

INDEPENDENT SCHOOL DISTRICT 196
Rosemount-Apple Valley-Eagan Public Schools
Educating our students to reach their full potential

Series Number 503.3AR Adopted December 1977 Revised September 2021

Title Student Behavior Expectations and Responses for Behavior

1. Overview

- 1.1 The disciplinary responses for behavior described in this regulation are designed to be fair, firm and consistent for all students in District 196. They apply to District 196 k-12, early childhood and adult basic education (ABE) students in any school or other district building, on district property, in district vehicles, at school bus stops, at school or district activities and events, during school videoconferencing or in student parking areas, including off-site parking locations commonly used by students. Disciplinary responses also apply to behaviors carried out through the use of electronic communication. The disciplinary responses may also apply for behaviors which take place at other locations but directly affect school programs or activities.
- 1.2 Because it is not possible to list every behavior that occurs, behaviors not included in this regulation will be responded to as necessary by staff. This regulation is based on the assumption that minor behaviors are dealt with by bus drivers, chaperones, classroom teachers, counselors, administrators and other appropriate district staff.
 - 1.2.1 Cheating, lying, plagiarism, copyright violations and other “academic” behaviors will be dealt with in the context of the student’s classroom or cocurricular activities, and are not addressed in the following chart of behaviors.
 - 1.2.2 Students participating in cocurricular activities will also be expected to abide by the bylaws of the Minnesota State High School League, regardless of whether the particular activity is sponsored by the League.
- 1.3 In addition to the disciplinary responses detailed in this document, a school or the Transportation Department may respond to student behavior in a variety of ways which include, but are not limited to, dismissal from school, removal from class, loss of cocurricular activities, loss of access to school facilities and grounds outside of the regular school day, reports to probation services, criminal reports, community service, fines, loss of driving and parking privileges (at the high school level), and chemical evaluation.
- 1.4 District 196 strives to keep students in the classroom, to limit suspensions from school, to view discipline through an equity lens and to eliminate disproportionality in school discipline for students of color and students receiving special education services. District 196 seeks to prevent student dismissals from school through the early detection of problems and to respond to inappropriate behaviors in a manner that is designed to prevent behaviors from recurring, including through restorative practices and skill building where appropriate. Each District 196 school fosters the social and emotional learning of its students and seeks the engagement of students, parents, staff and community. Student support staff members (including, where appropriate, counselors, social workers, cultural family advocates, case managers and school psychologists) may be available to assist students who engage in unwanted behavior.

- 1.5 District 196 seeks to avoid the unnecessary criminalization of student behavior. Administrators may involve law enforcement as necessary to respond to significant concerns in the school environment. If a student violates a district policy or regulation, which is also a violation of a law, the student will be referred to the police in addition to being dealt with as described here. In accordance with state law, administrators will refer to the juvenile delinquency or criminal justice system any student who brings a firearm to school unlawfully. School staff members shall not interfere with a law enforcement decision to remove a student from school for law enforcement purposes; however, reasonable efforts shall be made to inform a student's parent or guardian of the involvement of law enforcement. Law enforcement officers shall not be involved in an educational decision to remove a student from school as a disciplinary response.
- 1.6 Chemicals and Drug Paraphernalia: As detailed more fully in the following charts, District 196 prohibits students from, among other things, possessing, using or distributing "chemicals" and "drug paraphernalia." For the purposes of this document, the word "chemicals" means narcotics or controlled substances, items purported or believed to be a narcotic or a controlled substance, any derivatives or synthetic versions of narcotics or controlled substances that can be used for the purpose of mood alteration, and prescription drugs or over-the-counter medications to be used for the purpose of mood alteration. Commonly known as marijuana or cannabis, THC in all its forms, including medicinal, edible or synthetic cannabis, is a prohibited controlled substance. "Drug paraphernalia" means items prohibited by Minnesota or federal law that are used for consumption or manufacturing of drugs.
- Any prescription or over-the-counter medication a student is required to take, with the exception of inhalers, EpiPens and insulin, must be left with and administered by the school nurse, in accordance with 506.2.2AR. Administering Medication, however, medical cannabis may not be possessed or used on school district property or in school district vehicles. Students in grades 7-12 may self-administer standard doses of non-prescription pain relievers with written parent permission. (Refer to 506.2.1.2P, Emergency Information- Secondary Students for more information.)
- 1.7 For more information about responding to behavior by a student receiving special education services, refer to Administrative Regulation 503.3.1AR, Special Education Students: Responses for Behavior.

2. Responses

- 2.1 For each behavior described in this regulation, there are specific responses for first, second, third and fourth occurrences; however, administrators may apply less severe responses after considering intent, the age and development of the child and other extenuating circumstances. The definitions of those responses for unwanted behavior, are as follows:
- 2.1.1 "★" – Student conference and parent or guardian notification; may include, but is not limited to, parent conference, parent shadow (elementary and middle only), loss of phone or technology privileges, educational programming, needs assessment, restorative programming, restitution, peer mediation, adult-facilitated mediation, detention, in-school suspension and up to one day out-of-school suspension.

Chemical Assessment (middle and high school) – Secondary students who violate certain rules regarding alcohol and chemicals may opt to have a lesser disciplinary response if the student obtains a chemical assessment and adheres to the assessment recommendations. Assessment will be at the expense of the student’s parent(s) or guardian(s) (or the adult student, if 18 or older). A release form must be signed by the student and student’s parent(s) or guardian(s) to share appropriate information with the school district.

Detention – Requirement for a student to remain in school or attend school outside normal school hours or go to a designated area during the school day (e.g. lunch detention).

Dismissal – Dismissing a student from school for less than one school day.

