-school suspension
HOMICIDE		A student shall not commit homicide, which means the killing of one human being by the act, procurement, or omission of another.	
Grades	First Offense	Second Offense	Third Offense
K-2	Mandatory notification of police; move for expulsion		
3-5	Mandatory notification of police; move for expulsion		
6-12	Mandatory notification of police; move for expulsion		

<b>ILLEGAL DRUG</b>		A student shall not possess, use, transmit, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, intoxicants of any kind, look-alike drugs, or substances that may have the appearance of an illegal substance, such as catnip, oregano, flour, saccharin, or other items or paraphernalia:	
		<ul style="list-style-type: none"> <li>On school grounds immediately before, during, or after school hours.</li> <li>On school grounds at any time when the school is being used by any school group.</li> <li>Off school grounds at a school activity, function, or event.</li> <li>On any district-provided transportation.</li> <li>In a school zone as defined by Minnesota Statutes.</li> </ul>	
Grades	First Offense	Second Offense	Third Offense
K-2	*Notification of parent(s) or guardian(s); referral to building resources	* Referral to building resources	*
3-5	*Notification of parent(s) or guardian(s); referral to building resources	*Referral to building resources	Same/next day dismissal
6-12	Notification of parent(s) or guardian(s); consideration for 1-3 day out-of-school suspension; referral to building resources; notification of police. <b>NOTE:</b> Students who sell or deal controlled substances on school premises may be subject to expulsion on the first offense.	3 day out-of-school suspension; referral to building resources	5 day out-of-school suspension; consideration for expulsion.
<b>OVER THE COUNTER MEDICATIONS AGAINST SCHOOL POLICY</b>		Refer to Regulation 6180R – Procedures of Administration of Medication During the School Day ( <a href="http://www.isd709.org/district/policies/6000-series--curriculum-instruction">http://www.isd709.org/district/policies/6000-series--curriculum-instruction</a> )	
Grades	First Offense	Second Offense	Third Offense
K-2	*Notification of parent(s) or guardian(s)	* Referral to building resources	*Referral to building resources
3-5	*Notification of parent(s) or guardian(s)	*Referral to building resources	Same/next day dismissal
6-12	Student conference; notification of parent(s) or guardian(s); consideration for 1-3 day out-of-school suspension <b>Note:</b> The school may revoke a student's privilege to possess and use non-prescription pain relievers if the school determines that the student is abusing the privilege	3-5 day out-of-school suspension; consideration for expulsion	
<b>PYROTECHNICS</b>		A student shall not possess or detonate fireworks.	
Grades	First Offense	Second Offense	Third Offense
K-2	*	*	*
3-5	*Notification of parent(s) or guardian(s)	*Referral to building resources	Same/next day dismissal
6-12	Notification of parent(s) or guardian(s); consideration for 1-3 day out-of-school suspension	3 day out-of-school suspension; consideration for expulsion	
<b>ROBBERY</b>		A student shall not obtain property from another by use of force or threat of force.	
Grades	First Offense	Second Offense	Third Offense
K-2	*Notification of parent(s) or guardian(s)	*	*Referral to building resources
3-5	*Notification of parent(s) or guardian(s)	*Referral to building resources; same/next day dismissal	1-3 day out-of-school suspension

6-12	Notification of parent(s) or guardian(s), police or probation officer, if applicable; consideration for 1-3 day out-of-school suspension, required restitution by parent	3-5 day out-of-school suspension	Move for expulsion
<b>TERRORISTIC THREATS</b>		A student shall not threaten to commit any crime of violence with the purpose to terrorize another person(s).	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	*Notification of parent(s) or guardian(s)	*Referral to building resources	*Same/next day dismissal
3-5	*Notification of parent(s) or guardian(s)	*Referral to building resources; same/next day dismissal	1-3 day out-of-school suspension
6-12	Notification of parent(s) or guardians(s); notification of police; 3-5 day out-of-school suspension; consideration for expulsion <b>Note:</b> A plan for readmission must be developed, which may include a risk assessment if the student is to return to school.		
<b>THEFT</b>		A student shall not intentionally take, use, transfer, conceal, or retain possession of personal property of another without the other's consent and with intent to deprive the owner permanently of possession of the personal property.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	*Notification of parent(s) or guardian(s)	*	*Referral to building resources
3-5	*Notification of parent(s) or guardian(s)	*Referral to building resources same/next day dismissal	1-3 day out-of-school suspension
6-12	Notification of parent(s) or guardian(s); notification of police, or probation officer, if applicable; required restitution by parent(s) or guardian(s) and student; consideration for 1-3 day out-of-school suspension. <b>Note:</b> Simple Theft: items valued less than \$20; notification of parent(s) or guardian(s)	3 day out-of-school suspension; required restitution by parent(s) or guardian(s) and student; consideration for expulsion	
<b>THREAT/INTIMIDATION</b>		A student shall not use words or gestures to intimidate or incite fear in another person.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	*Notification of parent(s) or guardian(s)	*	*Referral to building resources
3-5	*Notification of parent(s) or guardian(s)	*Referral to building resources same/next day dismissal	1-3 day out-of-school suspension
6-12	Notification of parent(s) or guardian(s), notification of police or probation officer; consideration for 1-3 day out-of-school suspension	3 day out-of-school suspension	5 day out-of-school suspension; consideration for expulsion



TOBACCO		A student shall not use, possess, or visibly display tobacco products/smoking materials on school grounds, in a school zone, owned or leased vehicles or sites leased by the school district as defined by Minnesota Statutes. Exception noted in MN Statue 144.4169: It shall not be a violation of this policy for an American Indian student to carry loose tobacco in a tobacco pouch intended for spiritual or cultural ceremonial support with the permission of student's parent or guardian and with written or verbal notice to the site administrator or principal.	
Grades	First Offense	Second Offense	Third Offense
K-2	*Notification of parent(s) or guardian(s)	*	*Referral to building resources
3-5	*Notification of parent(s) or guardian(s)	*Same/next day dismissal	1-3 day out-of-school suspension; police referral
6-12	Mandatory notification of police; student conference; notification of parent(s) or guardian(s); tobacco ticket	1 day out-of-school suspension	1-3 day out-of-school suspension
VANDALISM/PROPERTY RELATED		1. A student shall not willfully, cut, deface, or otherwise damage in any way any property, real or personal. This includes school busses. 2. A fee will be charged for lost or destroyed textbooks, workbooks, library books or other school property.	
Grades	First Offense	Second Offense	Third Offense
K-2	*Notification of parent(s) or guardian(s); restitution required	*	*Referral to building resources
3-5	*Notification of parent(s) or guardian(s)	*Referral to building resources; same/next day dismissal	1-3 day out-of-school suspension
6-12	1. Required restitution by parent(s) or guardian(s) and student; consideration of notification of police; 1-3 day out-of-school suspension 2. Parent(s) or guardian(s) and student shall be liable for fees charged by the school district.		
VERBAL ABUSE		A student shall not engage in obscene or abusive language/comments.	
Grades	First Offense	Second Offense	Third Offense
K-2	*Notification of parent(s) or guardian(s)	*	*
3-5	*Notification of parent(s) or guardian(s)	Referral to building resources; same or next day dismissal	1-3 day out-of-school suspension
6-12	Parent(s) or guardian(s) conference; consideration for 1-3 day out-of-school suspension <b>Note:</b> Engaging in obscene or abusive language directed towards a staff member will result in automatic mandatory suspension	3-5 day out-of-school suspension	5 day out-of-school suspension

