

# STUDENT RIGHTS AND RESPONSIBILITIES HANDBOOK

## 2019-2020





West St. Paul-Mendota Heights-Eagan Area Schools (District 197) provides a challenging educational environment that instills in each student a lifelong passion for learning, empowers all students to achieve their personal goals and academic potential, and prepares them to be responsible citizens in an interconnected world. In order to achieve this mission, it is the responsibility of students, staff, families and the community to work together to build a strong and safe educational environment.

## **STUDENT RIGHTS AND RESPONSIBILITIES**

Students who attend District 197 schools have responsibilities to teachers, other staff and fellow students. Students have other rights guaranteed by the Constitution and by state and local laws. The rights and responsibilities below are not all-inclusive and do not cover every situation that may arise.

### **Student Records - Infinite Campus Portal**

Students have the right to privacy regarding their school records. Any disclosure of information from student records will be consistent with legal requirements and policy established by the school district.

Students, parents and guardians have the right to review the student's grades, attendance, assessment data, and other academic records on Infinite Campus Portal. [www.isd197.org/infinitecampus](http://www.isd197.org/infinitecampus)

### **Attendance**

It is important that students are in school everyday to gain the academic knowledge and social /emotional skills to progress grade levels.

#### **Student's Responsibility**

It is the student's right to be in school. It is also the student's responsibility to attend all assigned classes and study halls every day that school is in session and to be aware of and follow the correct procedures when absent from an assigned class or study hall. Finally it is the student's responsibility to request any missed assignments due to absence.

#### **Parent or Guardian's Responsibility**

It is the responsibility of the student's parent or guardian to ensure the student is attending school, to inform the school in the event of a student absence, and to work cooperatively with the school and the student to solve any attendance problems that may arise.

#### **Teacher's Responsibility**

It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher's responsibility to provide any student who have been absent with any missed assignments upon request. Finally it is the teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.

#### **Administrator's Responsibility**

It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedure uniformly to all students, to maintain accurate records on student attendance and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.

If a student becomes ill during school, they must to go to the health office and the school nurse will contact the parent or guardian.

**Attendance continued**

The enrollment of a student who has “open enrolled” from another district may be terminated if the student is habitually truant. Students 17 years of age or older will be dropped immediately upon reaching 15 consecutive days absent.

For more details, see Board Policy 503 Student Attendance and Minnesota Statute §120A.22 - Minnesota Compulsory Instruction Law.

### **Equal Opportunity**

Students have the right of equal opportunity, as allowed by law, to participate in all school activities and school education programs for which they are eligible. Students are responsible for following the rules and procedures of the school-sponsored activity in which they participate or others participate. Students may not discourage the participation of other students.

### **Fair Treatment**

Students have the right to due process as defined in the Minnesota Pupil Fair Dismissal Act when involved in a violation of district rules. Included is the opportunity to hear the nature of the violation and to give their account of the situation.

Students have the right to be informed of all applicable classroom and school rules, expectations and procedures. Students are responsible for knowing and following all applicable classroom and school rules, expectations and procedures.

Students have the right to be treated respectfully by district employees and other students. Students are responsible for responding to all directions or questions from staff and for following all laws, policies, rules and expectations that apply to them.

Students are responsible for treating all persons respectfully and respecting the space and freedom of those around them.

### **Free Speech and Expression**

Students have the right to free speech so long as their speech does not violate the rights of others.

Students are responsible for expressing opinions, publishing written materials, and distributing literature in such a manner that is not libelous, obscene, discriminatory, or sexually explicit; that does not contain references to alcohol, chemicals, tobacco, or other products that are illegal for use by minors; that does not interfere with the rights of others; that does not disrupt the atmosphere of learning in the school; and that follows school rules and procedures regarding time, place and manner.

Permission of the school principal or designee is required for distribution or posting of paper or electronic materials.

### **Gender Identity**

Students have the right to be identified by their name, pronoun, and asserted gender in school records, learning spaces, facilities, and extracurricular activities consistent with Board Policy and procedures.

Students or their guardian must communicate with school staff if their school records are not reflective of their name, pronoun, and/or gender identity.

## **Learning and Academic Work**

Students have the right to attend school and gain an education as provided by law. Attendance at a particular school is a privilege, not a right.

Students are responsible for daily attendance, for completing class assignments on time, and for bringing appropriate materials required for class use.

Students are responsible for behaving in such a manner that supports learning for all and does not pose a potential or actual danger to themselves or others and that is not disruptive to the learning process for others.

## **Medications**

Students have the right to receive medications and medical procedures that must be administered during the school day in order for a student to attend school.

Families are responsible to communicate with the school nurse or other school staff about changes in medications or medical procedures when they must be administered during the school day.

## **Non-Discrimination/Harassment-Free Environment**

Students have the right to a learning environment free from discrimination, harassment, and violence based on an individual's race, creed, sex, marital status, national origin, age, color, religion, ancestry, status with respect to public assistance, familial status, sexual or affectional orientation, gender identity and expression, or disability. Students have a right not to be retaliated against for making good faith reports of discrimination, harassment, or violence.

Students are responsible for treating other students and district employees respectfully and in a manner that does not discriminate or harass an individual based on protected class.

Students are responsible for reporting to staff (i.e., teacher or principal) incidents of bullying, discrimination, harassment, violence, or retaliation that they have experienced or of which they are aware.

## **Personal Property and Privacy**

Students generally have a right of privacy in their persons and in their personal property on school district grounds and at school-sponsored or associated events.

According to Minnesota law, students have the right to utilize school-owned property (e.g., lockers, desks, iPads) for storing appropriate items of personal property with the understanding that all school-owned property is within the exclusive control of the school district and may be searched by school authorities for any reason, at any time, without permission, consent or requirement for a search warrant.

When reasonable suspicion exists to believe a student possesses prohibited items or that a search will uncover evidence of a violation of a school rule or of the law, school officials may conduct a reasonable search of a student's person or property.