Educational Programming – In appropriate circumstances, educational programming, including through Saturday school, may be offered to address student behavior.

Exclusion – Action taken by the School Board to prevent a student from enrolling or re-enrolling for a period of time not to extend beyond the school year.

Expulsion – A School Board action to prohibit an enrolled student from further attendance for up to 12 months from the date the student is expelled.

Expulsion from Bus – Transportation Department student conduct specialist or school administrator action to prohibit a student from riding a school bus or other district vehicle for up to 12 months from the date of the expulsion from the bus.

Fine – A financial penalty assessed of a student by the school.

Loss of Phone Privileges – A student may be prohibited from bringing a personal telephone to school.

Mediation – Mediation is designed to:

- Prevent minor behaviors from escalating to the point where disciplinary responses need to be applied.
- Resolve interpersonal conflicts that may also require disciplinary responses.

Mental Health Referral – Students may be referred to community mental health resources on a case-by-case basis as appropriate. Assessment will be at the expense of the students’ parent(s) or guardian(s) or the adult student, if age 18 or older.

Notification of Parent or Guardian – Conversation (in person or by telephone) and/or written contact between a school employee (usually a teacher, student support staff member or administrator) and a student’s parent or guardian.

Notification of Police – Contact by the school administration or Transportation Department with the local police department to inform them about an illegal behavior engaged in by a student.

Parent Conference – Scheduled meeting between a school employee and a student’s parent or guardian.

Parent Shadow (elementary school) – The principal may offer the “parent shadow” disciplinary response (the parent or guardian to follow the student for half a day at school) to the student’s parent(s) or guardian(s) for any elementary student behavior that results in a one-day, out-of-school suspension, except for weapon possession, look-alike weapon possession, assault or fighting. The parent(s) or guardian(s) may then choose to accept or not accept the parent shadow disciplinary response. Parent shadows will be expected to abide by the guidelines in Administrative Regulation 806AR, Visitors to Schools, and to complete the disciplinary response within five school days of the incident.

Parent Shadow (middle school) – The principal may offer the “parent shadow” consequence (the parent or guardian to follow the student for half a day at school) to the student’s parent(s) or guardian(s) for any middle school student behavior that results in a ★ disciplinary response. The parent(s) or guardian(s) may then choose to accept or not accept the parent shadow disciplinary response. Parent shadows will be expected to abide by the guidelines in Administrative Regulation 806AR, Visitors to Schools, and to complete the disciplinary response within five school days of the incident.

Removal from Class – Action taken by a teacher, principal or other district employee to prohibit a student from attending one or more class period or activity period for up to five days. A student who engages in assaultive or violent behavior in the classroom must be removed from class immediately and may be subject to other disciplinary responses. The removal from the classroom shall be for a period of time deemed appropriate by the administrator, in consultation with the teacher.

Restitution – Compensation or compensatory service required of a student who has damaged, taken or destroyed school or personal property.

Restorative Programming – Individual schools may offer restorative practices and programming to prevent and address disciplinary matters.

Suspension from Bus – Action taken by the Transportation Department student conduct specialist or an administrator to prohibit a student from riding a school bus or other district vehicle for a specific number of days per incident.

Suspension, In-school – Action taken by a teacher, principal or other district employee to prohibit a student from attending more than one class and/or activity period for a period of time not to exceed five days. Individual schools may provide restorative programming during in-school suspension.

Suspension, Out-of-school – Action taken by the school administration to prohibit a student from attending school for a period of no more than 10 school days. If a suspension is longer than five days, the suspending administrator shall provide the superintendent or designee with a reason for the suspension. A student who is on out-of-school suspension may not be in the school, on school or district property or attend school or district activities during the period of the suspension. If a student’s total days of removal from school exceeds 10 cumulative days in a school year, the district shall make reasonable attempts to convene a meeting with the student and the student’s parent or guardian prior to removing the student from school, and with the permission of the parent or guardian, arrange for a mental health screening for the student. (The school district will not pay for the assessment unless it is part of an assessment for special education purposes.) The purpose of the meeting shall be to attempt to determine the student’s need for assessment, other services or whether the parent or guardian should have the student assessed to determine whether the student needs treatment for a mental health disorder.

Threat Assessment – In appropriate circumstances, individual schools may assemble a multidisciplinary threat assessment team to conduct a threat assessment with the purpose of ensuring student and staff safety.

Violent Student Behavior (VSB) – A student who engages in a behavior identified as “VSB” (violent student behavior) in the disciplinary responses chart will be identified as a student with a history of violent behavior.

2.2 A student enrolled in a preschool or prekindergarten program, including a child participating in early childhood family education, school readiness, school readiness plus, voluntary prekindergarten, Head Start, or other school-based preschool or prekindergarten program, may not be subject to suspension from school. Expulsions and exclusions of preschool or prekindergarten students may be used only after other nonexclusionary disciplinary options have been exhausted, and only in circumstances where there is an ongoing serious safety threat to the child or others. For purposes of preschool and prekindergarten discipline, nonexclusionary discipline must include at least one of the following:

2.2.1 Collaborating with the student’s family or guardian, child mental health consultant or provider, education specialist, or other community-based support;

2.2.2 Creating a plan, written with the parent or guardian, that details the action and support needed for the student to fully participate in a preschool or prekindergarten program; or

2.2.3 Providing a referral for needed support services, including parenting education, home visits, other supportive education interventions, or, where appropriate, an evaluation to determine if the pupil is eligible for special education services or section 504 services.

3. **Staff Notification of Violent Behavior By Students (VSB)** – Pursuant to Minnesota Statute 121A.64, a classroom teacher has a legitimate educational interest in knowing which students placed in the teacher’s classroom have a history of violent behavior.

