

Handbook

Behavioral Interventions

Policies and Procedures

School Year 2022-23

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Our Mission: We prepare every student to achieve their personal best, engage in lifelong learning, and be a thoughtful and responsible citizen.

Our Vision:

We are committed to providing educational excellence for all by:

- ❖ Offering personalized, rigorous academic and extensive extracurricular programming delivered by highly-trained staff.
- ❖ Promoting a welcoming, inclusive, and equitable culture where everyone has the opportunities and supports needed to be successful.
- ❖ Engaging with community partners to support student learning and career exploration.
- ❖ Investing our resources wisely to best meet the needs of our learners and communities.

Civil Rights Compliance:

Title VI of the Civil Rights Act of 1964 which prohibits discrimination on the basis of race, color, and national origin by recipients of federal financial assistance (34 C.F.R. Part 100);

Title IX of the Education Amendments Act of 1972 which prohibits discrimination on the basis of sex in any educational program or activity receiving federal financial assistance (34 C.F.R. Part 106);

Section 504 of the Rehabilitation Act of 1973 which prohibits discrimination on the basis of disability by recipients of federal financial assistance (34 C.F.R. Part 104); and

Title II of the Americans with Disabilities Act of 1990 which prohibits discrimination on the basis of disability by public entities (28 C.F.R. Part 35).

Notice of Non-Discrimination & Anti-Harassment:

Eastern Carver County Schools will provide students and employees with an environment for learning and working that is free from harassment or violence on the basis of race, color, ethnicity, creed, religion, culture, national origin, citizenship status, economic status, veteran status, academic status, marital status, disability, family structure, gender, sex, sexual or affectional orientation, gender identity or expression, age, familial status, status with regard to public assistance or any other protected class in conformance with federal, state, and local laws. Eastern Carver County Schools prohibits harassment or violence on these bases. Each employee is responsible for upholding and enforcing this policy.

Violations of the harassment or violence policy may include, but are not limited to:

Unwelcome verbal harassment or abuse, including teasing, joking, or making derogatory or dehumanizing remarks;

- ◆ Displaying offensive pictures, posters, T-shirts, or other graphics;
- ◆ Threats or actions related to an individual's race, religion, or ethnic heritage;
- ◆ Unwelcome, subtle pressure for sexual activity;
- ◆ Unwelcome, sexually motivated or inappropriate patting, pinching, or physical contact, other than necessary restraint of pupil(s) by teachers, administrators, or other school personnel to avoid physical harm to persons or property;
- ◆ Physical violence or abuse including leering, inappropriate patting or pinching, other forms of unwelcome touching, attempted rape, and rape.
- ◆ Intentional brushing against a student's or an employee's body;

- ◆ Demanding sexual favors accompanied by implied or overt threats concerning an individual’s educational or employment status;
- ◆ Demanding sexual favors accompanied by implied or overt promises of preferential treatment with regard to an individual’s educational or employment status.
- ◆ Harassment on the basis of sexual orientation.

Students and employees of Eastern Carver County Schools are responsible for conducting themselves in a manner consistent with the spirit and intent of the Harassment and Violence policy (see policy 413). Officials of Eastern Carver County Schools will investigate all complaints, either formal or informal, verbal or written, of violations of this policy. Appropriate disciplinary action will be taken with any student or employee who is found to have violated this policy. Any student or employee who believes they have been a victim of a violation of this policy by another student or employee should report the incident so action can be taken. Complaints will be kept as confidential as possible. All students involved in a complaint may have a parent/guardian or other trusted adult with them in meetings. For information about the complaint procedure, or to file a report of a policy violation, or to receive/review a copy of the policy, contact your building principal, Eastern Carver County Schools Human Rights Officer or Title IX coordinator. The actions taken as a consequence of a violation of this policy by a staff member will be consistent with requirements of applicable collective bargaining agreements, Minnesota statutes, and Eastern Carver County Schools policies. The School District will investigate all reports and take disciplinary action it deems necessary and appropriate, including warning reprimand, suspension, or immediate discharge to end harassment and violence and prevent its recurrence.

Human Rights Officer:
 Givonna Reed Koné (952-556-6251)
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 Eastern Carver County Schools
 11 Peavey Rd, Chaska, MN 55318

Human Rights Officer:
 Erin Rathke (952-556-6114)
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Title IX Coordinator
 David Brecht (952-556-6141)
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 Eastern Carver County Schools
 11 Peavey Rd, Chaska, MN 55318

State Law gives you the right to file a charge of discrimination with the Minnesota Department of Human Rights, Sibley Street and Mears Park, 190 East 5th Street, Suite 700, St. Paul, Minnesota, 55101, telephone: (651) 296-5663. Both the School District’s policy and state law prohibit reprisals or retaliation against you for reporting sexual, racial, or religious harassment.

Minnesota Department of Human Rights Agreement:

363A.13 EDUCATIONAL INSTITUTION

Subdivision 1. **Utilization; benefit or services.** It is an unfair discriminatory practice to discriminate in any manner in the full utilization of or benefit from any educational institution, or the services rendered thereby to any person because of race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation, or disability, or to fail to ensure physical and program access for disabled persons. For purposes of this subdivision, program access includes but is not limited to providing taped texts, interpreters or other methods of making orally delivered materials available, readers in libraries, adapted classroom equipment, and similar auxiliary aids or services. Program access does not include providing attendants, individually prescribed devices, readers for personal use or study, or other devices or services of a personal nature.

Subd. 2. **Exclude, expel, or selection.** It is an unfair discriminatory practice to exclude, expel, or otherwise discriminate against a person seeking admission as a student, or a person enrolled as a student because of race, color,

creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation, or disability.