<b>WEAPON</b>		<p>Dangerous weapon* means any firearm, whether loaded or unloaded, knives, stun guns, martial arts instruments, mace or any device designed as a weapon, or any other device or instrument which in the manner it is used or intended to be used is calculated or likely to produce death or great bodily harm. This includes any look-alike object that may have the appearance of a weapon or dangerous instrument. A student shall not knowingly possess, store, handle, transmit, use, or encourage or aid any student to possess, store, handle, or transmit these weapons in:</p> <ul style="list-style-type: none"> <li>• Any school building.</li> <li>• On any school premises.</li> <li>• On any school-provided transportation.</li> <li>• Off the school grounds at any school-related activity, event, or function.</li> <li>• In a school zone as defined by Minnesota Statutes.</li> </ul>	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-12</b>	<p>Mandatory notification of police or probation officer, if applicable; notification of parent(s) or guardian(s); consideration for 1-5 day out-of-school suspension; confiscation of weapon by building administration; consideration for expulsion.</p> <p><b>Note:</b> A school board must expel for a period of at least one school year a student who is determined to have brought a firearm to school. For the purpose of this section, firearm is defined in United States Code, Title 18, Section 921</p>		
<b>DISRUPTIVE/DISORDERLY CONDUCT</b>			
<b>INSUBORDINATION-DISRUPTIVE/DISORDERLY</b>		<p><b>MINOR INFRACTION</b> - A student shall not participate in actions that interfere with the rights of others to an education, instruction, and/or with the effective operations of the school. Such actions include off-campus behavior that negatively impacts effective school operations or the rights of others to an education or instruction including but not limited to: Refusal to follow school rules and regulations, refusal to follow directions given by a staff member, loud/boisterous behavior, inappropriate language, rude gestures, defiance, lying, throwing objects, running, leaving school grounds without proper authorization, and distributing unauthorized materials on school property.</p>	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-2</b>	*Notification of parent(s) or guardian(s)	*	*Referral to building resources
<b>3-5</b>	*Notification of parent(s) or guardian(s)	*Referral to building resources	Same/next day dismissal
<b>6-12</b>	Student conference; possible notification of parent(s) or guardian(s); possible detention or 1-3 day out-of-school suspension.		
<b>ATTIRE</b>		<p><b>MINOR INFRACTION</b> - Attire or personal grooming that presents a risk to health, safety, property, interferes with education, or violates Policy 4015 and Regulation 4015R Prohibiting Harassment and Violence (<a href="http://www.isd709.org/district/policies/4000-series-human-resources">http://www.isd709.org/district/policies/4000-series-human-resources</a>) is prohibited. Hats, caps, hoods, jackets, and coats are to be stored in student lockers during the school day. This includes attire that displays gang colors/affiliation or displays or promotes illegal activities or substances. This also includes any symbols or graphics that are affiliated with hate groups (ex. Confederate flag or swastika).</p>	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-12</b>	Student conference, possible notification of parent(s) or		

	guardian(s). Student will be required to modify his/her attire in such a manner that it no longer violates this policy. The student may be sent home to modify unacceptable attire. Articles may be confiscated and returned to the parent(s) or guardian(s) at their request.		
<b>ACADEMIC DISHONESTY</b>		<b>MAJOR INFRACTION</b> - A student shall not cheat in any form on school grounds or in any school-related activity. This includes plagiarizing (copying from print, the internet, or other electronic resources, purchasing or copying another person's work, and paraphrasing without citing the source).	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	*Notification of parent(s) or guardian(s)	*	*Referral to building resources
3-5	*Notification of parent(s) or guardian(s)	*Referral to building resources	Same/next day dismissal
6-12	Teacher conference with student; teacher discretion for consequences	Notification of parent(s) or guardian(s) and/or conference; teacher discretion for consequences	Administration conference; consideration for loss of credit; consideration for 1-3 day out-of-school suspension
<b>GAMBLING</b>		<b>MAJOR INFRACTION</b> - A student shall not gamble in any form on school grounds or at any school-related activity.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	*Notification of parent(s) or guardian(s)	*	*Referral to building resources
3-5	*Notification of parent(s) or guardian(s)	*Referral to building resources	Same/next day dismissal
6-12	Student Conference; possible notification of parent(s) or guardian(s).	Notification of parents; possible 1-3 day out-of-school suspension; possible notification of police or probation officer	Possible 3-5 day out-of-school suspension
<b>MOTOR VEHICLE INFRACTIONS</b>		<ol style="list-style-type: none"> <li>1. Parking - A student shall not park in an unauthorized area on school property or park on school property without a valid school permit, or violate any school district policy with his/her vehicle.</li> <li>2. Reckless or Careless Driving - A student shall not drive on or near school property in such a manner as to endanger persons or property.</li> </ol>	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
9-12	<ol style="list-style-type: none"> <li>1. Parking ticket; possible loss of parking privileges and towing at owner's expense; possible suspension</li> <li>2. notification of police and parent(s) or guardian(s); suspension of parking privileges</li> </ol>		
<b>RECORD AND IDENTIFICATION FALSIFICATION</b>		A student shall not falsify signatures or data, refuse to give proper identification, give false identification when requested to do so by a staff member, or give a false name or date of birth to police.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	*Notification of parent(s) or guardian(s)	*	*Referral to building resources
3-5	*Notification of parent(s) or guardian(s)	*Referral to building resources	Same/next day dismissal
6-12	Student conference; notification of parent(s) or guardian(s); possible notification of police; detention/Saturday School, or other school consequence		

TRANSPORTATION/BUS ISSUES		See Policy 3160-Student Transportation	
Grades	First Offense	Second Offense	Third Offense
K-12	Student conference; notification of parent(s) or guardian(s).	Up to 5 day out-of-school suspension from riding the bus	Up to 1 month suspension from riding the bus <b>Fourth Offense:</b> Up to 1 year suspension from riding the bus; meeting with parent(s) or guardian(s) (further offenses) <b>Note:</b> Based on the severity of a student's conduct, more serious consequences may be imposed at any time.
TRESPASSING		A student shall not be physically present in a school building without permission, after being requested to leave by a school official, or after suspension or expulsion.	
Grades	First Offense	Second Offense	Third Offense
K-2	*Notification of parent(s) or guardian(s)	*	*Referral to building resources
3-5	*Notification of parent(s) or guardian(s)	*Referral to building resources	Same/next day dismissal
6-12	Student conference; notification of parent(s) or guardian(s) and police; possible 1 day out-of-school suspension	Possible 1-3 day out-of-school suspension	Possible 3-5 day out-of-school suspension

\*Indicates Disciplinary action assigned by building administrator.

## Definitions of Disciplinary Actions

**DETENTION** - A student may be asked to come before school, during lunch/recess, or remain after school by a teacher or principal for the purpose of correction of a violation. Any student, who is instructed to report before or after school but is unable for any reason, must obtain permission from the teacher or principal. Reasonable attempts will be made to contact parent(s) or guardian(s) prior to implementation.

**EXPULSION OR EXCLUSION** - "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve months from the date the student is expelled. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. Expulsion and exclusion proceedings shall be in accordance with M.S. 121A.41, The Pupil Fair Dismissal Act.