Students must not bring onto school district property or to school-sponsored or associated events any item or material that violates school district policy, school rules, or state or federal law, or that would cause, or tend to cause, a disruption or endanger the health or safety of students or other people. Items prohibited include, but are not limited to, stolen goods, weapons and look alike weapons, and other illegal items.

## **Personal Property and Privacy continued**

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 police or school officials.

## **Pledge of Allegiance / National Anthem**

Minnesota law requires all public schools to provide students the opportunity to recite the Pledge of Allegiance at least once a week (unless the School Board votes to waive this requirement).

Anyone who does not wish to participate in reciting the Pledge of Allegiance or National Anthem for any personal reasons may elect not to do so, and students must respect another person's right to make that choice. Students who choose to not participate must be quiet and respectful.

## **Student Dress**

Students have the right to choose their manner of dress and personal grooming unless it presents a clear danger to the student's health or safety, causes an interference with school work or creates classroom or school disorder.

Students are responsible for wearing clothes that are appropriate for school. To maintain a safe learning environment, students' dress cannot be a health and/or safety hazard, obscene, sexually explicit, or discriminatory. Clothing that displays words or images that communicate a message that is racist, sexist, or otherwise derogatory is not permitted. Clothing that displays references to alcohol, chemicals, tobacco or other products that are illegal for use by minors is not permitted.

Students are responsible for abiding by the school administration's mandated minimum standards of cleanliness and neatness.

## **Student Government**

Students have the opportunity to form and participate in student government that is open to all members of the student body being represented. The purpose of the existence of student government is to represent and to be responsive to the needs of all students.

## **Cell Phones**

A student's cell phone should not disrupt instruction. Students must comply with staff requests for the cell phone to be put away or it may be taken away from the student.

## **Technology Usage and Safety**

Teachers and staff believe strongly in the ability of technology to enhance and personalize learning. Students use iPads (elementary and middle school) and laptops (high school) to access course content, complete homework, collaborate and communicate with classmates, conduct research and more. In middle school, all students are assigned an iPad. Students are required to turn in their iPads at the end of each year, along with the charger.

In high school, all students have two options: use a school-owned device or bring one from home (Bring Your Own Device or BYOD). Students who choose to use a school-owned device are assigned a laptop when they enter Henry Sibley High School and they may use it until they leave or graduate, when they will be required to turn it back in, along with the charger.

## Technology Usage and Safety continued

It is expected that all school-owned iPads and laptops will be brought to school each day, stay in good condition throughout each school year and remain in an acceptable working order. If a school-owned laptop/iPad/device charger is lost or damaged it is the student's responsibility to pay a replacement fee. If a district-owned laptop/iPad/device is lost or damaged it may be the student's responsibility to pay a replacement fee. Students should report any loss, damage or theft as soon as possible.

If a high school student chooses to bring a laptop to school that they currently own or purchase, it must meet a set of minimum requirements in regard to size and hardware. Tablets and iPads are not allowed at Henry Sibley. Learn more at [www.isd197.org/academics/empowered/byod](http://www.isd197.org/academics/empowered/byod).

Learn more about technology throughout School District 197 at [www.isd197.org/empowered](http://www.isd197.org/empowered).

## Student's Responsibility - Technology Code of Ethics

Acceptable use of the school district's computer system, which includes Internet access, electronic technologies, cloud-based tools and electronic communications, in School District 197 is outlined in School Board Policy 524, which is signed by students and parents/guardians and available on the District website at [www.isd197.org](http://www.isd197.org). This policy covers use of the school district system on or off district property and/or personal electronic technologies while on district property and/or the district system.

In the West St. Paul-Mendota Heights-Eagan Area Schools, it is important to use information and technology in safe, legal, and responsible ways. We embrace these conditions as facets of being a digital citizen and strive to help students develop a positive digital footprint.

1. Students accessing or using cloud-based tools including, but not limited to, blogs, wikis, podcasts, Google applications, Canvas and SeeSaw for student assignments are required to keep personal information out of their postings.
2. Students must select online names that are appropriate and will consider the information and images that are posted online at an age appropriate level.
3. Students must not log in to the network as another classmate.
4. Students using cloud-based tools must treat these tools as a classroom space. Speech that is inappropriate for class is not appropriate on cloud-based tools. Students are expected to treat others and their ideas online with respect.
5. Assignments on cloud-based tools are like any other assignment in school. Students, in the course of completing the assignment, are expected to abide by policies and procedures in the student handbook, including those policies regarding plagiarism and acceptable use of technology.
6. Student blogs are to be a forum for student expression; however, they are first and foremost a tool for learning. The district may restrict speech for valid educational reasons as outlined in board policy.
7. Students must not use the Internet to harass, discriminate, bully or threaten the safety of others. If students receive a comment on a blog or other cloud-based tool used in school that makes them feel uncomfortable or is not respectful, they must report this to a teacher, and must not respond to the comment.
8. Students accessing cloud-based tools from home or school, using the district technology system, must not download or install any software without permission, and not click on ads or competitions.
9. Students should be honest, fair and courageous in gathering, interpreting and expressing information for the benefit of others. Always identify sources and test the accuracy of information from all sources.
10. Students must treat information, sources, subjects, colleagues and information consumers as people deserving of respect. Gathering and expressing information should never cause harm or threaten to be harmful to any person or group of people.

11. Students are accountable to their readers, listeners and viewers and to each other. Students should admit their mistakes and correct them promptly, while also exposing the unethical information and practices of others.
12. Students shall not record, photograph or video other students or school employees on school property, on a school bus or at school-sponsored activities without their knowledge and consent, except for activities considered to be in the public arena (e.g. sporting events, public meetings, academic competitions or public performances). School social events, activities sponsored by student clubs, team building retreats, and activities that take place during the school day are not considered to be in the public arena.
13. School board policies concerning acceptable use of electronic technology include the use of these cloud-based tools for school activities (Policy 524 – Internet and Electronic Resources Acceptable Use).
14. Failure to follow this code of ethics will result in academic sanctions and/or disciplinary action. Students who inadvertently access unacceptable materials or an unacceptable Internet site must immediately disclose it to their teacher or a school administrator.