Teachers must be notified before such students are placed in the teacher's classroom and when students already in the teacher's classroom are newly identified as having a history of violent behavior.

- 3.1 Identification of Students with a History of Violent Behavior – A student who engages in a behavior identified as “VSB” (violent student behavior) in the disciplinary responses chart will be identified as a student with a history of violent behavior.
 - 3.2 Notification to Teachers/Staff – Teacher notification will occur on Procedure 503.3.5P, Staff Notification of Violent Behavior by Students, with a copy placed in the student's educational record and retained pursuant to the school district's records retention schedule. Written notification should be provided to all of the student's classroom teachers. Building principals have discretion to provide notice to other staff members who also interact with the student. Written notification to the teacher will occur prior to the placement of a student in the teacher's classroom whenever possible.
 - 3.3 Notification to the Parent of a Student Identified as Having a History of Violent Behavior – Parental notification of a student having a history of violent behavior will be consistent with notification practices in this document and Administrative Regulation 503.3AR, Student Behavior Expectations and Responses for Behavior.
 - 3.4 Notice to Other School Districts – This notice is an educational record and will be transferred to an enrolling school district.
 - 3.5 Training – Pursuant to Minnesota Statute 121A.64, representatives of the School Board and representatives of the teachers will discuss the needs of students and staff. The parties may discuss necessary training which may include training on conflict resolution and positive behavior interventions and possible intervention services such as student behavioral assessments.
 - 3.6 Written Notification from Law Enforcement – A school that receives formal notification from law enforcement or the court system about a student's delinquent conduct in the community shall process that notification as required by Minnesota Statute 121A.75, Receipt of records; sharing. This may include notification of appropriate staff persons if necessary to protect others from needless vulnerability and to allow staff members to work with the student in an appropriate manner. Notification shall be in accordance with the law and shall not be governed by the district's procedures for staff notification of students with a history of violent behavior. The handling and retention of records received pursuant to Minnesota Statute 121A.75, Receipt of records; sharing, shall be according to the requirements of that statute and Minnesota Statute 120A.22, subd. 7.
 - 3.7 Record of Notice – The administration must keep a copy of Procedure 503.3.5P, Staff Notification of Violent Behavior by Students, on file to provide a record of those staff members notified under this section.
4. **Cell Phones and Personal Devices** – Students who bring cell phones or other personal electronic devices to school with them do so at their own risk. District 196 assumes no responsibility for theft, loss, or damage of a phone or electronic device brought to school and will not assume responsibility for investigating loss or theft of such items. If brought to school, phones/devices should generally be kept out of sight, preferably locked in a locker. District 196 staff may take away cell phones and other personal electronic devices from students who misuse them or have them out when they should be put away. In some cases, students may also lose the privilege of bringing a cell phone or other personal electronic device to school. Parents are asked to limit

calling/texting their children during the school day as that can be disruptive. Students and families should review their individual school’s cell phone and personal device expectations.

5. **Behaviors and Responses** – Students are expected not to engage in the following activities. The responses apply regardless of whether the behavior took place in school, on district property, in a district vehicle, at a school or district activity, during school videoconferencing, at a school bus stop or in student parking areas, including off-site parking locations commonly used by students. Responses also apply to behaviors carried out through the use of electronic communication. The responses may also apply for behaviors which take place at other locations but directly affect school programs or activities. The school district makes every effort to apply disciplinary responses consistently, but the administrator may recommend longer or shorter suspensions, expulsion, denial of transportation privileges, other discipline, or interventions such as mental health referrals on a case-by-case basis. This may include more severe disciplinary responses for students with multiple occurrences in different categories of behavior or when a single behavior is particularly severe. Administrators may apply less severe disciplinary responses after considering intent, the age and development of the child or other extenuating circumstances.

CONTINUUM OF RESPONSE				
BEHAVIORS	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
1. Abuse: Verbal, Written or Otherwise Expressed – Arousing alarm in others through the use of language that is discriminatory, abusive, bullying, threatening or obscene, including through the use of electronic communication.				
Involving student or staff (grades k-5)	★	★	★	★
Involving student (grades 6-12)	★	1-day susp.	3-day susp.	5-day susp. and •VSB
Involving self-harm (grades 6-12)	Referral for mental health assessment			
Involving staff (grades 6-8)	1-day susp.	3-day susp.	5-day susp. and •VSB	expulsion and •VSB
Involving staff (grades 9-12)	3-day susp.	5-day susp. and •VSB	expulsion and •VSB	
2. Alarm, False – Intentionally giving a false report to 911 or a false alarm of a fire or other emergency, including through the use of electronic communication, or interfering with any alarm or alarm sensor.				
(grades k-5)	★	★	★	★ grades K-3; 1-day susp grades 4-5
(grades 6-12)	5-day susp.	expulsion		
Dialing 911 and hanging up (grades 6-12)	★	1-day susp	3-day susp	5-day susp
3. Alcohol*, Intent to Sell, Give or Share – Selling, giving or sharing or intending to sell, give or share alcohol, including through the use of electronic communication, where selling, giving or sharing is prohibited by Minnesota or federal law.				
<small>* For the purposes of this handbook, alcohol means any alcoholic substance—in whatever form (e.g., liquid, powder)—that has an intoxicating effect on the central nervous system and includes any alcoholic substance which may not be legally possessed or consumed by persons under the age of 21.</small>				
(grades 6-12)	5-day susp. with chemical assessment or 10-day susp.	expulsion		

• VSB = violent student behavior notification (see Section 3)

