

Handbook

Behavioral Interventions

Policies and Procedures

School Year 2023-24

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Our Mission: We prepare our students to achieve their personal best, engage in lifelong learning, and contribute to our families and community.

Our Vision: To be our community's district of choice through:

- ❖ A culture and experience of all belonging, being valued, and respected as we engage, listen, and lift all voices in the community
- ❖ Academic excellence and achievement to prepare all learners for their living and thriving in our community and the changing world
- ❖ Partnership and collaboration with the community in service of learning so that communities and schools are an integral part of each other's vitality and success
- ❖ Providing, aligning, and managing our physical, human, and financial resources to best meet the needs of all students, staff, and families

Community Values:

- Respect: Belonging and honored for who I am, and treating others the same
- Inclusion: Everyone having the opportunities and supports needed to be successful
- Collaboration: Engaging, listening, and partnering with others to learn, develop, and innovate
- Accountability: Doing my part to ensure positive outcomes for myself and others
- Student-Centered: Student needs and growth drive our words, action, and choices

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 is committed to inclusive education and providing an equal opportunity for all students. The school district does not discriminate on the basis of Protected Class: **race, color, creed, religion, national origin, immigration status, sex, marital status, parental status, status with regard to public assistance, disability, sexual orientation, including gender identity and expression, age, 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)
reedkoneg@district112.org
Eastern Carver County Schools
11 Peavey Rd, Chaska, MN 55318

Human Rights Officer:

Erin Rathke (952-556-6114)
rathkee@district112.org
Eastern Carver County Schools
11 Peavey Rd, Chaska, MN 55318

Title IX Coordinator

David Brecht (952-556-6141)
brechtd@district112.org
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.

Celi Haga
Community Relations Director
HagaC@district112.org
Office: 952-556-6121

Tracy Lucco
Marketing Communications Manager
LuccoT@district112.org
Office: 952-556-6204

Eric Kraushar
Communications Specialist
KrausharE@district112.org
Office: 952-556-6186

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.

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 parent/guardian(s) 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, group, or classroom level. ● Introduce or re-teach school expectations, social emotional, self-regulation or conflict resolution skill(s). ● 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 taught and re-viewed in response to student behavior/need. ● Continually review school/classroom expectations and re-teach as needed. ● Use restorative conversations, re-entry/welcome back 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 disrespectful or unsafe 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 collaboration with parent/guardian(s) and 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 parent/guardian(s). ● Use data informed practices to identify other necessary skill-based supports. 	<ul style="list-style-type: none"> ● Review/re-teach SEL lessons in response to student behavior/need. ● Guided conversations using restorative questions. ● Restorative Circle for problem solving a to repair relationships. ● Restoration as needed (i.e. reflective essay, community service, etc) 	<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 parent/guardian(s).

The teacher shall have the general control and governance of the classroom. Teachers have the responsibility of attempting to support student behavior by such means as conferring with the student, using positive reinforcement (PBIS), re-teaching and restorative accountability, and other consequences, including, contacting the student’s parent/guardian(s). When such measures have been utilized and the teacher determines that removal is necessary. See Appendix regarding “Removal of Students from Class” and “Recess and Other Breaks”.

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 ● Social emotional skill building 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 to repair harm and mend relationships ● 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)

“Suspension” is an action by the school administration. School administration must allow a suspended student to (1) receive timely course materials and other information, and (2) complete daily and weekly assignments and receive teachers’ feedback, and (3) the opportunity to complete all school work assigned during the period of the student’s suspension and to receive full credit for satisfactorily completing the assignments. See Appendix regarding “Suspension”.

Responding to Level 4 (Major) Behaviors:

Level 4 behavior incidents have a more serious impact and/or reflect a willful pattern. These behaviors 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 by school counselor/social worker • 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 • Re-teach/accountability lessons for ISS and OSS. 	<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/Out process with staff

Responding to Level 5 (Major) Behaviors:

Level 5 behavior incidents are the most serious in effect and/or reflect a willful pattern. These behaviors are addressed outside the classroom with additional support.

Further, these behaviors are identified as possible expellable offenses. The expectation is that staff and administration will have followed the Non-exclusionary disciplinary policies and practices and 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

Detailed Definition of Behavior Categories

Defined Protected Class Includes: **Race, color, creed, religion, national origin, immigration status, sex, marital status, parental status, status with regard to public assistance, disability, sexual orientation, including gender identity and expression, age, or any other protected class in conformance with federal, state, and local laws.**