A school board may expel for a period of at least one year a student who is determined to have brought a firearm to school. For the purposes of this section, firearm is as defined in United States Code, Title 18, Section 921.

In accordance with M.S. 121A.41, The Pupil Fair Dismissal Act, a student and his/her parent(s) or guardian(s) shall be served personally or by mail with notice of the expulsion hearing. The hearing will be held within ten days of service of the written note, unless continued pursuant to the statute.

The recommendation of the hearing officer shall be made to the school board within two days of the end of the hearing. The decision of the school board shall be rendered at a special meeting within five days after receipt of the recommendation of the hearing officer. The student shall receive due process as set forth in M.S. 121A.41, The Pupil Fair Dismissal Act.

**PARENT(S) OR GUARDIAN(S) CONFERENCE** - A parent(s) or guardian(s) conference is required if a student has committed a serious rule violation or has been suspended out of school. If a parent or guardian is unable to be present, the principal shall contact the parent(s) or guardian(s)

**REFERRAL TO JUVENILE AUTHORITIES** - If a student's behavior may be a violation of law, the principal or designated representative may contact juvenile authorities or police. If the officer indicates that he/she is arresting the student, with or without a warrant, he/she shall have complete jurisdiction and responsibility in the matter and the principal shall not interfere with the student's removal from the building. The student will, in all cases, be accorded the rights of due process.

**RISK SCREENING & REFERRAL FOR ASSESSMENT** - Students deemed to be a threat to them-selves and/or others may be asked to undergo a risk screening and/or formal risk

assessment by a district approved mental health professional before being readmitted to school.

**REFERRAL TO BUILDING AND DISTRICT RESOURCES -**

Referral to building and district resources to be made by school personnel, parent(s) or guardian(s), or community agencies. The parent(s) or guardian(s) shall be consulted if any special services are to be made available to a student. Reasonable attempts will be made to contact parent(s) or guardian(s) regarding referrals to building and district resources.

**REMOVAL FROM CLASS** - All students have the right to learn and teachers the right to teach. Disruption to the learning process may result in the loss of privilege to remain in the class. This removal is limited to a reasonable time-frame to be reinstated upon an agreed solution with the instructor and principal as necessary. Students shall be allowed the privilege of making up daily work, including tests and final exams, upon return to class. Removal from class or dismissal for the day of students with disabilities is also governed by the Individuals with Disabilities Education Act, M.S. 125A.03, and Minnesota Rules. See the section of this policy entitled "Students with Disabilities."

**INFORMATION AND REVIEW PROCESS** - Students or parent(s) or guardian(s) who wish to discuss concerns or review actions taken, provided actions do not involve expulsion or suspension, may request a conference with school personnel. It is recommended that conferences occur between personnel closest to the concern and be solution-based toward district aims and vision.

**SCHOOL ZONE** - Students are subject to all school disciplinary actions or violations while in a school zone. A school zone is defined as an area that begins at the boundaries of the school property and extends three hundred feet from that point, or one city block, whichever is greater. This zone also includes school bus stops and the area within a school bus being used to transport one or more elementary or secondary school students.

**STUDENT CONFERENCE** - Depending on the violation and the seriousness of the action, a student may meet with the principal and/or a teacher to discuss the incident. Students may be asked to formulate a plan during this conference which addresses their behavior and a commitment to solutions for improvement.

# **SCHOOL DISCIPLINE POLICY**

**FOR**

**ELEMENTARY AND SECONDARY SCHOOLS**

# **2013-2014**



Independent School District 709, 215 North First Avenue East, Duluth, Minnesota 55802

## FOREWORD

The School Discipline Policy has been prepared to define clearly the rights and responsibilities of persons in the Duluth Public Schools, ISD 709. WE URGE EACH PARENT OR GUARDIAN AND STUDENT TO REVIEW THIS MATERIAL CAREFULLY AND REFER ANY QUESTIONS TO SCHOOL ADMINISTRATION.

The Duluth School Board and administrative team believe that self-disciplined, respect-filled, restorative practices help to achieve the aims of high student achievement, a safe and welcoming environment, and efficient and effective systems.

The rights of individual students shall be protected and each student shall be expected to respect the person and rights of all other students, teachers, and other school personnel as well as school property.

## SCHOOL/COMMUNITY RESPONSIBILITIES

~~**THE DULUTH SCHOOL BOARD** shall carry out the educational requirements as expressed in law and formulate and adopt policies for the organization, management, and control of the school system, including policies applicable to its operation. The board, acting through the superintendent of schools, is responsible for the supervision of the behavior of students while legally under the supervision of the school.~~

~~**THE SUPERINTENDENT OF SCHOOLS** shall establish all necessary procedures, rules, and regulations to make effective the school board policies relating to the standards of student behavior and shall be responsible to the board for discipline in the ISD 709 public schools.~~

~~**THE ASSISTANT SUPERINTENDENT OF SCHOOLS** shall be responsible to the superintendent and shall implement all necessary procedures, rules, and regulations to make effective the school board policies relating to standards of student behavior in the schools and data collection regarding student behavior in the schools.~~

~~**THE SCHOOL PRINCIPAL** includes both the principal and assistant principal(s) and shall be responsible to the assistant superintendent of schools in implementing all necessary procedures, rules, and regulations to make effective the school board policies relating to the standards of student behavior.~~

The principal:

- ~~**a.**—Shall have the responsibility and the authority to formulate school expectations and regulations not in conflict with school board policies relating to standards of student behavior and data collection regarding student behavior in the schools.~~
- ~~**b.**—Shall be responsible for disseminating the expectations and regulations currently in effect for the school to all faculty, students, parents/guardians, and all interested community groups at the beginning of each school year, and to each new student upon registration.~~
- ~~**c.**—Has the authority to impose suspensions and/or recommend to the superintendent of schools the exclusion or expulsion of a student consistent with the guidelines of M.S. 121A.41, The Pupil Fair Dismissal Act, for violation of law or failure to comply with school regulations.~~

~~**THE SCHOOL RESOURCE OFFICER (SRO)** is a police officer employed by the Duluth Police Department, not an employee of ISD 709. The officer is a resource to the school principal, staff, parent(s) or guardian(s), and students, and is available to talk to students about personal matters.~~

~~When assisting the school in investigations initiated and conducted by the school district, the resource officer may speak with students who are victims, witnesses, and suspects. In such cases, questioning should take place in the presence of the school principal or designee, and the school will attempt to notify the student's parent(s) or guardian(s) if the student's actions could result in criminal charges.~~

~~When the resource officer or other law enforcement official must conduct non-school related law enforcement business on school grounds, school officials, unless prohibited by law, will attempt to contact parent(s) or guardian(s) before the student is questioned.~~

~~**TRANSPORTATION** is a service and a privilege provided to eligible students in the Duluth school system. All district and building discipline policies apply to student behavior during transportation to and from school and all school-sponsored activities. Transportation personnel will forward all bus conduct reports to the Transportation Office and to the building principal. If the student's transportation privileges are suspended, it is the responsibility of the parent(s) or guardian(s) to provide transportation to and from school.~~

~~**THE STAFF** shall be responsible to the principal for implementing all necessary procedures, rules, and regulations to make effective the school board policies relating to the standards of student behavior. When a staff member's efforts to solve a behavior problem are~~

unsuccessful, the student shall be referred to the principal, who has the responsibility and authority to use such measures as may be necessary to maintain control within the classroom, school building, and on school property. All employees are expected to participate directly in the supervision and guidance of the behavior of all students within their scope of authority and responsibility. Principals will notify all personnel (including custodians, para-professionals, cafeteria personnel, and clerical staff) of their authority and responsibilities relating to student behavior. All staff are expected to deal with students in a fair, firm, and consistent fashion. It shall be the responsibility of the principal to assist all concerned with this task.