★ – see section 2.1.1

4. Alcohol, Possession or Use – Possessing, influenced by the use of, or using alcohol.				
(grades k-5)	★	★	★	★
(grades 6-12)	5-day susp. with chemical assessment or 10-day susp.	10-day susp. with chemical assessment and agreement to follow assessment recommendations or expulsion	10-day susp. with chemical assessment and agreement to follow assessment recommendations or expulsion	10-day susp. with chemical assessment and agreement to follow assessment recommendations or expulsion
5. Ammunition Possession – Possession of bullets, other projectiles designed to be used in a weapon or other material designed to cause pain or injury.				
(grades k-5)	★	★	★ grades k-3; 1-day susp. grades 4-5	★ grades k-3; 1-day susp. grades 4-5
(grades 6-8)	3-day susp.	5-day susp. and •VSB	expulsion and •VSB	
(grades 9-12)	5-day susp. and •VSB	expulsion and •VSB		
6. Arson – Intentional destruction or damage to school or district buildings or property by means of fire.				
(grades k-12)	expulsion, restitution and •VSB			
7. Assaultive Behavior: Aggravated – Engaging in physical aggression upon another person with a weapon or a device used as a weapon, or physical aggression upon another person that inflicts “substantial bodily harm” as that term is defined in Minnesota’s criminal code.				
(grades k-3)	★ and •VSB	★ and •VSB	★ and •VSB	★ and •VSB
(grades 3-5)	3-day susp. and •VSB	3-day susp. and •VSB	3-day susp. and •VSB	3-day susp. and •VSB
(grades 6-12)	expulsion and •VSB			
8. Assaultive Behavior: Physical – Acting with intent to cause fear in another person of immediate bodily harm or death, or intentionally bullying, inflicting or attempting to inflict bodily harm upon another person.				
Upon a student (grades k-5)	★	★	★ grades k-3; 1-day susp. grades 4-5	★ grades k-3; 3-day susp. grades 4-5
Upon a staff member (grades k-5)	★ and •VSB	★ and •VSB	★ grades k-3; 3-day susp. grades 4-5	★ grades k-3; 5-day susp. grades 4-5
Upon a student (grades 6-12)	5-10 day susp. and •VSB	expulsion and •VSB		
Upon a staff member, including agents, volunteers and School Resource Officers (grades 6-12)	expulsion and •VSB			
Refusing to obey an order to cease striking, hitting, or attacking another student with the intent to cause physical harm. (grades 6-12)	10-day susp and VSB	expulsion and VSB		

• VSB = violent student behavior notification (see Section 3)

★ – see section 2.1.1

9. Assaultive Behavior: Verbal, Written or Otherwise Expressed – Confrontation with a student or staff member through statements or actions which bullies, intimidates, threatens or causes fear of bodily harm or death, including through the use of electronic communication.				
Upon a student or staff member (grades k-5)	★	★	★ grades k-3; 1-day susp. grades 4-5	★ grades k-3; 3-day susp. grades 4-5
Upon a student (grades 6-8)	1-day susp.	3-day susp.	5-day susp. and •VSB	expulsion and •VSB
Upon a student (grades 9-12)	3-day susp.	5-day susp. and •VSB	expulsion and •VSB	
Upon a staff member (grades 6-12)	5-day susp. and •VSB	expulsion and •VSB		
10. Bodily Harm, Inflicting – Committing a reckless or negligent act that inflicts bodily harm upon another person. (grades 6-12)	1-day susp.	3-day susp.	5-day susp.	expulsion
11. Bullying – Bullying is subject to discipline under other categories including, but not limited to, abuse, assault, harassment and cyberbullying, including through the use of other electronic communication. See Administrative Regulation 503.8AR, Bullying Prohibition.				
12. Burglary – Entering a building or a specific area of a building without consent and with intent to commit a crime, or entering a building without consent and committing a crime. (grades k-5)	★	★ grades k-3; 3-day susp. and restitution grades 4-5	★ grades k-3; 3-day susp. and restitution grades 4-5	★ grades k-3; 3-day susp. and restitution grades 4-5
(grades 6-12)	expulsion and restitution			
13. Chemicals: Intent to Sell, Give or Share – Selling, giving or sharing chemicals or drug paraphernalia, or intending or offering to sell, give or share chemicals or drug paraphernalia, including through electronic communication. (See definition of “chemicals and “drug paraphernalia” in section 1.6.) (grades 6-12)	expulsion			
14. Chemicals: Possession, Under the Influence, Attempted Possession or Use – Possessing, being influenced by the use of or attempting to possess or use of any chemical or drug paraphernalia, including through electronic communication. (See definition of “chemicals and “drug paraphernalia” in section 1.6.) (grades k-5)	★	★	★	★
(grades 6-12) – Drugs other than those listed below will result in the following consequences.	5-day susp. with chemical assessment or 10-day susp.	10-day susp. with chemical assessment and agreement to follow assessment recommendations or expulsion	expulsion	

• VSB = violent student behavior notification (see Section 3)