Subd. 3. **Admission form or inquiry.** It is an unfair discriminatory practice to make or use a written or oral inquiry, or form of application for admission that elicits or attempts to elicit information, or to make or keep a record, concerning the creed, religion, sexual orientation, or disability of a person seeking admission, except as permitted by rules of the department.

Subd. 4. **Purpose for information and record.** It is an unfair discriminatory practice to make or use a written or oral inquiry or form of application that elicits or attempts to elicit information, or to keep a record concerning the race, color, national origin, sex, age, or marital status of a person seeking admission, unless the information is collected for purposes of evaluating the effectiveness of recruitment, admissions, and other educational policies, and is maintained separately from the application.

Community Relations

The Community Relations Department supports a variety of internal and external communication. Our goal is accurate, timely and actionable information about our exceptional schools for staff, families, the community and news media.

Parent/Guardian and Community Communication Protocol

Eastern Carver County Schools recognizes that transparent, proactive communication is foundational to our success. ECCS is committed to building healthy partnerships between our schools, families, and communities to make sure we are supporting our students academically, socially, and emotionally. Ensuring the best results for our students requires open dialogue, communication, and strong partnerships between the district, parents/guardians, and the community. Please refer to the communications protocol at the [district website](#) for complete information.

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PBIS

PBIS (Positive Behavior Interventions and Supports) is a multi-tiered framework for establishing systems, interventions and best practices around social-emotional and behavioral needs that enhances schools' capacity to maximize outcomes for all students. This framework establishes common language and explicit expectations to help promote a positive school culture in Eastern Carver County Schools.

PBIS Guiding Beliefs and Essential Concepts for Understanding Behavior



Misbehavior is a symptom of an underlying cause:

- Students would behave if they could.
- When students display problematic, maladaptive behaviors, it is a symptom of an underdeveloped skill.
- When students blow up or act out, it is a sign that they are stuck and can not cope with the situation.
- Some students may be oversensitive to stress and have an overactive fight or flight response.

Behavior is communication:

- All behavior is a form of communication. This is a key principle that helps when staff are mystified by students' behavior.
- Their actions are purposeful and are their attempt to solve a problem.
- Even if the behavior is not productive or is inappropriate, it is critical to step back and try to decipher what the student is trying to communicate and what the function (or intent) of the behavior is.
- Rather than assume they know the reason for the behavior, staff can ask these critical questions and, by answering them, begin to break the behavior code and respond in more productive ways.
- The more escalated a student is (inwardly or outwardly) the more likely they are to use behavior rather than words to show how he/she/they is feeling.

Behavior has a function:

- Behavior is never random or aimless.
- Individuals would not repeat behaviors if they were not getting something out of it.
- A behavior that is counterproductive, maybe the most effective alternative for students.
- The first step is figuring out what the student is getting from it.
- Examples of functions: attention, escape, tangible, sensory, multiple functions.

Behavior occurs in patterns:

- The key to breaking the behavior code is to find the pattern. Example: time of day, activity, people.
- Patterns are clues to find the intent/function of the behavior.

The only behavior staff can control is their own:

- The emphasis should not be on how to control the student's behavior but rather should be on how to change the dynamic between the student and staff member.
- Staff need to feel empowered to improve students' behavior.
- A good behavior plan is really a guide to help staff develop new behaviors so the educator can interact with student and student behavior in a more productive and preemptive way.

Behavior can be changed:

- "Managing" behaviors is where the problem can occur. Managing is about reducing the impact for others and ourselves.
- Sometimes changing behavior can be quick, or it can be incremental and take time. When understanding the function and teaching to the underdeveloped skills, change can happen quickly

Synopsis from the Behavior Code by Jessica Minahan

Responding to Level 1 (Minor) Behaviors:

Level 1 behavior incidents are minor in effect and are to be addressed in the classroom. The expectation is that staff will have invested time proactively to create a classroom community where they can utilize strategies to process the incident with students with the intent to restore, build capacity, and sustain community. Staff members are expected to use the strategies cited below in responding to Level 1 behavior incidents. Positive partnerships and clear communication with caregivers is expected.

Table 1. Appropriate Interventions for Level 1 Behaviors

Skill-Based Supports	Restorative Accountability	Staff/Administrative Actions
<ul style="list-style-type: none"> ● Process the incident with the student(s) using affective questions/statements to assure there is a collective understanding of what happened. ● Identify lacking skill sets at an individual, student group, or classroom level. ● Introduce or re-teach school expectations, social emotional, self-regulation or conflict resolution skills. ● Use data informed practices to identify other necessary skill-based supports. 	<ul style="list-style-type: none"> ● Maintain a classroom community where all learners feel safe, respected and valued. ● Age-appropriate social emotional skills are built into lessons when needed. ● Continually review school/classroom expectations and re-teach as needed. ● Use restorative conversations, re-entry processes or circles as needed. 	<ul style="list-style-type: none"> ● Fidelity check of school-wide systems and supports for students and staff (fall and spring TFI reporting). ● Maintain high expectations for learners to feel safe, respected and valued in all classroom and non-classroom spaces. ● Support lacking skill sets as identified by staff. ● Identify the need for ongoing training to build capacity in staff to meet student needs.

*Removing a student from instruction is not recommended for level one behavior incidents.

Responding to Level 2 (Minor) Behaviors:

Level 2 behavior incidents are also minor in effect and are usually addressed in the classroom. The expectation is that staff will have invested time proactively to create a classroom community where they can utilize strategies to process the incident with students with the intent to restore, build capacity and sustain community. Positive partnership and clear communication with caregivers is expected.