**THE TEACHING STAFF** has the responsibility/authority to:

- a.**— Make clear what standards of student behavior are required by the teacher. A copy of the teacher's expectations of acceptable behavior shall be posted in the teacher's classroom. These rules shall be consistent with district policy.
- b.**— Report any violations of the district and/or building discipline policy to the principal.
- c.**— Manage classroom privileges.
- d.**— Assign school classroom learning activities.
- e.**— Request a parent(s) or guardian(s) conference.
- f.**— Refer learning challenges to the building principal or for students with disabilities, to the Individual Education Plan (IEP) manager.
- g.**— Use reasonable measures as may be necessary to ensure an appropriate learning culture in the classroom, school, and on school grounds.
- h.**— Confront inappropriate behavior and respond pursuant to the ISD 709 Student Discipline Policy.

**PARENT(S) OR GUARDIAN(S)** have the legal responsibility for the behavior of their children as determined by law and community practice. Parent(s) or guardian(s) are expected to exercise the required controls so that the student's behavior will be conducive to the development of self-discipline and will not be disruptive to the school's education program. Parent(s) or guardian(s) shall provide the school with information on how they may be contacted. Partnership between parent(s) or guardian(s) and school is essential in assisting students to work to the best of their ability and achieve a good school experience. Parent(s) or guardian(s) have a responsibility to help maintain communication with the school by participating in school community activities such as Parent Teacher Student Association (PTSA) meetings, attending scheduled individual conferences, and bringing matters of concern to the attention of the principal or faculty. Parent(s) or guardian(s) should report to school staff any information they have concerning illegal activities or any violations of school rules that threaten the health, safety, or property of others.

## STUDENTS' RIGHTS AND RESPONSIBILITIES

**RIGHTS**— The rights of an individual are preserved only by the protection and preservation of the rights of others. A student is responsible for the manner in which his/her individual rights are exercised and must accept the consequences of any actions that are committed outside the boundaries of those rights. Cooperative relationships between staff, students, and parent(s) or guardian(s) are the foundation for quality support and service. Rights bring responsibilities. The rights and responsibilities listed here are not all inclusive; for students have other rights guaranteed by the Constitution and by state and local laws. This statement of rights and responsibilities is a general guide and is not proposed to cover every situation that may arise.

**THE RIGHT TO LEARN**— Each student has the right to attend school in a safe environment, free from fear, and gain an education as provided by law. The right to learn also includes the right of classes to meet and carry on studies without interruptions, disruptions, or distractions, whether from inside or outside the classroom. Behavior that disrupts the normal functioning of classes is an infringement on the rights of others.

**THE RIGHT TO FREE SPEECH AND EXPRESSION**— Students in the Duluth Public Schools represent a wide range and diversity of opinion and background. Students have the right to express opinions, take stands, and support causes, either publicly or privately, provided such expressions are not libelous or obscene according to current legal definition and do not interfere with the rights of others or disrupt or distract from the atmosphere for learning in the school. The right to free expression of religion under the U.S. Constitution and the American Indian Religious Freedom Act is protected.

**THE RIGHT TO BE INFORMED OF RULES**— Students have the right to be informed of all policies, rules, and regulations they are expected to follow. Copies of these rules governing the code of conduct shall be available in each school office, and the basic rules shall be published and distributed to all students, parent(s) or guardian(s), and other interested persons.

**THE RIGHT TO PRIVACY**— Students' rights to privacy regarding school records will be protected and any disclosure of information from student permanent records shall be consistent with legal requirements.

**THE RIGHT TO PERSONAL PROPERTY**— Students have the right to be secure in their persons, papers, and effects; however, they must refrain from bringing onto school property or to school-sponsored events any material or item that would cause, or tend to cause, a disruptive activity or endanger the health and safety of students or other persons. When reasonable cause exists for a school principal to believe that such items are present, general or individual searches may be conducted under the authorization of the principal or representative designated by the principal.

School lockers are the property of the school district. At no time does the school district relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school authorities for any reason at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a school locker may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's personal possessions, the school authorities must provide notice of the search to students whose lockers were searched unless disclosure would impede an ongoing investigation by the police or school

officials. If practical and reasonable, search of an area assigned to a student will be made in the presence of an adult witness and in the presence of the student. Illegal items may be seized by school authorities, and items which disrupt, distract from, or interfere with the educational process may be removed from student possession. When school officials deem it appropriate, the Duluth Police Department may perform random safety sweeps of the buildings including parking lots, and lockers as appropriate.

**RESPONSIBILITIES**—Students are responsible for the consequences of their behavior. Each student is responsible for knowing and obeying all school rules and regulations. Principals shall be responsible for informing the parent(s) or guardian(s) of any student whose behavior is in serious conflict with established rules, public laws, and procedures. Notwithstanding the provisions of any law to the contrary, the conduct of all students twenty-one years of age and under attending a public elementary or secondary school shall be governed by a single set of reasonable rules and regulations promulgated by the local school board (M.S. 120A.20).

Students are responsible for reporting any illegal activities or serious violations that threaten their health, safety, or property of themselves or others.

Students are responsible for following all necessary procedures, rules, and regulations to make effective the school board policies relating to the standards of student behavior. All acts or conduct prohibited by state, federal, or local law are also considered a violation of the School Discipline Policy.

**RESPONSIBILITY FOR ACADEMIC WORK**—Duluth Public Schools faculty and staff are responsible to provide learning opportunities that are relevant and of high quality. Students are responsible to engage these opportunities through:

- Completing class assignments on time as instructed by the teacher.
- Properly caring for the instructional materials furnished to them by the school district.
- Bringing to class all materials required for daily classroom use.
- Actively participating in the learning activities.

**RESPONSIBILITY REGARDING ATTENDANCE AND TARDINESS**—Students are responsible for being in attendance each school day. Students shall be familiar with and responsible for following all school district attendance and tardiness policies, rules, and regulations.

**RESPONSIBILITY FOR DISCIPLINE**—Students have the right to a free public education and they are responsible for:

- Complying with the expectations and regulations of the school district and the instructions of all school district personnel.
- Respecting the authority of the faculty and school district officials on school property, on district-provided transportation, and at school-sponsored, off-campus events.

Failure to meet these responsibilities may result in disciplinary action.

Principals may include restorative practices as a component of a disciplinary action.

## **DEFINITIONS OF DISCIPLINARY ACTIONS**

**SCHOOL ZONE**—Students are subject to all school disciplinary actions or violations while in a school zone. A school zone is defined as an area that begins at the boundaries of the school property and extends three hundred feet from that point, or one city block, whichever is greater. This zone also includes the area within a school bus being used to transport one or more elementary or secondary school students.