### **Parent or Guardian Responsibility**

Outside of school, parents bear responsibility for the same guidance of Internet and cloud-based tool use as they exercise with information sources such as television, telephones, radio, movies, and other possibly offensive media. Parents are responsible for monitoring their student's use of the district technology system and of the Internet from home or a remote location.

### **Transportation**

When riding a school bus or van to or from school, a student has the right to a safe ride that is free from intimidation, threat, or harassment.

Transportation is a privilege, not a right for an eligible student. Students who use bus services must comply with the district's transportation policies (Board Policies 707, 708 & 709) and procedures, which can be found at [www.isd197.org/schoolboard/policies](http://www.isd197.org/schoolboard/policies). Students who are involved in serious or repeated incidents of unacceptable student conduct on the school bus or at the school bus stop may have their riding privileges suspended or revoked, including bus transportation for field trips.

When parking in school or district lots, District 197 accepts no responsibility for loss of personal property or damages to a car. Student parking at the high school requires a permit. Students who park illegally or without a permit in designated areas may be ticketed.

### **Student's Responsibility**

Students are responsible to adhere to the expected behaviors while on the school bus and while in school bus loading and unloading areas. Problem behaviors occurring on the school bus will be managed in accordance with the Rights & Responsibilities Student Handbook.

### **Parent or Guardian's Responsibility**

Parents/Guardians of transported students are responsible for supervising their children until their children board the school bus in the morning and after their children leave the bus at the end of the school day.

The parent or guardian of a student suspended from transportation is responsible for ensuring that the student travels safely to and from school and that the student arrives to school on time.

### **Environmental Sustainability**

Students are strongly encouraged to do their part for the environment by conserving energy, recycling and composting. Students are asked to follow the standards of the district's LIVEGREEN program and to use the appropriate receptacles available throughout the building.

## Visitors and Volunteers

Parents, guardians and community members are welcome to make visits to school, provided the visits are consistent with the health, education and safety of students and employees and are conducted within the procedures and requirements established by the school district in Policy 903, [www.isd197.org/schoolboard/policies](http://www.isd197.org/schoolboard/policies).

All visitors (i.e. parents, guardians, volunteers, contractors, etc.) must check in and out at the school office or main entrance before proceeding throughout the building. An individual or group may be denied permission to visit a school or school property or such permission may be revoked if the visitor(s) does not comply with the school district procedures and regulations or if the visit is not in the best interest of students, employees or the school district.

A high school student enrolled in a Post-Secondary Enrollment Options (PSEO) course may remain at the school site during regular school hours. Students who wish to stay at school should meet with the principal to arrange for supervision, a study area, technology, etc.

## STANDARDS OF STUDENT BEHAVIOR

The **Student Behavior Handbook** explains what staff and schools do to create an environment that supports student learning. It is also a tool to help students and their families understand the consequences for behavior that is not appropriate in school. The information in this handbook helps us all to create safe, respectful, and supportive learning environments.

Schools also work to create positive, safe, and respectful learning environments, by implementing proactive strategies and programs in which students are taught positive behavioral and social practices. Some programs include:

- Positive Behavioral Interventions and Supports (PBIS)
- Responsive Classroom
- Conscious Discipline
- Restorative Practices
- Conflict Resolution

District 197's School Board creates and adopts policies to guide the actions of everyone in the district. The Superintendent, with the administrative team, develops procedures to show how these policies will be implemented. Principals and program administrators may add further rules necessary for their students, staff and school community. Teachers and other staff then work with students to set and follow the expectations for how they will work together in each classroom. Adult staff members are held to high standards of behavior and are subject to all applicable laws, School Board policies, and Human Resources' rules and practices.

This handbook applies to incidents and situations that occur on any property owned or controlled by the district or occurring in connection with any activity sponsored by or associated with the district. This handbook may also apply to incidents involving District 197 students if an unapproved connection or association to the district or its staff is explicitly or implicitly stated or inferred (for example, hazing).

## RESPONSES AND LEVELS OF BEHAVIOR VIOLATIONS

This section of the summary divides problem behaviors into four levels of violations with examples of interventions and disciplinary responses.

- Interventions and restorative responses are opportunities for students to learn appropriate behavior with the goal of facilitating positive behavioral change. Interventions may involve school staff as well as support staff in the broader community.
- Disciplinary responses may also be used. Every reasonable effort should be made to repair harm and change problem behavior using interventions and the least severe disciplinary responses possible.



These guidelines describe the various administrative actions that may be taken for violations of the school district's rules, policies, procedures and the law. Interventions and responses shall be enforced within the general guidelines outlined in the Violations Levels 1-4 and the Violations Matrix. A Level 1 violation is the least severe and a Level 4 violation is the most severe. For each violation on the charts below, the first (•) is the minimum disciplinary action. The presence of a dot (•) in a given cell in the matrix does not imply or require that an administrator will use a "step-by-step" progression of increasing severity in dealing with a violation. However, there shall be a logical relationship between the severity and frequency of the offense and the age of the student and the administrative action.

Factors to be considered prior to assigning administrative actions:

- The student's age, maturity and understanding of the impact of their behavior
- The student's ability and/or willingness to repair the harm caused by the behavior
- Previous interventions and consequences applied
- The circumstances and context, severity and frequency of the behavior
- The student's individualized Education Plan (IEP) or 504 plan, if applicable
- Unless otherwise noted, these policies apply to student behavior occurring on any property owned or controlled by District 197 or occurring in connection with any activity sponsored by or associated with the district.

**LEVEL I**

Level I interventions are generally addressed by school staff members with a focus on re-teaching safe and respectful behaviors. Part of a day to one day of dismissal or suspension may occur depending on the severity and frequency of the violation.