Level 2 behavior incidents include:

- Repeated or increased significance of incident(s) of Level 1 behavior
- Increased unacceptable behavior toward another student, staff, volunteer, etc.
- Behavior that is generally managed with brief intervention by an adult present in that setting and may include additional brief contact with support staff such as Deans, Counselors, Social Workers, Intercultural Specialists, or other trusted adults.

Table 2. Appropriate Interventions for Level 2 Behaviors

Skill-Based Supports	Restorative Accountability	Staff/Administrative Actions
<ul style="list-style-type: none"> ● Reminder/redirection identified in Level 1 behavior. ● Self-charting/reflection strategies. ● Skill practice/role play. ● Individual skill coaching for students. ● Impromptu conference with caregiver/guardian(s). ● Use data informed practices to identify other necessary skill-based supports. 	<ul style="list-style-type: none"> ● Restorative circles to help build capacity. ● Guided conversations using restorative questions. ● Restorative Circle for problem solving. ● Restoration as needed (i.e. reflective essay, community service, etc.). ● Restorative back-to-class plan. 	<ul style="list-style-type: none"> ● Evaluate classroom expectations and climate. ● Develop a student skill plan and/or initiate a support plan (i.e. Take a Break or calming rooms). ● Formalize check-in/out plans with an adult. ● Alternative instruction for less than 30 minutes. ● Wrap-around conference with staff and caregivers.

* Removing students is not recommended for Level 2 behavior incidents. At most, an In-school removal from instructions should not exceed 30 minutes. Consider the student's age and understanding for K-5.

Responding to Level 3 (Major) Behaviors:

Level 3 behavior incidents are more serious in effect and are usually addressed outside the classroom. The expectation is that staff will have invested time proactively to create a classroom/building community that can support both the responsible party and the harmed party, repair harm and restore relationships. Staff members are responsible to follow their school’s flow chart in response to Level 3-5 behavior incidents.

Table 3. Appropriate Interventions for Level 3 Behaviors

Skill-Based Supports	Restorative Accountability	Staff/Administrative Actions
<ul style="list-style-type: none"> ● Small group skill instruction ● Lessons in self management, conflict resolution, bus safety, or skills specific to the behavior incident. ● Create a student skill development plan ● Formalize check-in/out plan with adult ● Restorative Circles to help build capacity 	<ul style="list-style-type: none"> ● Restorative back-to-class plan ● Staff-led mediation for incidents involving equal power between persons ● Restorative Circle ● Opportunity for Restorative Conversation ● Restitution for property incidents 	<ul style="list-style-type: none"> ● Loss of classroom/setting privileges ● Held out of class ● In-school Suspension ● Dismissal from school ● Student-staff conference ● Consult with School Resource Officer, School counselor, Social Worker or other beneficial adult ● Loss of transportation (bus) privileges no more than 1 day for bus behaviors (unless conflicting with individual IEP)

Optional Administrative Actions That May Result in Removal from Instruction.

For Level 3 behavior incidents, it is an option to utilize in-school suspension for one (1) day or less or a dismissal from school for one (1) day or less provided other skill-based or restorative interventions/supports have been attempted/offered. Any removal from instruction requires a positive restorative reentry be offered to the student. Consider the student’s age and understanding for K-5.

Responding to Level 4 (Major) Behaviors:

Level 4 behavior incidents have a more serious impact and are addressed outside the classroom with additional support. The expectation is that staff will have invested time proactively to create a classroom/building community that can support both the responsible party and the harmed party, repair harm and restore relationships. Staff members are responsible to follow their school’s flow chart in response to Level 3-5 behavior incidents.

Table 4. Appropriate Interventions for Level 4 Behaviors

Skill-Based Supports	Restorative Accountability	Staff/Administrative Actions
<ul style="list-style-type: none"> ● Student coaching by support staff ● Small group skill instruction ● Lessons in self management, conflict resolution, bus safety, or skills specific to the behavior incident. ● Restorative Circles to help build capacity 	<ul style="list-style-type: none"> ● Restorative transition back-to-class plan ● Neutral party mediation ● Family Group Conference ● Restitution for property incidents ● Restorative Conference 	<ul style="list-style-type: none"> ● Any staff action should promote reintegration/support for all stakeholders ● Consultation with ECCS subject matter experts (Equity and Diversity, Counselors or Social Workers, Student Support Services, Assistant Superintendent) ● Held out of class ● In-School Suspension ● Dismissal from school ● Out of School Suspension ● Loss of transportation (bus) privileges, 1-4 days for behavior on bus (unless conflicting with individual IEP) ● Daily Check In process with staff

Optional Administrative Actions That May Result in Removal from Instruction.

For Level 4 behavior incidents, it is an option to utilize a suspension from school that does not exceed four (4) days, provided other skill-based or restorative measures have been attempted/offered. Any removal from instruction requires a positive restorative reentry be offered to the student. Staff members are expected to use strategies cited in table 4 above in response to Level 4 behavior incidents before removing a student from school (if necessary). Consider the student’s age and understanding for K-5.

Responding to Level 5 (Major) Behaviors:

Level 5 behavior incidents are the most serious in effect and are addressed outside the classroom with additional support. Further, these behaviors are identified as possible expellable offenses. The expectation is that staff will have invested time proactively to create a classroom/building community that can support both the responsible party and harmed party, repair harm, and restore relationships. Staff members are responsible to follow their school's flow chart in response to Level 3-5 behavior incidents.