**STUDENT CONFERENCE**—Depending on the violation and the seriousness of the action, a student may meet with the principal and/or a teacher to discuss the incident. Students may be asked to formulate a plan during this conference which addresses their behavior and a commitment to solutions for improvement.

**PARENT(S) OR GUARDIAN(S) CONFERENCE**—A parent(s) or guardian(s) conference is required if a student has committed a serious rule violation or has been suspended out of school. If a parent or guardian is unable to be present, the principal shall contact the parent(s) or guardian(s) by letter or telephone.

**DETENTION**—A student may be asked to remain after school by a teacher or principal for the purpose of correction of a violation. Any student, who is instructed to report after school but is unable for any reason, must obtain permission from the teacher or principal. Reasonable attempts will be made to contact parent(s) or guardian(s) prior to implementation.

**REMOVAL FROM CLASS**—All students have the right to learn and teachers the right to teach. Disruption to the learning process may result in the loss of privilege to remain in the class. This removal is limited to a reasonable time frame to be reinstated upon an agreed solution with the instructor and principal as necessary. Students shall be allowed the privilege of making up daily work, including tests and final exams, upon return after removal from class.

Removal from class or dismissal for the day of students with disabilities is also governed by the Individuals with Disabilities Education Act, M.S. 125A.03, and Minnesota Rules. See the section of this policy entitled "Students with Disabilities."

***IN-SCHOOL SUSPENSION*** means an action taken by the principal removing a student from class to a separate room for part or all of a school day(s). The availability of ISS is based on individual building resources. Credit will be given for all school assignments completed during the period of in-school suspension.

***SUSPENSION*** means an action taken by school administration prohibiting a student from attending school for a period of no more than ten school days. Students will also be prohibited from all school-related activities during suspension.

If a suspension is longer than five days, the suspending administrator must provide the superintendent with a reason for the longer suspension. Additional suspensions following a five-day suspension may be imposed if the student will create an immediate and substantial danger to self or to surrounding persons or property, so long as the total suspension does not exceed fifteen school days (ten total days for students with an IEP).

Alternative educational services shall be implemented if a suspension exceeds five days. The purpose of suspension is to remove the student from the school environment and to provide time for professional staff, parent(s) or guardian(s), and student to discuss the matter and bring about an agreement on future conduct. A separate administrative conference is required for each period of suspension.

Suspension of students with disabilities shall be made pursuant to the Pupil Fair Dismissal Act, Minnesota Rules, the Individuals with Disabilities Education Act, and M.S. 125A.03. See the section of this policy entitled "Students with Disabilities."

A pupil may be suspended for:

- a.** Willful violation of any reasonable school board regulation.
- b.** Willful conduct which materially and substantially disrupts the rights of others to an education.
- c.** Willful conduct which endangers school district employees, the student or other students, or the property of the school or others.

Suspension procedures are the following:

- a.** The principal shall hold an informational conference with the student, except where it appears the student will create an immediate and substantial danger to self or to surrounding persons or property.
- b.** A written notice of suspension shall be served upon the student at the time of suspension, if possible, and upon his/her parent(s) or guardian(s) by mail. Staff will also attempt to notify the student's parent(s) or guardian(s) by telephone at or before the suspension is to take effect.
- c.** Students should have the opportunity to complete and receive credit for any assigned course work and/or tests given during their time of suspension. The work shall be completed and the tests taken in a timely manner.
- d.** Days of out-of-school suspension shall not be counted as unexcused absences for purposes of attendance.

***REFERRAL FOR RISK ASSESSMENT***—Students deemed to be a threat to themselves and/or others may be asked to undergo a formal risk assessment by a district approved mental health professional before being readmitted to school.

***REFERRAL TO STUDENT SUPPORT TEAMS (SST)***—Referral to building SST is to be made by school personnel, parent(s) or guardian(s), or community agencies. The parent(s) or guardian(s) shall be consulted if any special services are to be made available to a student.

***ALTERNATIVE EDUCATIONAL SERVICES*** may include special tutoring, modified curriculum, other modifications or adaptations, instruction through electronic media, special educational services as indicated by appropriate assessment, homebound instruction, supervised homework, or enrollment in another district or alternative learning center, selected to allow the pupil to progress toward meeting graduation standards although in a different setting.

***EXPULSION OR EXCLUSION***—"Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve months from the date the student is expelled. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. Expulsion and exclusion proceedings shall be in accordance with M.S. 121A.41, the Pupil Fair Dismissal Act.

A school board may expel for a period of at least one year a student who is determined to have brought a firearm to school. For the purposes of this section, firearm is as defined in United States Code, Title 18, Section 921.

In accordance with M.S. 121A.41, The Pupil Fair Dismissal Act, a student and his/her parent(s) or guardian(s) shall be served personally or by mail with notice of the expulsion hearing. The hearing will be held within ten days of service of the written note, unless continued

~~pursuant to the statute. The recommendation of the hearing officer shall be made to the school board within two days of the end of the hearing. The decision of the school board shall be rendered at a special meeting within five days after receipt of the recommendation of the hearing officer. The student shall receive due process as set forth in M.S. 121A.41, The Pupil Fair Dismissal Act.~~

**STUDENTS WITH DISABILITIES** being served on an IEP are expected to follow the School Discipline Policy the same as other students. Standard disciplinary action or variance from that action must be stated in each IEP. Specific exceptions to the code of conduct related to manifestation of the student's disability will also be included in the IEP. The basic additional rules for discipline concerning students with disabilities are as follows:

- a. **School Rules** — "Regular" school rules apply if and only if the student discipline rules are determined at an IEP meeting to be appropriate for the student.
- b. **Maximum Suspension** — No student with a disability may be suspended for more than ten total days in a school year unless due process procedures have been carefully followed.
- c. **Manifestation Determination** — An IEP team meeting must be held to conduct a manifestation determination for student misconduct under the following circumstances:
  - Prior to the commencement of an expulsion or exclusion;
  - Any decision to change the placement of a student due to the student's behavior;
  - Removal from school for more than ten consecutive school days;
  - A series of removals that constitute a pattern because the series of removals total more than 10 school days in a school year or parent request;
  - Student's behavior is substantially similar to the student's behavior in previous incidents that resulted in a series of removals;
  - School personnel removes a student to an interim alternative educational setting for not more than 45 school days for behavior involving:
    - o Weapon (exception is blade of less than 2.5 inches in length 18 U.S.C. § 930 (g) (2));
    - o Illegal drugs;
    - o Infliction of serious bodily injury (substantial risk of death; extreme physical pain; protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty 18 U.S.C. § 1365 (h) (3)).

The IEP meeting must be held within ten school days of the beginning date of suspension to determine whether misconduct is a manifestation of the student's disability.

When misconduct is determined to be a manifestation of the disability, and the IEP team has not created a positive behavior intervention plan (BIP) prior to removal, both a functional behavioral determination (FBA) and BIP must be developed as soon as possible, but not more than thirty school days from the time of the manifestation determination meeting. If the student already had a BIP at the time of the misconduct, the IEP team must review it and decide whether to modify it to address the misconduct (M.R. 3525.2530).

When the misconduct is not determined to be a manifestation of the disability, school personnel may apply relevant disciplinary procedures in the same manner and for the same duration as the procedures would be applied to children without disabilities. Educational services would be provided for a removal from the educational setting, so as to enable the student to continue to participate in the general education curriculum and progress toward meeting IEP goals. The student may also receive, as appropriate, an FBA, BIP, and modification designed to address the behavior violation so that it does not recur.