★ – see section 2.1.1

(grades 6-12) – Certain felony-level drugs, specifically cocaine, ecstasy (MDMA), heroin, prescription opioids, nonmedical methamphetamine (meth) and psilocybin (magic mushroom), will result in expulsion.	expulsion			
15. Cyberbullying – Inappropriate use of technology or other electronic communication including, but not limited to, a transfer of a sign, signal, writing, image, sound or date, including a post on a social network Internet website or forum, transmitted through a computer, cell phone or other electronic device to bully another. Cyberbullying is prohibited on school premises, during school functions or activities, on school transportation, or on school computers, networks, forums and mailing lists, or off the school premises to the extent such use substantially and materially disrupts student learning or the school environment. Students may also be disciplined under other qualifying categories listed within this document.				
(grades k-5)	★	★	★	★
(grades 6-8)	★	★	1-day susp.	3-day susp.
(grades 9-12)	★	1-day susp.	3-day susp.	5-day susp.
16. Damage of or Tampering with Property (Vandalism) – Intentionally damaging or tampering with property that belongs to the school, district, other students, employees or others. <i>(Note: Damaging or tampering with safety and security equipment [e.g., fire extinguishers, Automated External Defibrillators {AEDs}, surveillance cameras/equipment, fire alarm sensors, sprinkler systems] will automatically result in disciplinary responses beginning at the 2nd occurrence level.)</i>				
(grades k-5)	★ and restitution	★ and restitution	★ and restitution	★ and restitution
(grades 6-8)	★, 1-day susp. and restitution	3-day susp. and restitution	5-day susp., restitution and •VSB	expulsion, restitution and •VSB
(grades 9-12)	3-day susp. and restitution	5-day susp., restitution and •VSB	expulsion, restitution and •VSB	
Damage of Property (Vandalism) – Greater than \$500 damage (grades 9-12)	5-day susp. and restitution	expulsion, •VSB and restitution		
Damage of Property (Vandalism) - Greater than \$1,000 damage (grades 9-12)	10-day susp. and restitution	expulsion, •VSB and restitution		

• VSB = violent student behavior notification (see Section 3)

★ – see section 2.1.1

17. Dress – Clothing, accessories and videoconferencing backgrounds may not include words or visuals which are lewd*, obscene*, disruptive*, abusive,* racist or discriminatory*, or which advertise drugs, alcohol or tobacco. Dress or grooming which is disruptive to the classroom or school atmosphere is not allowed. Shoes must be worn at all times in school for health and safety reasons. Secondary school students may not wear facemasks, clothing, or any item that would prevent the student from being immediately identifiable, except as authorized or required by school administrators.				
(grades k-5)	★	★	★	★
(grades 6-12)	★	1-day susp.	3-day susp.	5-day susp.

- * **Lewd and Obscene** is defined as follows: 1) The average person, applying contemporary community standards, would find that the clothing taken as a whole appeals to the prurient interest of minors of like age; 2) The clothing depicts or describes sexual conduct in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of like age, and 3) The clothing taken as a whole lacks serious literary, artistic, political or scientific value for minors.
- * **Disruptive** is defined as reasonably forecasted to materially and substantially interfere with the requirements of appropriate discipline in the operation of the school or the work of the school or to infringe on the rights of other students.
- * **Abusive** is defined as insulting, contemptuous or defamatory.
- * **Racist or Discriminatory** is defined as demonstrating prejudice against groups or individuals, as referred to in the district’s anti-discrimination policy.

BEHAVIORS (continued)	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
18. Driving, Careless or Reckless – Driving on school property in such a manner as to endanger persons or property.				
(grades 9-12)	★; may include revocation of parking permit	3-day susp.; may include revocation of parking permit	5-day susp.; may include revocation of parking permit	expulsion
19. Fighting – Adversarial physical contact (differentiated from poking, pushing, shoving or scuffling) in which one or both of the parties contributed to the situation by verbally instigating a fight and/or physical action.				
(grades k-5)	★	★	★	★
(grades 6-8)	1-day susp.	3-day susp.	5-day susp. and •VSB	expulsion and •VSB
(grades 9-12)	3-day susp.	5-day susp. and •VSB	expulsion and •VSB	
20. Fighting, Promoting/Instigating a Fight – Contributing to or promoting a fight verbally or through behavior, including through the use of electronic communication.				
(grades 6-8)	1-day susp.	3-day susp.	5-day susp. and •VSB	5-day susp. and •VSB
(grades 9-12)	1-day susp.	3-day susp.	5-day susp. and •VSB	expulsion and •VSB
21. Fire Extinguisher, Unauthorized Use – Unauthorized handling of a fire extinguisher or fire alarm sensors.				
(grades k-5)	★	★	★	★

• VSB = violent student behavior notification (see Section 3)

★ – see section 2.1.1

BEHAVIORS (continued)	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
(grades 6-12)	5-day susp.	expulsion		
22. Fireworks or Combustibles, Possession – Possessing or offering for sale any substance, combination of substances or articles prepared to produce a visible or audible effect by combustion, explosion, deflagration or detonation.				
(grades k-5)	★	1-day susp. or parent shadow	3-day susp.	5-day susp.
(grades 6-12)	3-day susp.	5-day susp.	expulsion	
23. Fireworks or Combustibles, Use – Using or igniting any substance, combination of substances or articles prepared to produce a visible or audible effect by combustion, explosion, deflagration or detonation.				
(grades k-5)	★	★	★	★
(grades 6-8)	3-day susp.	5-day susp.	expulsion	
(grades 9-12)	5-day susp.	expulsion		
24. Gambling – Playing a game of chance for stakes.				
(grades k-5)	★	★	★	★
(grades 6-8)	★	★	1-day susp.	3-day susp.
(grades 9-12)	★	1-day susp.	3-day susp.	5-day susp.
25. Harassment – Participating in or conspiring with others to engage in acts that injure, bully, degrade, intimidate or disgrace other individuals, including indecent exposure, displaying pornography, and harassing words or actions that negatively impact on an individual or group because of their characteristics, including through the use of electronic communication. Harassment based upon an individual or group’s sex, race, religion, color, creed, national origin, marital status, familial status, disability, status with regard to public assistance, sexual orientation, age or genetic information shall also be handled in accordance with 503.4AR, Harassment, Discrimination, Violence or Hazing.				
(grades k-5)	★	★	★	★
(grades 6-8)	★	1-day susp.	5-day susp.	expulsion
(grades 9-12)	1-day susp.	3-day susp.	5-day susp.	expulsion