Table 5. Appropriate Interventions for Level 5 Behaviors

Skill-Based Supports	Restorative Accountability	Staff/Administrative Actions
<ul style="list-style-type: none"> ● Student coaching by support staff ● Small group skill instruction ● Lessons in self management, conflict resolution, bus safety, or skills specific to the behavior incident ● Restorative Circles to help build capacity 	<ul style="list-style-type: none"> ● Restorative transition back-to-class plan ● Neutral party mediation ● Family group conference ● Restitution for property incidents ● Formal restorative conference 	<ul style="list-style-type: none"> ● Any staff action should promote reintegration/support for all stakeholders ● Consultation with ECCS subject matter experts (Equity and Diversity, Counselors or Social Workers, Student Support Services, Assistant Superintendent) ● In-School Suspension ● Dismissal from school ● Out of School Suspension ● Loss of transportation (bus) privileges, 1-4 days for behavior on bus (unless conflicting with individual IEP) ● Daily Check in process with staff

Optional Administrative Actions That May Result in Removal from Instruction.

For Level 5 behavior incidents, it is an option to utilize a suspension from school for five (5) or more days. If there is a recommendation for expulsion, the student may be removed for up to ten (10) days. For suspensions of more than five (5) consecutive days, alternative educational services should be provided beginning day six (6). Any removal from instruction requires a positive restorative reentry be offered to the student. Staff members are expected to use strategies cited in table 5 above in response to Level 5 behavior incidents before removing a student from school (if necessary). Consider the student's age and understanding for K-5.

Detailed Definition of Behavior Categories

Bullying and Harassment					
Definition	L.1	L.2	L.3	L.4	L.5
<p>Bullying Pattern of intentional verbal harm-doing, threats or other negative actions between individuals with real or perceived power differential which has the purpose or effect of creating an intimidating, hostile, or offensive environment that interferes and/or adversely affects educational opportunities.</p>		Minor	Major	Major	Major
<p>Race-Based Bullying or Discrimination Pattern of intentional verbal harm-doing, threats or other negative actions between individuals with real or perceived power differential which has the purpose or effect of creating an intimidating, hostile, or offensive environment that interferes and/or adversely affects educational opportunities and is based on a person's race or ethnic heritage.</p>				Major	Major
<p>Cyberbullying The use of technology, email, instant messaging, text messaging, photographing, videoing, or social network sites to bully, intimidate and/or harass a person or group of people.</p>		Minor	Major	Major	Major
<p>Race-Based Cyberbullying or Discrimination The use of technology, email, instant messaging, text messaging, photographing, videoing, or social network sites to bully, intimidate and/or harass a person or group of people based on a person's race or ethnic heritage.</p>				Major	Major
<p>Harassment Unwelcome verbal harassment or abuse, including teasing, joking, or making derogatory or dehumanizing remarks, physical contact, violence or abuse. Displaying offensive pictures, posters, apparel /accessories or other graphics.</p>			Major	Major	Major
<p>Race-Based Harassment or Discrimination Unwelcome verbal harassment or abuse, including teasing, joking, or making derogatory or dehumanizing remarks, physical contact, violence or abuse. Displaying offensive pictures, posters, apparel /accessories or other graphics. The harassment is related to an individual's race or ethnic heritage.</p>				Major	Major
<p>Hazing Committing an act against a student, or coercing a student into committing an act, 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 even if the targeted student agrees to participate.</p>			Major	Major	Major
<p>Mistreatment of Others First incident of expressing unkind things to another individual or first incident of teasing another individual or group of people.</p>	Minor	Minor			
<p>Mistreatment of Others - (Protected Class) First incident of unkind, discriminatory, prejudicial or racial naming or teasing of another individual(s) who identify as a part of a group or groups of historically disadvantaged in comparison to societal majority-dominant groups with respect to their race, sex, gender identity, religion, national origin, disability or sexual orientation.</p>			Major	Major	Major
<p>Sexual Harassment Language, gestures, threats, exposure or other actions that the student can reasonably expected to know is hurtful or discriminatory.</p>			Major	Major	Major



Behaviors Regarding Safety					
Definition	L.1	L.2	L.3	L.4	L.5
<p>Loss of Personal Control Throwing items, screaming, yelling, knocking items off desks/shelves/walls, interrupting class or other activity</p>	Minor	Minor	Major		
<p>Out of Assigned Area First incident of leaving the classroom or being out of the assigned area within or outside of the classroom without a pass or permission is minor. Patterns of this behavior or leaving the school building or grounds without permission can become major.</p>	Minor	Minor	Major	Major	Major
<p>Skiping Class Failure to attend class during an assigned time.</p>		Minor	Major	Major	Major

Physical Aggression					
Definition	L.1	L.2	L.3	L.4	L.5
<p>Biting/Spitting An incident in which an individual intentionally bites or spits on another individual.</p>		Minor	Major	Major	
<p>Facilitating or instigating violence Encouraging a fight to start (or continue by preventing access).</p>		Minor	Major	Major	
<p>Fighting Two or more persons mutually participate in use of force or physical violence that requires either a) physical restraint or b) results in injury requiring first aid or medical attention.</p>			Major	Major	Major
<p>Physical Assault Intentional infliction of or attempt to inflict bodily harm upon another where the victim does not engage.</p>			Major	Major	Major
<p>Physical Contact An instance in which an individual has unwanted physical contact with another individual that is not violent, nor sexually demonstrative.</p>	Minor	Minor	Major		
<p>Play Fighting Engagement in horseplay/physical gestures that resemble fighting with another.</p>	Minor	Minor			
<p>Pushing/Shoving/Hitting An incident in which an individual intentionally pushes or shoves another individual.</p>	Minor	Minor	Major		
<p>Sexual Assault Intentional infliction of or attempt to inflict sexual contact or harm upon another without their consent.</p>				Major	Major
<p>Threat/Intimidation Real or perceived action or construed circumstance that intends to evoke fear, intimidation or distress.</p>	Minor	Minor	Major	Major	