- d. **Positive Behavior Intervention** — The district expects and encourages the planned development and use of positive behavioral interventions. The district discourages the use of punitive, aversive, or deprivation interventions.

**REFERRAL TO JUVENILE AUTHORITIES** — If a student's behavior may be a violation of law, the principal or designated representative may contact juvenile authorities or police. If the officer indicates that he/she is arresting the student, with or without a warrant, he/she shall have complete jurisdiction and responsibility in the matter and the principal shall not interfere with the student's removal from the building. The student will, in all cases, be accorded the rights of due process.

**INFORMATION AND REVIEW PROCESS** — Students or parent(s) or guardian(s) who wish to discuss concerns or review actions taken, provided actions do not involve expulsion or suspension, may request a conference with school personnel. It is recommended that conferences occur between personnel closest to the concern and be solution-based toward district aims and vision.

**POLICY REVIEW PROCESS** — The school board shall conduct an annual review of the School Discipline Policy.

**NOTE:** Residential/Day Treatment and alternative sites will have some discretion in the application of the policy.

## STANDARDS OF CONDUCT

Standards of conduct are developed to ensure the district's aim of high achievement and safe and welcoming environments. Disciplinary policies within the elementary and secondary schools shall be enforced within the general guidelines as set forth below and are designed to prevent student's inappropriate behavior from recurring. These guidelines clearly describe the various administrative actions that will be taken for violations of the law and the school district standards of behavior.

The listing of minimum actions does not require that a "step-by-step" progression of increasing severity be employed by an administrator in dealing with a violation. However, there should be a logical relationship between the severity of the offense and the administrative action. The intent of this section is to list the mandatory minimum disciplinary actions for each violation. The following represent the majority of violations that occur in the schools, but others may occur which will warrant disciplinary action. Principal discretion to the enforcement of policy will be used when age, culture and development/ability are factors to behavioral issues.

The Assistant Superintendent of Schools will be consulted if any site desires to implement policy which exceeds the disciplinary action for violations stated in this handbook.

For students with a history of violent behavior, staff will be notified per Policy 5022 – Staff Notification of Violent Students.

INFRACTION	VIOLATION	DISCIPLINARY ACTION
ALCOHOL	<p>A student shall not possess, use, transmit, or be under the influence of alcoholic beverages of any kind:</p> <ul style="list-style-type: none"> <li>On school grounds immediately before, during, or after school hours.</li> <li>On school grounds at any time when the school is being used by any school group.</li> <li>Off school grounds at a school activity, function, or event.</li> <li>On any district-provided transportation.</li> <li>In a school zone as defined by Minnesota Statutes.</li> </ul>	<p><b>First Offense:</b> Mandatory notification of police; notification of parent(s) or guardian(s); 1 to 3 days in/or out of school suspension; referral to building SST.</p> <p><b>Second Offense:</b> 3 days out of school suspension; referral to building SST.</p> <p><b>Third Offense:</b> 5 days out of school suspension.</p> <p><b>Fourth Offense:</b> Move for expulsion.</p>
ARSON	<ol style="list-style-type: none"> <li><b>1.</b> Arson – The intent or intentional destruction of or damage to any school building, school or personal property, injury to persons by means of fire or explosives. This includes all behaviors within the 'school zone' on school sponsored/supervised activities.</li> <li><b>2.</b> Failure to exercise ordinary caution resulting in fire within any area identified in #1 above, damage to school or personal property, or injury to person(s).</li> <li><b>3.</b> False alarm or tampering with any part of a fire suppression system (including, but not limited to sprinkler, fire alarms, smoke detectors, fire extinguishers, or any other part of the fire suppression system). Giving a false alarm (police, fire, ambulance, 911) or tampering or interfering with any fire alarm system.</li> </ol>	<p><b>First Offense:</b> Mandatory notification of police, Fire Marshall, and F.I.R.S.T. Program; notification of parent(s) or guardian(s); refer for attendance at F.I.R.S.T. Program Saturday School; restitution if damage occurred; risk assessment and 3 days out of school suspension; consideration for expulsion.</p> <p><b>Second Offense:</b> 5 days out of school suspension; consideration for expulsion.</p> <p><b>First Offense:</b> Mandatory notification of police and Fire Marshall; notification of parent(s) or guardian(s); restitution if damage occurred; suspension; consideration for expulsion.</p> <p><b>Second Offense:</b> Consideration for expulsion.</p> <p><b>First Offense:</b> Mandatory notification of Fire Marshall or appropriate authorities; notification of parent(s) or guardian(s); 3 days out of school suspension; consideration for expulsion.</p> <p><b>Second Offense:</b> Consideration for expulsion.</p> <p><b>First Offense:</b> Materials will be confiscated and parents may be notified.</p>



	<p>4. Matches, lighters, and other fire starting materials are not allowed on school premises.</p>	
<b>ASSAULT</b>	<p>1. "Assault" is acting to cause fear in another or immediate bodily harm or death or intentionally inflicting or attempting to inflict bodily harm upon another.</p> <p>2. "Aggravated assault" is committing an assault upon another person with a dangerous weapon or an assault that inflicts great bodily harm upon another person. (In cases involving harassment, as defined in the Harassment Policy, a district specialist will be consulted.)</p> <p>3. "Criminal Sexual Assault" is defined by M.S. 609.341. (Refer to Sexual Harassment/Assault Response Protocol.)</p>	<p><b>First Offense:</b> Mandatory notification of police or probation officer, if applicable; notification of parent(s) or guardian(s); 1 to 3 days in/or out of school suspension.</p> <p><b>Second Offense:</b> 3 to 5 days out of school suspension.</p> <p><b>Third Offense:</b> 3 to 5 days out of school suspension; consideration for expulsion.</p> <p>Mandatory notification of police or probation officer, if applicable; notification of parent(s) or guardian(s); 3 to 5 days out of school suspension; consideration for expulsion depending on the severity of assault and past infractions.</p> <p><b>First Offense:</b> Mandatory notification of police or probation officer, if applicable; 3 to 5 days out of school suspension.</p> <p><b>Second Offense:</b> Move for expulsion.</p>
<b>ATTENDANCE</b>	Truancy/Tardiness	See Policy 5025 and Regulation 5025R Attendance.
<b>BOMB</b>	A student shall not possess or commit crimes of violence using explosive devices including, but not limited to, bombs, grenades, rockets, mines, and fireworks. This also means devices that produce a chemical reaction that produces gas-producing destructive effects.	Mandatory notification of police or probation officer, if applicable; notification of parent(s) or guardian(s); 5 days out of school suspension; consideration for expulsion.
<b>BOMB THREAT</b>	A student shall not threaten directly or indirectly, to commit any crime of violence with purpose to cause evacuation of a school building or grounds or a school-related activity.	Mandatory notification of police; notification of parent(s) or guardians(s); 3 to 5 days out of school suspension; consideration for expulsion. A plan for readmission must be developed, which may include a risk assessment if the student is to return to school.
<b>BULLYING</b>	A student shall not intentionally hurt another person or group of people, either physically or psychologically. A student may not participate in or conspire with others to engage in acts that injure, degrade, or disgrace other individuals or groups of people. No student may intentionally or knowingly act in a manner where they should reasonably believe that the other person or group of people will regard the act as offensive or provocative. This includes off-campus behavior that negatively impacts	<p><b>First Offense:</b> Student conference; notification of parent(s) or guardian(s); consideration for 1 day in/or out of school suspension or dismissal; conference with parent(s) or guardian(s) if suspended.</p> <p><b>Second Offense:</b> 3 days out of school suspension.</p> <p><b>Third Offense:</b> 5 days out of school suspension; consideration for expulsion.</p>