*Note: Please refer to the Glossary for additional terms or definitions.*

<b>Examples of Intervention Responses</b>	
<b>Level I incidents generally do not result in removal from school but may result in removal depending on the intensity and/or frequency of the behavior.</b>	
<p>Interventions aim to correct and teach alternative behavior so students can learn and demonstrate safe and respectful behavior. School staff members can use a variety of classroom management strategies that may include:</p> <ul style="list-style-type: none"> <li>• Re-teach expected behavior/skill</li> <li>• Verbal or nonverbal redirection</li> <li>• Modeling</li> <li>• Written reflection/ apology</li> <li>• Seat change</li> <li>• Teacher/ student conference</li> <li>• Daily progress sheets</li> <li>• In class time-out</li> <li>• Restitution (fix it plan/ contract)</li> <li>• Short-term removal from class</li> <li>• Loss of privilege(s)</li> </ul>	<p>Appropriate staff interventions may involve the parent/guardian and other members of the school community. Interventions may include:</p> <ul style="list-style-type: none"> <li>• Student conference</li> <li>• Parent/ guardian notification</li> <li>• Parent/ guardian/ teacher conference</li> <li>• Parent/ guardian accompanying student to school or class</li> <li>• Removing, adjusting, or covering up clothing that violates student dress requirements</li> <li>• In-school community service</li> <li>• Conflict resolution</li> <li>• Contract between teacher, student, and parent/ guardian</li> <li>• Referral</li> <li>• Detention</li> <li>• In-school suspension for one hour or more, but not more than one day</li> <li>• Dismissal or suspension of one day of school</li> </ul> <p>*A severe or repeated occurrence may be treated as a violation at a higher level.</p>

<b>Level I Violations</b>					
Please refer to the Glossary for additional terms or definitions.	<b>Levels</b>				<b>Police Notification</b>
	1	2	3	4	
<b>Absence, Tardiness</b> Arriving late to school or to class.					
<b>Absence, Unexcused</b> Unauthorized absence from school or class.					
<b>Cheating or Plagiarizing</b> Academic dishonesty including, but not limited to, copying the work of others on school assignments or tests and using the ideas or writing of another person including work accessed digitally.					
<b>Damage to Property of Others</b> Willful damage to the property of staff members or others.					
<b>Damage to School Property</b> Willfully cutting, defacing or otherwise damaging in any way, property belonging to or used by the district.					
<b>Defiance of Authority</b> Willful refusal to follow directions given by a staff member.					
<b>Disruptive Behavior</b> Situations and/ or actions that staff members believe interfere with, or have the potential to interfere with, effective learning and/or operations of the school, safety of self and others to or from school, or diverts the bus driver's attention.					
<b>Gambling</b> Playing of a game of chance for stakes.					
<b>Inappropriate Language</b> Swearing or using words in a disrespectful way.					
<b>Leaving School Grounds</b> Leaving school grounds during school hours without proper clearance.					
<b>Parking Violation</b> Parking in an unauthorized area on school property.					
<b>Physical Contact (No Bodily Harm)</b> Students engage in non-serious but inappropriate physical contact.					
<b>Record and Identification Falsification</b> Falsifying or altering signature or data, refusing to give proper identification, or giving false identification to staff.					
<b>Student Dress</b> Manner of dress or personal grooming that does not fit within the policies or guidelines practice by the school or district.					
<b>Teasing and Name Calling</b> A single occurrence of teasing or name-calling with or without the intent to injure, degrade, or intimidate other individuals.					
<b>Technology Misuse / Violation</b> This includes being off-task, treating technology carelessly and airdropping materials without permission.					
<b>Theft, Minor</b> Unauthorized taking or possession of the property of another, including but not limited to school supplies, food, etc.					

## LEVEL II

Level II violations will result in dismissal from school for part of a day, entire day, or multiple days. Based on the severity, it may also result in notification of the police.

*Note: Please refer to the Glossary for additional terms or definitions.*

### Examples of Intervention Responses

The duration of the dismissal (or removal) is limited as much as is practicable while adequately addressing the behavior. Interventions may include:

- Student Conference
- Parent/ guardian notification
- Parent/ guardian/ teacher conference
- In-school community service
- Contract between teacher, student, and parent/guardian
- Referral
- Dismissal or suspension of 1-3 days of school

*\*A severe or repeated occurrence may be treated as a violation at a higher level.*

*\*\*Repeated instances of a level II violation may be treated as a violation at a higher level only when appropriate interventions have been attempted over a reasonable amount of time and documented in the student's record.*

Level II Violations					
Please refer to the Glossary for additional terms or definitions.	Levels				Police Notification
	1	2	3	4	
<b>Bullying</b> Unwanted, aggressive behavior that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated over time.					
<b>Bullying Using Technology (Cyberbullying)</b> This type of bullying takes place online or through technology and may take place in a variety of ways, including but not limited to, verbal bullying, or social bullying.					
<b>Disorderly Conduct</b> See full definition in the Glossary.					
<b>Fighting</b> Mutual participation in which both parties have contributed to the situation by verbal and/or physical action.					
<b>Fires and False Fire Alarms</b> Tampering or interfering with any fire alarm system or failure to exercise caution, resulting in a fire.					
<b>Gang Activity</b> See full definition in the Glossary.					