Weapons and Other Safety Concerns

Definition	L.1	L.2	L.3	L.4	L.5
<p>Arson Illegal fire setting or attempts to start fire.</p>			Major	Major	Major
<p>Bomb Use of an incendiary or explosive device that intends to or leads to malicious destruction of property or personal harm.</p>				Major	Major
<p>Bomb Threat Verbal, electronic or written threat to detonate an incendiary or explosive device to cause property damage or injuries, whether or not such a device actually exists.</p>				Major	Major
<p>Extortion Obtaining money, property or services from another person through coercion, intimidation or through oral, electronic or written threats of physical or reputational harm.</p>				Major	Major
<p>Gun/Firearm</p> <ul style="list-style-type: none"> ● Hand gun ● Long gun ● BB gun ● Paintball gun ● Replica/ toy gun ● Stun gun/ Taser gun 				Major	Major
<p>Knife or Replica/Toy Knife</p> <ul style="list-style-type: none"> ● Pocket Knife <2.5 Inches ● Pocket Knife >2.5 Inches 			Major	Major	Major
<p>Other Item Used as a Weapon</p> <ul style="list-style-type: none"> ● Mace/ noxious substance ● Blunt object ● Sharp object 			Major	Major	Major
<p>Pyrotechnics Possession or use of pyrotechnic devices on school property. Include devices such as all fireworks and smoke or stink bombs. Use of matches or lighter.</p>			Major	Major	Major
<p>Terroristic Threats Direct or indirect threat to commit any act of violence with intent to terrorize another, cause evacuation of school property including buses or cause terror with reckless disregard of the risk of causing such terror or inconvenience.</p>				Major	Major



Behaviors Regarding Respect

Definition	L.1	L.2	L.3	L.4	L.5
Disrespect to Adult Regarding or treating an adult with contempt or rudeness.	Minor	Minor	Major		
Disrespect to Peer Regarding or treating a peer with contempt or rudeness.	Minor	Minor	Major		
Excessive talking and/or Disruptive Noises Verbal behavior that continuously interrupts class or other activity, and does not cease with redirection.	Minor	Minor			
Inappropriate Language/Gesture Displaying language or behavior which is demeaning, derogatory or confrontational. See racial or discriminatory language/actions under Bullying and Harrassment.	Minor	Minor	Major		

Behaviors Regarding Responsibility

Definition	L.1	L.2	L.3	L.4	L.5
Cheating Improperly accessing answers to a test, quiz, or other assignment from another student or source.	Minor	Minor	Major		
Dress Code Violation Wearing prohibited clothing during the school day, or wearing appropriate clothing in a prohibited way. See Student & Parent/Guardian Handbook for additional detail.	Minor	Minor			
Forgery Falsely making or altering a writing by which the legal rights or obligations of another person are apparently affected; simulated signing of another person's name to any such writing.			Major	Major	
Lying Deliberately deceiving, misleading, or misrepresenting facts. Level of behavior depends on the pattern of incidents.	Minor	Minor	Major		
Parking Lot Infraction Violation of parking permit contract. Parking in a no parking zone. Parking without a permit. Inappropriate or unsafe driving		Minor	Major	Major	
Plagiarism Copying another student's work, copying material off the internet/book(s) and taking credit for work that isn't yours.		Minor	Major		
Referred for Multiple Documented Minor Behaviors Teacher has attempted multiple skills-based and/or restorative accountability based supports and student continues behavior that disrupts class or other students			Major		
Refusing to Do Work Refusing to comply with reasonable requests to participate in a group or individual assignment. Level of behavior depends on the pattern of incidents.	Minor	Minor	Major		



Refusing to Follow Directions Refusing to comply with reasonable requests, rules or directions from an adult. Level of behavior depends on the pattern of incidents.	Minor	Minor	Major		
Sleeping in Class Sleeping during instructional time.	Minor	Minor			
Technology violation Unauthorized access or interception, data or system interference, misuse of devices or electronic fraud.	Minor	Minor	Major	Major	
Underprepared for class Attending class without required materials or assignment preparation.	Minor				

Property					
Definition	L.1	L.2	L.3	L.4	L.5
Robbery The act of theft using force or the threat of force.				Major	Major
Theft (\$0) Intentional use or possession, without permission or rightful claim, of another's property.	Minor				
Theft (\$1-100)		Minor	Major		
Theft (> \$100)			Major	Major	Major
Vandalism / property related (\$0) Willful or malicious destruction or damage of school or personal property on school grounds/transportation.	Minor	Minor	Major		
Vandalism / property related (\$1-100)		Minor	Major		
Vandalism / property related (> \$100)			Major	Major	Major

Drugs and Alcohol					
Definition	L.1	L.2	L.3	L.4	L.5
Alcohol - Possession/Use Use or possession of alcohol before or during school or school activity.			Major	Major	
Alcohol - Solicitation/Sale Providing or selling alcohol to others before or during school or school activity.				Major	Major
Controlled Substance (prescription medications) - Possession/Use Prescription medication only (not illegal drugs such as marijuana). Includes possession or use of own or someone else's prescription medication.			Major	Major	
Controlled Substance (prescription medications) - Solicitation/Sale				Major	Major
Illegal Drugs - Possession/Use Make sure to specify type from list: Amphetamines, Crack/Cocaine, Ecstasy/MDMA,			Major	Major	Major