	effective school operations or the rights of others to an education or instruction.	
<b>CYBER BULLYING</b>	A student shall not use technology to intentionally hurt another person, either physically or psychologically. A student may not participate in or conspire with others via technology to engage in acts that injure, degrade or disgrace other individuals or groups of people. No student may intentionally or knowingly act in a manner where they should reasonably believe that the other person or group of people will regard the act as offensive or provocative. This includes off-campus behavior that negatively impacts effective school operations or the rights of others to an education or instruction.	<b>First Offense:</b> Student conference; notification of parent(s) or guardian(s); consideration for 1 day in/or out-of-school suspension or dismissal; conference with parent(s) or guardian(s) if suspended. <b>Second Offense:</b> 3 days out-of-school suspension. <b>Third Offense:</b> 5 days out-of-school suspension; consideration for expulsion.
<b>COMPUTER</b>	Data tampering, unauthorized use of data, violations of Policy 3187 Use Policy for Internet Access and Regulation 3187R Internet Use Regulations (i.e. software modification or copyright violation, any attempt to install or use software that has not been approved by the district, violation of district network security, hardware damage/vandalism, etc.) is prohibited.	<b>First Offense:</b> Loss or restriction of technology use; notification of parent(s) or guardian(s) and police or probation officer, if applicable; required restitution by parent(s) or guardian(s) and student; student conference; consideration for 1 to 3 days in- or out-of-school suspension. <b>Second Offense:</b> Loss or restriction of technology use; 1 to 3 days out-of-school suspension; consideration for expulsion; required restitution by parent(s) or guardian(s) and student.
<b>CONTROLLED SUBSTANCE (Prescription)</b>	A student shall not possess, use, transmit or be under the influence of a controlled substance that is not prescribed to the student by a licensed health care professional: <ul style="list-style-type: none"> <li>▪ On school grounds immediately before, during, or after school hours.</li> <li>▪ On school grounds at any time when the school is being used by any school group.</li> <li>▪ Off school grounds at a school activity, function, or event.</li> <li>▪ On any district-provided transportation.</li> <li>▪ In a school zone as defined by Minnesota Statutes.</li> </ul> Refer to Regulation 6180R – Procedures of Administration of Medication During the School Day	<b>First Offense:</b> Mandatory notification of police; notification of parent(s) or guardian(s); 1-3 day suspension; referral to building SST. <b>Second Offense:</b> 3 days out-of-school suspension; referral to building SST. <b>Third Offense:</b> 5 days out-of-school suspension. <b>Fourth Offense:</b> Move for expulsion.
<b>DISRUPTIVE DISORDERLY CONDUCT INSUBORDINATION</b>	<b>MINOR INFRACTIONS</b>	
	A student shall not participate in actions that interfere with the rights of others to an education, instruction, and/or with the effective operations of the school. Such actions include off-campus behavior that negatively impacts effective school operations or the rights of others to an education or instruction including but not limited to: Refusal to follow school rules and regulations, refusal to follow directions given by a staff member, loud/boisterous behavior, inappropriate language, rude gestures, defiance, lying, throwing objects, running, leaving school grounds without proper authorization, and distributing unauthorized materials on school property.  <b>Attire</b> – Attire or personal grooming that presents a risk to	Student conference; possible notification of parent(s) or guardian(s); possible detention or 1 to 3 days in/or out-of-school suspension.

health, safety, property, interferes with education, or violates Policy 4015 and Regulation 4015R-Prohibiting Harassment and Violence is prohibited. Hats, caps, scarves, jackets, and coats are to be stored in student lockers during the school day.

Student conference: notification of parent(s) or guardian(s). Student will be required to modify his/her attire in such a manner that it no longer violates this policy. The student may be sent home to modify unacceptable attire. Articles may be confiscated and returned to the parent(s) or guardian(s) at their request.

**MAJOR INFRACTIONS**

**DISORDERLY CONDUCT  
INSUBORDINATION  
(Continued)**

**Academic Dishonesty**— A student shall not cheat in any form on school grounds or in any school-related activity. This includes plagiarizing (copying from print, the internet, or other electronic resources, purchasing or copying another person's work, and paraphrasing without citing the source).

**First Offense**: Teacher conference with student; teacher discretion for consequences.

**Second Offense**: Notification of parent(s) or guardian(s) and/or conference; teacher discretion for consequences.

**Third Offense**: Administration conference; consideration for loss of credit; consideration for 1 to 3 days in/or out of school suspension.

**Gambling**— A student shall not gamble in any form on school grounds or in any school-related activity.

Referral to juvenile authorities or police and notification of parent(s) or guardian(s).

**Motor Vehicle Infractions**

**1. Parking**— A student shall not park in an unauthorized area on school property or park on school property without a valid school permit.

Parking ticket; possible loss of parking privileges; possible towing at owner's expense.

**2. Reckless or Careless Driving**— A student shall not drive on or near school property in such a manner as to endanger persons or property.

Suspension; notification of police and parent(s) or guardian(s); suspension of parking privileges.

**Record and Identification Falsification**— A student shall not falsify signatures or data, refuse to give proper identification or give false identification when requested to do so by a staff member, or give a false name or date of birth to police.

Student conference; notification of parent(s) or guardian(s); possible result in a court referral for giving a false name or date of birth to police.

**Transportation Infractions**— A student shall not participate in disruptive, distracting, or destructive conduct that interferes with the safe and orderly operation of the transporting of students.

**First Offense**: Student conference; notification of parent(s) or guardian(s).

**Second Offense**: Up to 1 week suspension of bus privileges.

**Third Offense**: Up to 2 week suspension of bus privileges.

**Fourth Offense**: Up to 1 month suspension or possible loss of all bus privileges for the remainder of school year.

**NOTE**: Reporting to local police of misbehavior on a school bus causing an immediate and substantial danger to self or surrounding persons or property is required by law.

**Trespassing**— A student shall not be physically present in a school building without permission, after being requested to leave by a school official, or after suspension or

**First Offense**: Student conference; notification of parent(s) or guardian(s) and police; possible 1 day in/or out-of-school suspension.