<b>Level II Violations continued</b>				
<b>Harassment</b> Harassment includes physical or verbal conduct or communication, directed at an individual that is 1) based on an individual's race, creed, sex, marital status, national origin, age, color, religion, ancestry, status with respect to public assistance, sexual or affectional orientation, gender identity and expression, familial status or disability; and 2a) had the purpose or effect of creating an environment that is intimidating, hostile, or offensive with respect to that individual; or 2b) otherwise adversely affects the individual's employment, educational opportunities or access to a benefit from the school district.				
<b>Interference/ Obstruction</b> Any action taken to attempt to prevent a staff member from exercising his/her lawfully assigned duties, including an administrative investigation.				
<b>Language, Abusive</b> Student delivers verbal messages that include offensive or threatening language.				
<b>Physical Aggression (Bodily Harm)</b> An intentional act by a student resulting in bodily harm.				
<b>Physical Aggression to Staff</b> An intentional act by a student resulting in unwelcome physical contact with staff persons.				
<b>Pyrotechnic Devices, Possession and/or Detonation of a Firework or Firecracker</b> See full definition in the Glossary.				
<b>Reckless or Careless Driving</b> Driving on school property in such a manner as to endanger persons or property.				
<b>Repeated Misuse of District Technology Resources</b> Purposeful use of district technology resources in a way that violates district policy.				
<b>Sexual Behavior</b> Engaging in sexual behavior including, but not limited to, sexual intercourse or sexual penetration, sexual contact, indecent exposure, or masturbation.				
<b>Theft, Major</b> Unauthorized taking/ possession of the property of another including but not limited to jackets, expensive electronics, etc.				
<b>Trespassing, Including During Periods of Dismissal or Suspension</b> Being physically present on school property or at a school activity after being directed to leave by a school administrator or other person lawfully responsible for the control of the premises.				

### LEVEL III

Level III violations will result in the suspension of a student and possible notification of the police.

*Note: Please refer to the Glossary for additional terms or definitions.*

#### Examples of Intervention Responses

The duration of the dismissal (or removal) is limited as much as is practicable while adequately addressing the behavior and keeping the learning environment safe. Interventions may include:

- Parent/ guardian notification
- Parent/ guardian/ teacher conference
- Interim alternative educational placement
- Referral
- Dismissal or suspension of 3-5 days of school

*\*Incidents at this level may be referred for expulsion depending on the circumstance.*

Level III Violations					
Please refer to the Glossary for additional terms or definitions.	Levels				Police Notification
	1	2	3	4	
<b>Alcohol, Possession/Use/under the Influence</b> See full definition in the Glossary.					
<b>Arson</b> See full definition in the Glossary.					
<b>Assault</b> Intentionally inflicting bodily harm upon a person (including staff) without the person's consent.					
<b>Drugs or Controlled Substance, Possession/ Use/ Soliciting/Selling</b> See full definition in the Glossary.					
<b>Fires and False Fire Alarms</b> Tampering or interfering with any fire alarm system or failure to exercise caution, resulting in a fire.					
<b>Hazing</b> Committing an act against a student, or coercing a student into committing an act, which creates a substantial risk of harm to a person in order for the student to be initiated into or affiliated with as student organization, or for any other purpose.					
<b>Incapacitation Device, Possession, without use or intent to use</b> See full definition in Glossary.					
<b>Possession, Other Weapon or Object, not a firearm and not meeting Minnesota Statute dangerous weapon definition, without use of intent to use as a weapon</b> Device not manufactures as a dangerous weapon that is capable of producing bodily harm, substantial bodily harm, or fear of bodily harm. Examples include knives with blades under 2.5 inches, box cutters, razor blades, etc. Use or intent must not be present.					
<b>Robbery / Extortion</b> Obtaining property from another by force or a threat of force.					
<b>Threats, Terroristic</b> Threatening directly or indirectly to commit any crime of violence with intent to terrorize another or to cause evacuation of a building, place of assembly or vehicle.					

## LEVEL IV

Level IV violations require the principal to notify the police and make a referral for an expulsion to the Superintendent or designee.

*Note: Please refer to the Glossary for additional terms or definitions.*

### Examples of Intervention Responses

These response involves the removal of the student from the school environment because of the severity of the behavior. They may involve the placement of the student in a safe environment that provides additional structures to address behavior. These interventions focus on maintaining the safety of the school community and ending self-destructive and/or dangerous behavior. Actions include:

- Parent/ guardian notification
- Parent/ guardian/ teacher conference
- Interim alternative educational placement
- Referral
- Expulsion of exclusion (an act of the School Board)

Level IV Violations					
Please refer to the Glossary for additional terms or definitions.	Levels				Police Notification
	1	2	3	4	
<b>Assault, Aggravated</b> The intentional infliction of substantial bodily harm, or great bodily harm upon another, or committing an act with a firearm, dangerous weapon or other weapon with intent to cause fear in another of immediate bodily harm or death.					
<b>Criminal Act</b> Committing an act on school property or in the course of a school-sponsored or school-associated activity that would be a crime if committed by an adult.					
<b>Criminal Act Against a Staff Member</b> Committing an act against a staff member that would be a crime if committed by an adult.					
<b>Criminal Sexual Conduct</b> Sexual conduct amounting to a violation includes criminal "sexual contact" of any other sexual act that would be a criminal act if committed by an adult.					
<b>Explosive Device</b> Bombs, grenades, mines, rockets, missiles, pipe bombs, or similar devices designed to explode and capable of causing bodily harm or property damage.					
<b>Firearm</b> Gun or rifle that fires ammunition by force of explosion or combustion. Does not include BB guns, air guns, or lookalike guns.					
<b>Incapacitation Device, Possession, with use of intent to use</b> A device designed to temporarily immobilize or incapacitate people such as taser, stun guns, or tear gas derivative.					
<b>Possession/ Use of a Dangerous Weapon Other Than a Firearm</b> A device designed or modified as a weapon that is capable of producing death or great bodily harm. Examples include knife with a blade of 2.5 inches or longer, replica firearms, BB gun, or brass knuckles.					
<b>Sexual Violence</b> A physical act of aggression or force or the threat of aggression or force that involves touching another person's intimate parts or forcing a person to touch any person's intimate parts.					

## GLOSSARY OF TERMS

### **Absence** -

- **Chronic Truancy** - Continued unauthorized absences. Student will be referred to social worker for consideration to file a court petition or referred to the Truancy Intervention Program. Ordinarily, chronic truancy does not warrant dismissal.
- **Tardiness** - Arriving late to school or to class.
- **Unexcused** - Unauthorized absence from school or class.

**Alcohol** - Possession, use, or being under the influence of any alcoholic product while on school grounds or at school sponsored activities. Student may be referred for a chemical use assessment.