• VSB = violent student behavior notification (see Section 3)

★ – see section 2.1.1

BEHAVIORS (continued)	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
26. Hazing – Committing an act against a student or coercing a student into committing an act that creates a substantial risk of harm or holds a student up to ridicule in order for the student to be initiated into or affiliated with a student organization, group or club, including through the use of electronic communication. Hazing shall also be handled in accordance with 503.4AR, Harassment, Discrimination, Violence or Hazing by a Student.				
(grades 6-8)	1-day susp.	3-day susp.	5-day susp.	expulsion
(grades 9-12)	3-day susp.	5-day susp. and •VSB	expulsion and •VSB	
27. Incendiary Devices – Unauthorized possession or igniting of matches, lighters and other devices that produce flames.				
(grades k-5)	★	★	★	★
(grades 6-12)	1-day susp.	3-day susp.	5-day susp.	expulsion
28. Interference, Disruption or Obstruction – Any action taken to attempt to prevent one or more staff members or students from exercising their assigned duties, including loud speech, shouting, screaming or through the use of electronic communication.				
(grades k-5)	★	★	★	★
(grades 6-8)	★	★	1-day susp.	3-day susp.
(grades 9-12)	★	1-day susp.	3-day susp.	5-day susp.
29. Lewd Behavior – Sexual conduct that is considered indecent or offensive or other indecent behavior, including public urination. Lewd behavior that occurs on a school bus will also result in a 5-day bus suspension for a first occurrence and an expulsion from the bus for a second occurrence for students in grades 9-12.				
(grades k-5)	★	★	★	★
(grades 6-8)	★	1-day susp.	5-day susp.	expulsion
(grades 9-12)	1-day susp.	3-day susp.	5-day susp.	expulsion
30. Mace, Pepper Gas or Taser Possession – Possession of mace, pepper gas, tasers or similar substances designed to cause pain or injury.				
(grades k-5)	★	★	★	★ and •VSB
(grades 6-8)	3-day susp.	5-day susp. and •VSB	expulsion and •VSB	
(grades 9-12)	5-day susp. and •VSB	expulsion and •VSB		

• VSB = violent student behavior notification (see Section 3)

★ – see section 2.1.1

BEHAVIORS (continued)	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
31. Nuisance and/or Recording Devices – Causing a nuisance with objects that cause distractions, such as MP3 players (iPods), cellular phones, universal remote controls, laser pointers, speakers, headphones, iPads, Bluetooth devices, etc. This includes, but is not limited to, causing a nuisance through the non-curricular use of cameras, cell phones or other devices for photographic, audio, video, or digital recording and/or sharing of those recordings without staff permission, including but not limited to sharing or posting videos of a fight. It also includes unauthorized sharing of videoconferencing links or session content. Students who violate this provision may be prohibited from possessing their device in school for up to 45 days in addition to the disciplinary responses listed below.				
(grades k-5)	★	★	★	★
(grades 6-12)	★	1-day susp.	3-day susp.	5-day susp.
32. Physical Contact – Staff – Making unwanted physical contact with a staff person while refusing to follow the direction of an adult in authority .				
(grades k-5)	★	★	★	★
(grades 6-12)	5-day susp. and •VSB	10-day susp. and •VSB	expulsion and •VSB	
33. Pornography Possessing – Creating or accessing sexually explicit material, including through the use of electronic communications or materials.				
(grades k-5)	★	★	★	★
(grades 6-8)	★	1-day susp.	3-day susp.	5-day susp.
(grades 9-12)	★	3-day susp.	5-day susp.	5-day susp.
34. Pornography Sharing – Sharing pornography including through the use of electronic communications or materials, such as sexting.				
(grades k-5)	★	★	★	★
(grades 6-8)	1-day susp.	3-day susp.	5-day susp.	5-day susp.
(grades 9-12)	3-day susp.	5-day susp.	5-day susp.	5-day susp.
35. Propping, Rigging, Disabling or Misusing a Secure Door – Any action which causes a door to be unsecured in order to facilitate subsequent re-entry or unauthorized use of an emergency exit.				
(grades k-8)	★	★	★	★
(grades 9-12)	★	1-day susp.	3-day susp.	3-day susp.

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★ – see section 2.1.1

BEHAVIORS (continued)	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
36. Records or Identification Falsification – Falsifying signatures, data, or school documents, or refusing to give proper identification or giving false information to a staff member.				
(grades k-5)	★	★	★	★
(grades 6-8)	★	1-day susp.	3-day susp.	5-day susp.
(grades 9-12)	★	3-day susp.	5-day susp.	5-day susp.
37. Robbery or Extortion – Obtaining property from another person where his or her consent was induced by use of force, threat of force or under false pretenses, including through the use of electronic communication.				
(grades 6-8)	3-day susp. and restitution	5-day susp., restitution and •VSB	expulsion, restitution and •VSB	
(grades 9-12)	expulsion, restitution and •VSB			
38. Sexual Violence – A physical act of non-consensual, intentional touching of another person’s intimate parts under their clothing OR the intentional touching of another person’s intimate parts under their clothing where the consent of the victim is not a defense under Minnesota’s criminal code. (For more information, refer to 503.4AR, Harassment, Discrimination, Violence or Hazing by a Student.)				
(grades 6-8)	5-day susp. and •VSB	expulsion and •VSB		
(grades 9-12)	expulsion and •VSB			
39. Technology-Related				
Unauthorized access or activity in a secured area of a computer network or digital platform (grades k-5)	★	★	★	★
Unauthorized access or activity in a secured area of a computer, network or digital platform (grades 6-12)	3-day susp.	5-day susp.	expulsion	
Non-school use of technology (grades 6-12)	★	★	1-day susp.	3-day susp.
Unauthorized adding or altering of hardware/software on a workstation or server (damage of property) (grades 6-12)	3-day susp. and restitution	5-day susp. and restitution	expulsion and restitution	
Other violations of 503.7AR, Acceptable Use of Information Technology - Students (grades 6-12)	★	★	1-day susp.	3-day susp.
40. Theft, or Knowingly Receiving or Possessing Stolen Property – Unauthorized taking of the property of another person or receiving or possessing such property, including taking financial information without permission. (For more information about theft related to the use of information technology, refer to 503.7AR, Acceptable Use of Information Technology - Students.)				
(grades k-5)	★ and restitution	★ and restitution	★ and restitution	★ and restitution