Inhalants, LSD/ Psychedelics, Marijuana (paraphernalia), Methamphetamines, Other.					
Illegal Drugs - Solicitation/Sale Make sure to specify type from list: Amphetamines, Crack/Cocaine, Ecstasy/MDMA, Inhalants, LSD/ Psychedelics, Marijuana, Methamphetamines, Other.				Major	Major
Over-the-Counter (OTC) Medication Policy Consult with site LSN to confirm self-carry rules/procedures for OTC pain medications; this may be used in situations where OTC abuse is of concern such as ingesting large quantities of cough/cold preparations to produce hallucinations (e.g. Robitussin cough syrup)	Minor	Minor	Major	Major	
Tobacco Possession or use of any tobacco or nicotine based product including cigarettes, cigars, shisha (hookah tobacco) etc. Specify type from list: Chewing tobacco, Cigarettes, Electronic cigarettes/vaping.			Major	Major	

Behaviors Specific to School Transportation

Definition	L.1	L.2	L.3	L.4	L.5
Endangering Self or Others Tampering with emergency doors. Throwing, shooting, or spitting objects inside or at the bus. Fighting, pushing, shoving, or any other physical or aggressive behavior. Screaming, yelling, or making loud sounds that might distract the driver. Sticking body parts or objects out a bus window.	Minor	Minor	Major		
Not Remaining in Seat/Not Wearing Seat Belt Standing, sitting, kneeling, or lying down in the aisle or under the seat. Standing on the seat. Sitting in the seat but not wearing Seat Belt.	Minor	Minor			
Possession of a Prohibited Item Possessing alcohol, tobacco, or any other type of illicit substances on the bus or any school grounds including the bus stop. Transporting dangerous, objectionable, or offensive items on the bus. Animals are not allowed on the bus.	Minor	Minor	Major		
Profanity or Swearing Using language that is profane, vulgar, indecent, demeaning, derogatory or confrontational.	Minor	Minor			
Unsafe Boarding or Departure Entering or leaving the bus in a way that is unsafe including pushing or shoving, jumping, or blocking the stairs/doorway. Not remaining a safe distance from the bus before pick up or after drop off.	Minor	Minor	Major		

Positive Behavior Recognition

Definition	L.1	L.2	L.3	L.4	L.5
P.R.I.D.E Recognition					

Eastern Carver County Schools Due Process:

Due Process

Due process is guaranteed for all students before a “suspension” from school can occur. A “suspension” is a removal from instruction for more than one day. Students are entitled to the following rights after a behavior incident occurs.

- Students have the opportunity to tell their account of the incident, and
- Students have the right to know why they are being suspended and what evidence there is to support the removal.

School staff is responsible for conducting a thorough investigation to ensure accuracy in responding to the incident and the reporting process. If a student is removed from instruction for more than one day, a Notice of Suspension needs to be given/sent to the parent/guardian.

The following protocol is a way to guide due process. It is essential to approach this process with the sole intention of gathering facts instead of pursuing a specific outcome, no matter who is involved or the context of the incident. It is required and necessary by due process to collect and review all facts before coming to conclusions on how to best address the incident.

Step 1 [Read a Tennessee Statement](#)

Step 2 Collect Statements: Collect statements by everyone involved, including witnesses. The purpose is for individuals to share their recollections of the incident. It is essential to keep individuals providing statements separate from one another to ensure accuracy. All accounts must be collected in writing. You can have the student write or transcribe while they are sharing as long as the statement is documented. Please include date, time, those present, and who is documenting the statement. If the incident is sexual in nature, please do not collect the statement alone.

Step 3 Create a timeline: Put together a timeline of events with dates, locations, incident details, etc.

Step 4 Check the area where the incident occurred: Check the physical space. Check for damage and anything related to the situation. Take pictures if needed. Review documentation of the incident. This will help prepare you for any parent/guardian who might have questions.

** Remember when sharing with parents/guardians do not use names of other students**

Step 5 Interview the main subject in the situation: This is an interview, not an interrogation, and thus non-accusatory. As part of due process, students must have the ability to answer any allegations made against them. The interview should attempt to collect specific information, facts, motivation and understanding the “why” of the incident.

*** all timelines and specific procedural requirements must be followed according to district policies.

Eastern Carver County Schools Racial Harm Protocol:

When an incident causes racial harm, it is essential to act with a sense of urgency. Safety is our priority. A thorough investigation, thoughtful communication plan, and intentional restorative work to wrap around impacted students are critical to making sure we respond appropriately and consistently throughout the district.

At the building level, it is vital to reinforce to teachers that should an incident occur, they take **immediate** action to address the issue, reinforce to students that this behavior is unacceptable and will not be tolerated, and **alert administration as soon as possible**.

Due Process

Due process is guaranteed for all students before a “suspension” from school can occur. A “suspension” is a removal from instruction for more than one day. Students are entitled to the following rights after a behavior incident occurs.

- Students have the opportunity to tell their account of the incident, and
- Students have the right to know why they are being suspended and what evidence there is to support the removal.

School staff is responsible for conducting a thorough investigation to ensure accuracy in responding to the incident and the reporting process. If a student is removed from instruction for more than one day, a Notice of Suspension needs to be given/sent to the parent/guardian.

The following protocol is a way to guide due process. It is essential to approach this process with the sole intention of gathering facts instead of pursuing a specific outcome, no matter who is involved or the context of the incident. It is required and necessary by due process to collect and **review all facts before coming to conclusions** on how to best address the incident. Take the report on Student Investigation Report Form.