**Arson** - The intentional destruction of or damage to property by means of fire or explosives. Zero tolerance applies if a combustible or flammable liquid was used.

**Assault** - Intentional infliction of bodily harm upon a person without the person's consent.

### **Assault, Aggravated** -

1. The intentional infliction of substantial bodily harm or great bodily harm upon another, or
2. Committing an act with a firearm, dangerous weapon, or other weapon with intent to cause fear in another of immediate bodily harm or death.

**Audio Alert Device** - Any device intended to be used to produce audio signals for purposes of repelling an attack or intrusion by others.

**Bodily Harm** - Physical pain or injury, illness, or any impairment of physical condition.

**Bullying** - Bullying means any verbal or electronic expression, physical act or gesture, or pattern thereof, that has the purpose or effect of causing distress to one or more students and which substantially interferes with educational benefits, opportunities, or performance of the student(s).

Bullying includes, but is not limited to, conduct against a student that a reasonable person under the circumstances knows or should know has the effect of:

- harming a student
- damaging a student's property
- placing a student in fear of harm to his or her person or property
- violating a student's reasonable expectation of privacy
- defaming a student
- intentionally inflicting emotional distress against a student
- creating a hostile educational environment for a student, or
- subjecting a student to intimidation, ridicule, embarrassment or social isolation

**Bullying Using Technology (Cyberbullying)** - This type of bullying takes place online or through technology (cyberbullying) and may take place in a variety of ways, including but not limited to verbal bullying or social bullying.

**Bus Suspension** - Temporary or long-term prohibition for a student to ride a school bus to school or other events involving riding a school bus.

**Bus Violations** - Any incidence of unacceptable student conduct on or near any school bus or bus stop. Weapons and other serious violations should be reported using the event type associated with the student's actions, even if they took place on the bus.

**Cheating or Plagiarism** - Academic dishonesty including, but not limited to, copying the work of others on school assignments or tests, and using the ideas or writings of another person. Cheating also includes misuse of technology to photograph, illegally copy or download materials from the Internet, or use a personal electronic device to text answers, etc.

**Chemical Health Evaluation** - A student may be referred to voluntarily engage in an assessment, completed by a community agency, to determine their level of involvement with alcohol or other chemical use.

**Conflict Resolution** - A way for two or more parties to find a peaceful solution and negotiate a resolution to a disagreement.

**Contract** - A written behavior agreement signed by the student, teacher or administrator, and/or parent/guardian.

**Criminal Act** - Commission of an act, on school property or in the course of a school sponsored or school-associated activity that would be a crime if committed by an adult.

**Criminal Act Against a Staff Member** - Committing an act against a district staff member that would be a crime if committed by an adult. This policy applies to student acts occurring on or off school property and during or after school hours.

**Criminal Sexual Conduct** - Criminal sexual conduct amounting to a violation includes criminal "sexual contact" or any other sexual act that would be a criminal act if committed by an adult (1) that is accomplished by force, coercion, or threat of a dangerous weapon, (2) that is committed against the person the actor knows or has reason to know is mentally impaired, mentally incapacitated or physically helpless, or (3) that otherwise violates Minn. Statutes.

**Damage to Property of Others** - Willful damage to property of staff members and/or others.

**Damage to School Property** - Willfully cutting, defacing, or otherwise damaging in any way any property, real or personal, belonging to or used by the school district. The parent/guardian shall be liable for all damage caused by the student.

**Defiance of Authority** - Willful refusal to follow directions given by a staff member.

**Detention** - The requirement that a student remains in school or attends school outside of normal class time or school hours.

**Discrimination** - No person shall, on the basis of race, creed, sex, marital status, national origin, age, color, religion, ancestry, status with regard to public assistance, sexual or affectional orientation, familial status, gender identity and expression, or disability, be subjected to discrimination.

**Dismissal (or removal from school)** - An action taken by school administration requiring a student to leave school for up to one full school day.



**Disorderly Conduct** - Whenever a student:

1. Engages in brawling or fighting; or disturbs a lawful assembly or meeting; or engages in offensive, obscene, abusive, boisterous, or noisy conduct or in offensive, obscene, or abusive language tending reasonably to arouse alarm, anger, or resentment in others,
2. and the student knows, or has reasonable grounds to know, that such conduct will, or will tend to, alarm, anger, or disturb others or provoke an assault or breach of the peace by others, then the student has violated the rule against disorderly conduct.

**Disruptive Behavior** - Situations and/or actions that staff believe interfere with or have the potential to interfere with effective learning and/or operations of the school.

**Disruptive Behavior To and From School** - Behavior that endangers or harasses students on their way to and from school, or at the bus stop, or diverts the bus driver's attention from driving.

**Drugs or Controlled Substances, Possession/Use/Soliciting/Selling** - The unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, or transportation of any drugs or controlled substance; unlawfully being under the influence of any drugs or controlled substance; or possession of equipment or devices used for preparing or taking drugs or controlled substances. Student will be referred for a chemical use assessment.

**Exclusion** - 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 current calendar year.

**Explosive Device** - Bombs, grenades, mines, rockets, missiles, pipe bombs, or similar devices designed to explode and capable of causing bodily harm or property damage.

**Expulsion** - Expulsion is a legal act that may be taken by the school board to prohibit an enrolled student from further attendance for up to 12 months from the date the student is expelled.

**Fighting** - Mutual participation in which both parties have contributed to the situation by verbal and/or physical action.

**Firearm** - There will be zero tolerance for possession or use of a firearm by any student. Firearms are banned from all property owned or controlled by School District 197. A firearm is a device designed to be used as a weapon, from which is expelled a projectile by the force of explosion or force of combustion.

**Fires and False Fire Alarms** -

1. Failure to exercise ordinary caution, resulting in fire in a school building or damage to school property.
2. False fire alarm – the giving of a false alarm of fire or the tampering or interference with any fire alarm system.

Staff is required to notify of police and fire departments. Student consequences include suspension, possible restitution for damage.