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★ – see section 2.1.1

BEHAVIORS (continued)	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
(grades 6-12)	1-day susp. and restitution	3-day susp. and restitution	5-day susp. and restitution	expulsion and restitution
Theft, or Knowingly Receiving or Possessing Stolen Property – with a value over \$50 (grades 6-12)	3-day susp. and restitution	5-day susp. and restitution	expulsion and restitution	
Theft or Knowingly Receiving or Possessing Stolen Property – with a value over \$500 (grades 6-12)	5-day susp. and restitution	expulsion and restitution		
Theft or Knowingly Receiving or Possessing Stolen Property – with a value over over \$1,000 (grades 6-12)	expulsion and restitution			
41. Threat of Bomb or Violence – With the purpose of terrorizing another or with reckless disregard of the risk of causing terror in another, directly or indirectly communicating a threat of a bomb or other act of violence against the school or another individual, including through the use of electronic communication.				
(grades k-5)	★	★	★ and •VSB	★ and •VSB
(grades 6-8)	5-day susp. and •VSB	expulsion and •VSB		
(grades 9-12)	expulsion and •VSB			
42. Tobacco and E-Cigarettes, Possessing – Possessing, or using tobacco or e-cigarettes (including, liquid or electronic cigarettes, vape pens and other devices, e-cigars or electronic hookah pens) in district buildings, on district grounds, in district vehicles or at district events in violation of 406.5AR, Tobacco-Free and Electronic Delivery Device-Free Environment. Use in a classroom or on a school bus will automatically result in disciplinary responses beginning at the 2nd occurrence level. K-5 students will receive a bus expulsion for a 4th use occurrence on a bus and 6-12 students will receive a bus expulsion for a 3rd use occurrence on a bus.				
(grades k-5)	★	★	★	★
(grades 6-12)	★	★	1-day susp.	3-day susp.
43. Tobacco and E-Cigarettes, Intent to Sell, Give or Share – Selling, giving or sharing tobacco or e-cigarettes (including liquid or electronic cigarettes, vape pens, e-cigars or electronic hookah pens) in district buildings, on district grounds, in district vehicles or at district events in violation of 406.5AR, Tobacco-Free and Electronic Delivery Device-Free Environment.				
(grades k-5)	★	★	★	★
(grades 6-12)	3-day susp.	5-day susp.	10-day susp.	expulsion

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★ – see section 2.1.1

BEHAVIORS (continued)	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
44. Trespassing – Being present in any district facility or portion of a district facility when it is closed to the public or when the student does not have the authorization to be there, or unauthorized presence in a district vehicle.				
(grades k-5)	★	★	★	★
(grades 6-8)	★	1-day susp.	3-day susp.	5-day susp.
(grades 9-12)	3-day susp.	5-day susp.	expulsion	
45. Vehicle, Unauthorized Use – Occupying or using vehicles during school hours without school authorization. (grades 9-12)	1-day susp.; may include revocation of parking permit	3-day susp.; may include revocation of parking permit	5-day susp.; may include revocation of parking permit	5-day susp.; may include revocation of parking permit
Refusal to comply with parking regulations. (grades 9-12)	★	1-day susp.; may include revocation of parking permit	3-day susp.; may include revocation of parking permit	5-day susp.; may include revocation of parking permit
46. Weapon or Look-alike Weapon, Possession – Possessing any firearm, whether loaded or unloaded, or any device intended to look like a firearm; any knife; any device or instrument designed as a weapon and capable of producing severe bodily harm, or intended to look like a device or instrument capable of producing severe bodily harm; or any other device, instrument, substance or explosive which, in the manner in which it is used or intended to be used, is calculated or likely to produce severe bodily harm or looks like it is calculated or likely to produce severe bodily harm.				
Look-alike weapon possession (grades k-5)	★	★	★	★ and •VSB
Weapon, possession (grades k-5) <i>(NOTE: State law requires expulsion if the weapon is a firearm.)</i>	★ to expulsion and •VSB			
Weapon or look-alike weapon, possession (grades 6-12)	expulsion and •VSB			

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★ – see section 2.1.1

6. **Behaviors in District Vehicles** – Riding a school bus is a privilege, not a right. The bus driver is responsible for maintaining appropriate student behavior on the bus and is authorized to assign students to specific seats. To help ensure the safety of students, transportation employees and other motorists, students are expected to abide by all student behavior rules outlined in school district regulations, and reviewed above in this handbook, and by the additional transportation safety rules reviewed below in the following chart. The driver will report students who violate the rules to the student’s school principal or the Transportation Department student conduct specialist. Serious behavior described in the above list of behaviors, if it occurs on a school bus, may result in a denial of transportation privileges in addition to the school responses identified above. If a student’s transportation privileges are denied because of the student’s behavior, the student’s parent(s) or guardian(s) will be responsible for transporting the student to and from school. Any student who is issued a citation trespassing them from a school property will lose their bus riding privileges to/from that property. Student behavior policies may be adjusted – as required by federal and state laws and regulations – for students who have individual education plans [IEPs].