- [Read a Tennessee Statement](#)
- Step 2: [Collect Statements](#)** (template attached)

Collect statements by **everyone involved**, including witnesses. The purpose is for individuals to share their recollections of the incident. It is essential to keep individuals providing statements separate from one another to ensure accuracy. All accounts must be collected in writing. You can have the students write or transcribe while they are sharing but document that on the statement.

Ex: Principal A dictates the verbal statement of student B.

Please write a date, time, and those present on the statement. If the incident is sexual in nature, please do not collect statements alone.

- If it is a result of racial harm follow the [Response Protocol](#)
- Create a timeline**

Put together a timeline of events with dates, locations, incidents, etc.

- Check the area where the incident occurred. (if needed)**

Check the physical space- check for damage and anything related to the situation. Take pictures if needed. Review documentation of the incident. This will help share with caregivers who might have questions.

** Remember when sharing with parents/guardians do not use names of other students**

- Interview the main subject in the situation**

This is an interview, not an interrogation, and thus dialogue should be non-accusatory. As part of due process, students must have the ability to answer any allegations made against them. The interview should attempt to collect specific information, facts, motivation, and understanding the “why” of the incident.

[Helpful Interview Questions](#)

Policies to Consider/Review (links go to policies recently revised and approved)

[Final Revised 413-HarassmentViolence](#)

[Final revised 506-Student Discipline](#)

[Final Revised 514-Bullying Prohibition](#)

Please note: We need to make contact within 72 hours to parents/guardians when we search for the location on a school-issued device or search content on a device which might be off-site related to an imminent threat to life or safety.

Specialized Education Services – Students with Disabilities

The Specialized Education Services department staff provide specially designed instruction and programming for students with special learning needs. We pride ourselves on the quality of our staff and on our efforts to provide appropriate instruction for each student based on the latest educational research and individual needs. We are committed to developing the skills and potential of every student we serve.

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Section 504 prohibits recipients of federal financial assistance from discriminating based on disability, and the IDEA guarantees that children with disabilities have available to them a free appropriate public education (FAPE). FAPE emphasizes special education and related services designed to the needs of children with disabilities and prepare them for further education and employment services and independent living.

Eastern Carver County Schools enforces and administers federal laws relating to students with disabilities, including Section 504 and the IDEA. We believe students can experience academic growth and success with an appropriately developed and effectively implemented individualized education program (IEP) or a section 504 plan (504). We also believe these services and supports can help prevent or reduce disability-based behaviors that might otherwise lead to student discipline. Our goal is to be proactive to prevent behaviors and teach skills. To do so, we set consistent limits where behaviors are tied to privileges and consequences that use a restorative mindset rather than traditional punishment.

Checklist for ECCS Administration if/when Discipline involves a Student with a Disability:

- Check Infinite Campus. Has the student been identified as IDEA (SpEd) or Section 504?
- If there is no IEP or 504 Plan, review documentation that may suggest a student has a suspected disability. Did the parent express concerns in writing to school personnel that the student needs special education services? Did the parent request an evaluation? Did a teacher or other district personnel express specific concerns about a pattern of behavior on the student’s part and express those concerns directly to district administration?
 - If the parent/caregiver denied an evaluation or the student was assessed and did not qualify, the student is not suspected of having a disability.

If yes to either box above, following the steps below

- Treat the student as general education student first given the understanding additional discipline protections exist for students with disabilities or students with suspected disabilities
- For minor behaviors, contact IEP manager/Section 504 manager and/or special education coordinator to partner on next steps and parent communication
- For major behaviors, your first contact should be the special education supervisor or 504 manager. Decisions about discipline and/or consequences need to be made in collaboration considering legal safeguards and obligations (for example, before a suspension)
 - Contact the director of specialized education services if student is on IEP or Section 504 and
 - the incident includes a weapon, serious bodily injury or drugs
 - the student is removed/suspended with expulsion pending
- Review IEP and BIP for specific action legally required per individual plan
- Consult the chart below regarding Federal and State days of removal or suspension and relevant steps required

IDEA includes specific provisions to address situations in which the behavior of a child with a disability impedes the child’s learning, the learning of others, or violates a school’s code of student conduct. As part of the obligation to provide FAPE the IEP Team must consider for possible inclusion in the IEP the use of positive behavioral interventions and supports, and other strategies to address that behavior.

Discipline Guidelines for Students with Disabilities Under State and Federal Law:

<i>please see foot notes for further explanation</i>	IEP Team Meeting Required	Manifestation Determination Required	FBA or Review of BIP Required	Alternative Education Services Required
* Student removed for 1 school day or less	No	No	No	No
* Student removed for 5 or fewer consecutive school days	No	No	No	No
# Student removed for 6 -10 consecutive school days	Yes	No	No	Yes
# Student removed for 10 cumulative school days in a school year	Yes	No	No	No, unless 6+ consecutive
## Student removed for more than 10 days	Yes	Yes	Yes, if manifestation	Yes
** Student placed on in-school suspension	No	No	No	No
*** Bus removal	Depends	Depends	Depends	No
^ Restrictive Procedures (must only be used in emergency situations even when included in BIP): after use on 2 separate days within 30 calendar days	Depends	No	Yes	YES
! Unilateral / Interim change of placement	Yes	Yes	Yes	Yes

- * Note that removing a student one day or less still counts as a suspension for special education students if they do not receive regular or special instruction during the dismissal period. Though the suspension notice requirements under the PFDA do not apply, these days do count when tabulating the cumulative days.
- # Removal or suspension for 6 - 10 consecutive days or 10 cumulative days (when doesn’t involve a change of placement), relevant IEP team members (including one gen ed teacher) meet and

determine the extent to which the child needs services (comp ed, alt ed services) in order to continue to participate in the general education curriculum, although in another setting, and to progress toward the goals in the IEP.