**Gambling** - Playing of a game of chance for money and/or other things of value.

**Gang Activity** - Student misconduct may also constitute gang activity if it meets the following criteria:

1. The student/participant belongs to or associates with a group of three or more people who band together under a common identifying symbol, sign, or name, and
2. the participant, while under the supervision of District 197 personnel, participates in a separate violation listed in this handbook to further an implicit or explicit goal of the gang/group. Gang activity is only an additional violation to a primary violation of another rule of student behavior.

**Great Bodily Harm** - Bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

**Harassment Based on Protected Status** - Harassment includes physical or verbal conduct, or communication directed at an individual that is:

1. based on an individual's race, creed, sex, marital status, national origin, age, color, religion, ancestry, status with respect to public assistance, familial status, sexual or affectional orientation, gender identity and expression, or disability;
2. and has the purpose or effect of creating an environment that is intimidating, hostile, or offensive with respect to that individual; or otherwise adversely affects the individual's employment, educational opportunities or access to a benefit from the school district.

**Hazing** - 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, or for any other purpose. Prohibited conduct includes, but is not limited to, any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, or placing a harmful substance on the body. The policy applies to student conduct occurring on or off school property and during and after school hours.

**Incapacitation Device** - a device designed or intended by the manufacturer to be used to temporarily immobilize or incapacitate persons by means of electronic pulse or a current; any pain compliance device; or tear gas or tear gas derivative, or any substance intended to function similar to tear gas.

**In-School Community Service** - An action taken by school administration where a student is required to do voluntary work in order to give back to the community.

**In-School Suspension** - An action taken by school administration to prohibit a student from attending classes for a period of time (more than half of a school day) while remaining under the supervision of school staff during the school day.

**In-School Monitoring** - A student may stay in school and allowed to attend classes, but must check in with designated staff at appropriate times. Staff may escort student in the hall or to the restroom when appropriate.

**Intent, Intentionally, or Intentional** - "With intent to" or "intentionally" or "intentional" means that the student/ actor either has a purpose to do the thing or cause the result specified, or believes that the act, if successful, will cause that result.

**Intentional Damage of District Technology Resources** - Willful damage to hardware, software or other equipment.

**Interference/Obstruction** - Any action taken to attempt to prevent a staff member from exercising his/ her lawfully assigned duties, including an administrative investigation.

**Interim Alternative Educational Setting (see Special Education Administrators)** - An action taken by school and district administration to remove the special education student to an interim alternative educational setting for not more than 45 days. An Interim Alternative Educational Setting (of up to 45 school days) can ONLY be used if a student with a disability does the following at school, on school premises or at a school function:

1. Carries a dangerous weapon or possesses a dangerous weapon (defined as a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 . inches in length);
2. Knowingly possesses or uses illegal drugs , or sells or solicits the sale of a controlled substance; or
3. Inflicts serious bodily injury upon another person (defined as a 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).

**Intervention** - An opportunity for students to learn appropriate behavior with the goal of facilitating positive behavioral change. An intervention may involve school staff as well as support staff in the broader community.

**Intimate Parts** - Includes the primary genital area, groin, inner thigh, buttocks, or breast (as well as the clothing covering the immediate area of the intimate parts).

**Language** -

- Abusive - Student delivers verbal messages that include offensive or threatening language.
- Inappropriate - Swearing or using words in a disrespectful way.

**Leaving School Grounds, Unauthorized** - Leaving school grounds during school hours without proper clearance.

**Loss of Privilege** - An action taken by school administration to prevent a student from participating in an activity or the loss of privilege as a consequence of a violation.

**Medication Policy Violation** - Students using or distributing prescription or non-prescription medication in an unauthorized manner.

**Mediation** - Students who are in conflict with one another may be asked to participate in a mediation session led by a mediator to resolve the issues causing the conflict.

**Mentoring Program** - With parent/guardian permission, a student may voluntarily meet with a trusted adult that is available to offer support and guidance. The mentor may be a school staff person or someone from the community. A number of schools have mentor programs.

**Minnesota Pupil Fair Dismissal Act** - The Pupil Fair Dismissal Act is a state law that protects all students, with or without disabilities, in suspension, expulsion, and exclusion proceedings.

**Parent** - Student's legal guardian as listed in Infinite Campus.

**Parent Guardian Conference/Notification** - Administrative discussion or communication with a parent or guardian to address student academic or behavioral issues.

**Parking Violation** - Parking in an unauthorized area on school property.

**Physical Aggression (Substantial Bodily Harm)** - An intentional act by a student resulting in substantial bodily harm. It includes, but is not limited to, kicking and slapping. Students engage in serious physical contact where injury may occur.

**Physical Aggression to Staff** - An intentional act by a student resulting in unwelcome physical contact with a staff person. It includes, but is not limited to, pushing, slapping and intimidation.

**Physical Contact (No Bodily Harm)** - Students engage in non-serious but inappropriate physical contact, such as pushing and intimidation.

**Police Notification** - If an administrator believes that a student may have violated a law, the police may be called to file a report and/or to assist as necessary.

#### **Possession/Use -**

- **Dangerous Weapon Other Than a Firearm** - There will be zero tolerance for possession or use of a dangerous weapon by any student. A “dangerous weapon other than a firearm” is defined as:
  1. any device or instrument designed as a weapon and capable of producing death or great bodily harm
  2. any device modified so that it may be used as a weapon and capable of producing death or great bodily harm
  3. any combustible or flammable liquid or other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm
  4. any fire that is used to produce death or great bodily harm
  5. any knife with a blade equal to or greater than 2.5 inches in length
  6. any replica firearm, BB gun, or pellet gun
  7. brass knuckles
- **Other Weapon or Object, not a firearm and not meeting Minnesota Statute dangerous weapon definition.** Other Weapon includes any device or instrument – including any non-conventional weapon – that, in the manner it is used or intended to be used, is calculated or likely to produce bodily harm or substantial bodily harm, or fear of any degree of bodily harm. (Other weapons include knives with blades under 2.5 inches, fake knives, look alike weapons, box cutters, ammunition, etc.) Zero tolerance applies for possession of other weapon with use or intent to use.