Video cameras are used on some school buses, and students’ conversations and actions may be recorded on video/audio tape. The use of video cameras is intended to decrease student behavior and allow safe bus operation for students, drivers and other motorists.

While riding in a district vehicle, in accordance with state law, students shall not transport gasoline, animals or any other dangerous or objectionable objects, except for animals specifically trained to assist people who are blind or have other disabilities. Students are allowed to bring other items on the bus that can be held on the student’s lap or at his/her seat in a safe manner as long as it does not displace another student. Items such as skateboards, roller blades, ice skates, bats, etc. are allowed on the bus when stored in an appropriate bag/container so as to prevent injury to bus passengers. Items that are longer than 39 inches (the height of the bus seat back) are prohibited without approval from the Transportation Department.

To ensure on-time arrival at schools, students are expected to be present at the bus stop five minutes prior to the scheduled pick-up time. Once students board the bus they must remain on the bus until they have reached their school or designated stop. The driver will report students who violate the rules to the student’s school principal or the Transportation Department student conduct specialist.

BEHAVIORS IN DISTRICT VEHICLES	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
47. Eating/Drinking on the Bus – Due to the dangers of choking and of allergic reactions to food, eating and drinking are not allowed on the bus.				
(grades k-5)	★	★	1-day bus susp.	3-day bus susp.
(grades 6-12)	★	1-day bus susp.	3-day bus susp.	5-day bus susp.
48. Improper Boarding or Departing – Getting on or off the bus in a manner which could cause injury to self or others.				
(grades k-5)	★	★	1-day bus susp.	3-day bus susp.
(grades 6-12)	★	1-day bus susp.	3-day bus susp.	5-day bus susp.
49. Not Remaining Seated when the bus is in motion (as required by Minnesota Statute 169.447), including not keeping hands, arms, legs and head inside the bus.				
(grades k-5)	★	★	1-day bus susp.	3-day bus susp.
(grades 6-12)	★	★	1-day bus susp.	3-day bus susp.
50. Pushing, Shoving or Scuffling				
(grades k-3)	★	★	★	1-day bus susp.
(grades 4-5)	★	★	1-day bus susp.	3-day bus susp.
(grades 6-12)	★	1-day bus susp.	3-day bus susp.	5-day bus susp.

• VSB = violent student behavior notification (see Section 3)

★ – see section 2.1.1

<p>51. Tampering With or Damage of Emergency or Safety Equipment – Unauthorized handling of emergency or safety equipment on the bus, including first aid kits, fire extinguishers, cameras, two-way radios and emergency doors, windows or hatches, or crossing/patrol flags.</p>				
(grades k-5)	★ and restitution	1-day bus susp. and restitution	3-day bus susp. and restitution	5-day bus susp. and restitution
(grades 6-8)	1-day bus susp. and restitution	3-day bus susp. and restitution	5-day bus susp. and restitution	expulsion from bus and restitution
(grades 9-12)	3-day bus susp and restitution	5-day bus susp and restitution	expulsion from bus and restitution	
<p>52. Throwing, Shooting or Spraying of Objects or Propellants – Throwing or shooting any objects inside a bus, from outside to inside or from inside to outside a bus, including any spraying of propellants such as cologne, paint, etc. while on the bus. Throwing, shooting or spraying of objects or propellants directly at the bus driver will automatically result in disciplinary responses beginning at the second occurrence level.</p>				
(grades k-5)	★ and restitution	1-day bus susp. and restitution	3-day bus susp. and restitution	5-day bus susp. and restitution
(grades 6-12)	★ and restitution	3-day bus susp. and restitution	5-day bus susp. and restitution	expulsion from bus and restitution
<p>53. Use of Nuisance and/or Recording Devices on a School Bus – Using nuisance devices including, but not limited to, laser pointers, cellular phones, cameras or electronic devices on a school bus in a way that disrupts the safe transportation of students and/or endangers students or employees.</p>				
(grades k-5)	★	★	1-day bus susp.	3-day bus susp.
(grades 6-12)	1-day bus susp.	3-day bus susp.	5-day bus susp.	10-day bus susp.

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

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★ – see section 2.1.1

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- References:**
- Gun-Free School Zones Act of 1990, 18 U.S.C.A., 921-924
 - Minnesota Statute 120A.22, subd. 7, Educational records
 - Minnesota Statute 120A.34, Violations; Penalties
 - Minnesota Statute 121A.03, Model policy on sexual, religious and racial harassment and violence
 - Minnesota Statute 121A.05, Policy to Refer Firearms Possessor
 - Minnesota Statutes 121A.40 – 121A.56, Pupil Fair Dismissal Act
 - Minnesota Statute 121A.44, Expulsion for Possession of Firearms
 - Minnesota Statute 121A.59, Bus Transportation a privilege not a right
 - Minnesota Statute 121A.61, Discipline and removal of students from class
 - Minnesota Statute 121A.64, Notification; teachers' legitimate educational interest
 - Minnesota Statute 121A.69, Hazing
 - Minnesota Statute 121A.75, Receipt of records; sharing
 - Minnesota Statute 169.447, School bus and Head Start bus safety
 - Minnesota Statute 609.685, Sale of tobacco to children