**Second Offense**: 2 days out-of-school suspension;

	<p>expulsion.</p>	<p>referral to building SST.</p>
<p><b>EXTORTION</b></p>	<p>A student shall not obtain property from another by verbal intimidation.</p>	<p><b>First Offense:</b> Mandatory notification of police or probation officer, if applicable; notification of parent(s) or guardian(s); 1 to 3 days in/ or out of school suspension.  <b>Second Offense:</b> 3 to 5 days out of school suspension.  <b>Third Offense:</b> Move for expulsion.</p>
<p><b>FIGHTING</b></p>	<p>"Fighting" is mutual combat in which both parties have contributed to the situation by verbal and/or physical action.</p>	<p><b>First Offense:</b> Mandatory notification of police or probation officer, if applicable; notification of parent(s) or guardian(s); 1 to 3 days in or out of school suspension.  <b>Second Offense:</b> 3 to 5 days out of school suspension.  <b>Third Offense:</b> 3 to 5 days out of school suspension; consideration for expulsion.</p>

<p><b>GANG ACTIVITY</b></p>	<p>Gang activity is strictly prohibited. A "gang" is herein identified as any group that participates in disruptive, intimidating, illegal, and/or violent activities as defined in this policy.</p>	<p><b>First Offense:</b> Student conference; notification of parent(s) or guardian(s); police notification; consideration for 1 to 3 days in/or out-of-school suspension.  <b>Second Offense:</b> 1 to 3 days in- or out-of-school suspension.  <b>Third Offense:</b> 3 days out-of-school suspension.</p> <p><b>NOTE:</b> Repeated offenses involving assault, intimidation, or other illegal activity may result in recommendation for expulsion.</p>
<p><b>HARASSMENT</b></p>	<ul style="list-style-type: none"> <li>■ Sexual harassment</li> <li>■ Sexual-orientation harassment</li> <li>■ Religious harassment</li> <li>■ Ethnic/racial harassment (racial slurs, displays, emblems, graffiti, etc.)</li> <li>■ Disability harassment as defined in Policy 4015 and Regulation 4015R Prohibiting Harassment and Violence. (These actions may also constitute harassment as defined in Policy 4015 and Regulation 4015R Prohibiting Harassment and Violence.)</li> </ul>	<p><b>First Offense:</b> Student conference; notification of parent(s) or guardian(s); consideration for 1 day in-school suspension or dismissal; mandatory filing of a complaint with ISD 709 Human Resources.  <b>Second Offense:</b> 3 days out-of-school suspension.  <b>Third Offense:</b> 5 days out-of-school suspension.</p>
<p><b>HAZING</b></p>	<p>"Hazing" means committing an act against a 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 into or affiliated with a student organization. "Student organization" means a group, club, or organization having students as its primary members or participants. Hazing may be reported to any staff member or administrator. Refer to Policy 5083 Hazing Prohibition.</p>	<p><b>First Offense:</b> 1 to 3 days out-of-school suspension.  <b>Second Offense:</b> 3 to 5 days out-of-school suspension.  <b>Third Offense:</b> 5 days out-of-school suspension.</p>
<p><b>HOMICIDE</b></p>	<p>A student shall not commit homicide, which means the killing of one human being by the act, procurement, or omission of another.</p>	<p>Mandatory notification of police; move for expulsion.</p>
<p><b>ILLEGAL DRUGS</b></p>	<p>A student shall not possess, use, transmit, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, intoxicants of any kind, look-alike drugs, or substances that may have the appearance of an illegal substance, such as catnip, oregano, flour, saccharin, or other items or paraphernalia:</p> <ul style="list-style-type: none"> <li>■ On school grounds immediately before, during, or after school hours.</li> <li>■ On school grounds at any time when the school is being used by any school group.</li> <li>■ Off school grounds at a school activity, function, or event.</li> <li>■ On any district-provided transportation.</li> <li>■ In a school zone as defined by Minnesota Statutes.</li> </ul>	<p><b>First Offense:</b> Mandatory notification of police; notification of parent(s) or guardian(s); 1 to 3 days suspension; referral to building SST.  <b>Second Offense:</b> 3 days out-of-school suspension; referral to building SST.  <b>Third Offense:</b> 5 days out-of-school suspension.  <b>Fourth Offense:</b> Move for expulsion.</p> <p><b>NOTE:</b> Students who sell or deal controlled substances on school premises may be subject to expulsion on the first offense.</p>
<p><b>OVER THE COUNTER MEDICATIONS AGAINST SCHOOL POLICY</b></p>	<p>Refer to Regulation 6180R—Procedures of Administration of Medication During the School Day</p>	<p><b>First Offense:</b> Student conference; notification of parent(s) or guardian(s); consideration for 1 to 3 days in/or out-of-school suspension.  <b>Second Offense:</b> 3 to 5 days out-of-school suspension; consideration for expulsion.</p>

		<p><b>NOTE:</b> The school may revoke a student's privilege to possess and use non-prescription pain relievers if the school determines that the student is abusing the privilege.</p>
<b>PYROTECHNICS</b>	A student shall not possess or detonate fireworks.	<p><b>First Offense:</b> Notification of parent(s) or guardian(s); 1 to 3 days in/ or out-of-school suspension.</p> <p><b>Second Offense:</b> 3 days out-of-school suspension; consideration for expulsion.</p>
<b>ROBBERY</b>	A student shall not obtain property from another by use of force or threat of force.	<p><b>First Offense:</b> Mandatory notification of police or probation officer, if applicable; notification of parent(s) or guardian(s); 3 days out-of-school suspension.</p> <p><b>Second Offense:</b> 3 to 5 days out-of-school suspension.</p> <p><b>Third Offense:</b> Move for expulsion.</p>
<b>TERRORISTIC THREATS</b>	A student shall not threaten to commit any crime of violence with the purpose to terrorize another person.	Mandatory notification of police; notification of parent(s) or guardians(s); 3 to 5 days out-of-school suspension; consideration for expulsion. A plan for readmission must be developed, which may include a risk assessment if the student is to return to school.
<b>THEFT</b>	A student shall not intentionally take, use, transfer, conceal, or retain possession of personal property of another without the other's consent and with intent to deprive the owner permanently of possession of the personal property.	<p><b>First Offense:</b> Notification of parent(s) or guardian(s), police, or probation officer, if applicable; required restitution by parent(s) or guardian(s) and student; student conference; 1 to 3 days in or out-of-school suspension.</p> <p><b>Second Offense:</b> 3 days out-of-school suspension; consideration for expulsion; required restitution by parent(s) or guardian(s) and student.</p>
<b>THREAT/ INTIMIDATION</b>	A student shall not use words or gestures to intimidate or incite fear in another person.	<p><b>First Offense:</b> Student conference; notification of parent(s) or guardian(s); consideration for 1 day in-school suspension or dismissal; conference with parent(s) or guardian(s) if suspended; mandatory filing of a complaint with ISD 709 Human Resources.</p> <p><b>Second Offense:</b> 3 days out-of-school suspension.</p> <p><b>Third Offense:</b> 5 days out-of-school suspension; consideration for expulsion.</p>
<b>TOBACCO OR TOBACCO RELATED DEVICES</b>	<p>A student shall not use, possess, or visibly display tobacco products/smoking materials or tobacco related devices on school grounds, in a school zone, owned or leased vehicles or sites leased by the school district as defined by Minnesota Statutes.</p> <p>Exception noted in MN Statue 144.4169: It shall not be a violation of this policy for an American Indian student to carry loose tobacco in a tobacco pouch intended for spiritual or cultural ceremonial support with the permission of student's parent or guardian and with written or verbal notice to the site administrator or principal.</p>	<p><b>First Offense:</b> Mandatory notification of police; student conference; notification of parent(s) or guardian(s); tobacco ticket.</p> <p><b>Second Offense:</b> 1 day in or out-of-school suspension.</p> <p><b>Third Offense:</b> 1 to 3 days out-of-school suspension.</p>