**Pyrotechnic Devices, Possession and/or Detonation** - A firework or firecracker.

**Racial or Religious Harassment** - Racial or religious harassment consists of physical or verbal conduct or communication relating to an individual’s race or religion when the conduct:

1. has the purpose or effect of creating an intimidating, hostile, derogatory, or offensive employment, educational, or school district environment
2. has the purpose or effect of substantially or unreasonably interfering with an individual’s employment or education or
3. otherwise adversely affects an individual’s employment, educational opportunities, or access to a benefit from the school district.

**Racial or Religious Violence** - Racial or religious violence is a physical act of aggression or assault or the threat of aggression or assault upon another because of, or in a manner reasonably related to, race or religion. Such an act may also constitute a criminal law violation.

**Reckless or Careless Driving** - Driving on school property in such a manner as to endanger persons or property.

**Record and Identification Falsification** - Falsifying or altering signature or data, refusing to give proper identification or giving false identification to staff.

**Referral for Other or Outside Services** - Chemical use assessment, social worker, mental health, etc.

**Removal from Class** - An action taken by a teacher, principal or other school district employee to prohibit a student from attending class for a period of time (must be less than half of a day).

**Repeated Misuse of District Technology Resources** - Purposeful use of district technology resources in a way that violates district policy.

**Restitution** - Repairing harm or replacing items that were stolen or damaged or providing fair market value by way of compensation or service. It requires a student to pay for or fix damages or misappropriation of property and may be imposed separately or in addition to other sanctions.

**Restorative Practice Strategies** - ways to invite students, families, community members and staff into relationship to build empathy, caring and communication skills. Restorative practices focus on building a sense of community and on the strengths and capacity of the participants. When restorative practices are successful, all feel safe in the school, because deep and lasting relationships are built among stakeholders. Repairing harm circles, restorative chats, peer mediation and family group conferencing are examples of restorative practice strategies

**Robbery/Extortion** - Obtaining of property from another by force or a threat of force. If force or threat of force is not used, see Theft.

**Sexual Behavior** - Engaging in sexual behavior including, but not limited to, sexual intercourse or sexual penetration, sexual contact, indecent exposure, or masturbation.

**Sexual Contact** - Includes the consensual and non-consensual touching of another person's intimate parts or forcing a person to touch any person's intimate parts, and committed with sexual or aggressive intent.

**Sexual Harassment** - Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other physical or verbal conduct or communication of a sexual nature when:

1. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment, educational, or school district environment
2. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education or a benefit from the school district or
3. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education or access to a benefit from the school district.

**Sexual Violence** - Sexual violence is a physical act of aggression or force, or the threat of aggression or force, that involves the touching of another person's intimate parts (as well as the clothing covering the intimate parts), or forcing a person to touch any person's intimate parts.

**Student Conference** - Administrative discussion or communication with student to address student academic or behavioral issues.

**Substantial Bodily Harm** - Bodily injury that involves a temporary but substantial disfigurement, or that causes a temporary but substantial loss or impairment of the function of any bodily member or organ, or that causes a fracture of any bodily member.

**Suspension** - An action taken by the school administration to prohibit a student from attending school for a period of no more than 10 school days. An additional five days may be added if exclusion or expulsion is being considered, or if the student's presence will create an immediate and substantial danger.

**Tardiness** - See also Absence.

**Teasing and Name Calling** - A single occurrence of teasing or name calling with or without the intent to injure, degrade, disgrace, or intimidate other individuals.

**Technology Misuse/Violation** - Student engages in inappropriate use of a technology device including and not limited to iPad, mobile device, personal electronic device, camera, computer and/or other. Student removal of a memory card or battery from a camera, phone, or mobile device while it is in the process of being confiscated is considered grounds for disciplinary action by school administration.

**Technology, Unauthorized or Inappropriate Use of District Technology Resources** - Any act that violates the School Board's Technology Use and Safety Policy or constitutes an unacceptable or illegal use of the school district's computer facilities, systems, networks or software. This includes sending or posting harmful text or images using the Internet, wireless phones, or other communications devices. This policy applies to student acts occurring on or off school property and during or after school hours using district technology resources. Student consequences include possible loss of technology access privileges, dismissal, police notification, and/or restitution.

**Theft** -

- Major - Unauthorized taking/possession of the property of another including, but not limited to jackets, expensive electronics, etc.
- Minor - Unauthorized taking or possession of the property of another including, but not limited to school supplies, food, etc.

**Threats** - Any oral, written, or physical threat, sign, or act that conveys intent to cause harm or violence, even if made in jest. This includes threats related to race, religion, or sexual violence.

**Threats, Terroristic** - Threatening directly or indirectly to commit any crime of violence with intent to terrorize another or to cause evacuation of a building, place of assembly, or vehicle or otherwise to cause serious public inconvenience, or in reckless disregard of the risk of causing such terror or inconvenience.

**Tobacco and Other Tobacco Related Devices, Possession/Use** - Students are prohibited from having tobacco, lighters, matches, e-cigarettes and other tobacco related devices in their possession. Possession or use of any type of tobacco product by a student will be governed by Minnesota Statutes and School Board policy regarding Tobacco Free Environment.

**Trespassing** - Being physically present on school property or at a school activity after being directed to leave by a school administrator or other person lawfully responsible for the control of the premises. Being on school grounds during a dismissal or suspension period is considered trespassing.

**Unauthorized Use of School Property** - The unauthorized or illegal use of school property for non-school sponsored activities.

**Violation** - Doing something prohibited by policy, law, or code of behavior.

**Warning** - An oral or written communication to stop a behavior that interferes with the learning environment or is unsafe.

**Withdrew** - Student withdrew from school district in lieu of or in conjunction with other disciplinary resolutions.



**SCHOOL DISTRICT 197**

West St. Paul + Mendota Heights + Eagan Area

[www.isd197.org](http://www.isd197.org) | 651-403-7000