- ## State law requires a team meeting following the 10th cumulative day (after day 11); federal manifestation determination requirements trigger at “more than 10”.
- ** An in-school suspension would not be considered a part of the days of removal as long as the student is afforded the opportunity to continue to appropriately progress in the general curriculum, continue to access the services specified on his/her IEP, and continue to participate with non-disabled children to the extent they would have in their current placement. If students do not receive regular or special instruction during in-school, it is counted as an out-of-school suspension.
- *** If bus transportation is a part of the student’s IEP, a bus suspension would be treated as a removal (suspension) unless the school provides transportation in some other way, because that transportation is necessary for the student to obtain access to the location where all other services will be delivered. If bus transportation is not a part of the student’s IEP, a bus suspension typically would not be a removal unless it prevents the student from attending and participating in school and therefore accessing their IEP services.
- ^ If a student does not have a BIP that addresses restrictive procedures, yes, a meeting needs to be held within 10 calendar days after 2nd use. If the student does have a BIP that addresses restrictive procedures, no meeting is necessary. Restrictive procedures documentation and communication guidelines need to be followed. An FBA needs to be completed in order to write a BIP. For more information, please see [Restrictive Procedures Section in Insider - Admin Tool Box](#) and [Standards for Use of Restrictive Procedures](#) used in CPI training.

Alternative educational services: **1)** beginning on day 6 of consecutive school days suspended - homebound, instruction through electronic media, supervised homework, enrollment in another district or in an alternative learning center. **2)** FAPE beginning on day 11 – services to enable the child to appropriately progress in the general education curriculum and advance toward achieving the IEP goals. Students also must receive FBA, behavioral instruction services, and modifications designed to address the behavior so it does not recur.

Behavior Intervention Plan: adding/changing the BIP is a significant change to the IEP and consent (on PWN) must be provided by the parent before it can be implemented. Use district forms found on SpEd Forms.

- The IEP has the BIP listed under accommodations and the approved BIP is attached to the student’s current IEP. BIPs need to be attached to IEPs at all times (when in place), progress reviewed with IEP goals, and reviewed at annual meetings.
- Active BIPs are shared with school administration and the entire student’s teachers/staff for consistency.

Manifestation Determination Meeting: must occur immediately, but no more than 10 school days after a decision to change the placement of a child with a disability due to a violation of a code of student conduct occurs. Includes when a student is removed for more than 10 consecutive or cumulative school days, a 45-day unilateral change in placement or an expulsion. Relevant members of the IEP team and the child’s parents must attend the meeting.

Unilateral / Interim change of placement: for not more than 45 school days may be made based on behavior involving certain weapons, drugs, serious bodily injury

Appropriate Tiers of Intervention for Students with Behavior Needs Receiving Special Education

<p>Tier 1 Intended for all students</p>	<p>Tier 2 Intended for students in higher level of intervention</p>	<p>Tier 3 Intended for students in an individualized level of intervention</p>
<p>Behavior Supports and Consequences: (across programs - all grade levels): Proactive level of support that all students within special education (resource or center based) receive if they have social emotional behavioral services / goals: *Critical Components: Behavior Special Education Critical Components Check-list Limit Setting Structure: (Above the line/Below the line example)</p> <p>Consequences/ Response (across programs - all grade levels) *Stages of Behavior Processing- after a Bottom Line/ Red Zone/ “Major” behavior staff use this 3 pronged consequence to address behavior. *OSS is a last resort and is not supported by research as improving behavior. Teams should work to support students in school to work through the stages together rather than OSS. *Behavior Support Flow-Chart (tiered staff response support plan)- this is so there are staff available to do the Stages of Behavior Processing. Staff should individualize this to include administration on the chart if that is warranted or needed. *Restorative Processing Questions for Welcome Back Meetings (Re-Entry) (If</p>	<p>Review & revise student’s plan and IEP: While still getting tier 1 support, if behaviors continue/increase/change, team should review IEP/BIP and revise using the below tools:</p> <p>*Consider changing service environment, adding service providers, increasing minutes, change the BIP, etc.</p> <p>*Problem Solving Matrix - use this tool to check fidelity of best practice interventions, scaffold changes in interventions or services, and set goals.</p> <p>*Re-look at ABC data collection Determine Functions of Behavior</p>	<p>While still getting tier 1 & 2 supports above, tier 3 resources support the continuum of services students receive in center-based programs or intensive intervention in the resource setting that is being closely monitored with data. Tier 3 enables staff to implement Critical Components and Limit Setting Structure with more fidelity and consistency, as well as to further individualize behavioral support.</p>



student does get OSSas last resort or to allow team time to review plan, use this form as a re-entry / welcome back following OSS)		
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This handbook was created with influence from Minneapolis Public School and Saint Paul Public Schools. Student Conflict & Intervention Handbook, (2022, June) 1250 W. Broadway Avenue, Minneapolis, MN 55411, https://anthony.mpls.k12.mn.us/uploads/conflict_intervention_handbook_2.pdf

Rights and Responsibilities Summary for Students, Parents, Guardians and Staff, (2022, June) 360 Colborn Street, Saint Paul, MN 55102, https://www.spps.org/rights_and_responsibilities