Bullying and Harassment					
Definition	L.1	L.2	L.3	L.4	L.5
<p>Bullying</p> <p>Pattern (more than 1 isolated incident) of intentional verbal abuse or harm-doing by 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. This applies to students who directly engage in an act of bullying and also to students who, by their indirect behavior, condone or support another student’s act of bullying.</p>		X	X	X	X
<p>Identity-Based Bullying or Discrimination (Protected Class)</p> <p>Pattern of intentional verbal abuse or 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, ethnic heritage, color, creed, religion, national origin, or immigration status.</p>				X	X
<p>Cyberbullying</p> <p>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; on or off of school property to the extent that it substantially and materially disrupts student learning or the school environment. This includes the creator of the content and those who contribute to the distribution or support of the messaging.</p>			X	X	X
<p>Identity-Based Cyberbullying or Discrimination (Protected Class)</p> <p>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, ethnic heritage color, creed, religion, national origin, or immigration status.</p>				X	X
<p>Harassment</p> <p>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 on the basis of race, color, creed, religion, national origin, immigration status, sex, gender, age, familial status, status regarding public assistance, sexual orientation or disability.</p>			X	X	X
<p>Identity-Based Harassment or Discrimination (Protected Class)</p> <p>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, ethnic heritage, color, creed, religion, national origin, or immigration status.</p>				X	X
<p>Hazing</p> <p>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. Including any activity that intimidates or threatens that student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.</p>			X	X	X

Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, sexually motivated language, gestures, threats, exposure or actions such as inappropriate touching, patting, pinching, or grabbing. Unwelcomed behavior or words directed at an individual because of sexual orientation, including gender identity and expression.

		X	X	X
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Behaviors Regarding Safety

Definition	L.1	L.2	L.3	L.4	L.5
Loss of Personal Control Throwing items, screaming, yelling, knocking items off desks/shelves/walls, interrupting class or other activity. This does not include vandalism or destruction of property which are more serious in offense.	X	X	X		
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.	X	X	X	X	X
Truancy When a letter for 5 unexcused absences along with intervention is necessary it is a L.3. When it's a letter for 7 unexcused absences along with a referral to the county it is a L.4			X	X	
Skiping Class Failure to attend class during an assigned time.		X	X	X	

Physical Aggression

Definition	L.1	L.2	L.3	L.4	L.5
Biting An incident in which an individual intentionally bites another individual. Consider the severity of the bite (i.e. breaks skin).		X	X	X	
Facilitating or instigating violence Encouraging a fight to start either in person or via technology and/or impairing the deescalation of the situation.		X	X	X	
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.			X	X	X
Physical Assault Intentional infliction of or attempt to inflict bodily harm upon another where the victim does not engage.			X	X	X
Physical Contact An instance in which an individual has unwanted physical contact with another individual that does not have the intent to harm and is not sexually demonstrative.	X	X	X		
Play Fighting Engagement in horseplay/physical gestures that resemble fighting with another.	X	X			
	X	X	X		

Pushing/Shoving/Hitting An incident in which an individual intentionally pushes or shoves another individual.					
Sexual Assault Intentional act of aggression, threat of, or attempt to inflict sexual contact or harm upon another without their consent.				X	X
Spitting An incident in which an individual intentionally or spits on another individual.		X	X	X	
Threat/Intimidation Real or perceived action or construed circumstance that intends to evoke fear, intimidation or distress.	X	X	X	X	

Weapons and Other Safety Concerns

Definition	L.1	L.2	L.3	L.4	L.5
Arson Illegal fire setting or attempts to start fire.			X	X	X
Bomb Use of an incendiary or explosive device that intends to or leads to malicious destruction of property or personal harm.				X	X
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.				X	X
Extortion Obtaining money, property or services from another person through coercion, intimidation or through verbal, electronic or written threats of physical or reputational harm.				X	X
Gun/Firearm <ul style="list-style-type: none"> • Hand gun, Long gun, BB gun • Paintball gun, Stun gun/Taser gun • Replica/ toy gun 			X	X	X
Knife or Replica/Toy Knife <ul style="list-style-type: none"> • Pocket Knife <2.5 Inches • Pocket Knife >2.5 Inches 			X	X	X
Other Item Used as a Weapon <ul style="list-style-type: none"> • Mace/ noxious substance, blunt object, sharp object, etc. 			X	X	X
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.			X	X	X
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.				X	X

Behaviors Regarding Respect

Definition	L.1	L.2	L.3	L.4	L.5
Mistreatment of Others First incident of expressing unkind things to another individual or first incident of teasing another individual or group of people. This includes disrespect to an adult, staff member or peer.	X	X			
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.			X	X	
Excessive talking and/or Disruptive Noises Verbal behavior that continuously interrupts class or other activity, and does not cease with redirection.	X	X			
Inappropriate Language/Gesture Displaying language or behavior which is demeaning, derogatory or confrontational. See racial or discriminatory language/actions under Bullying and Harrassment.	X	X	X		

Behaviors Regarding Responsibility

Definition	L.1	L.2	L.3	L.4	L.5
Cheating/Academic Dishonesty Improperly accessing answers to a test, quiz, or other assignment from another student or source.	X	X	X		
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.	X	X			
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.			X	X	
Lying Deliberately deceiving, misleading, or misrepresenting facts. Level of behavior depends on the pattern of incidents.	X	X	X		
Parking Lot Infraction Violation of parking permit contract. Parking without a permit or no parking zone. Inappropriate or unsafe driving			X		
Plagiarism Copying another student's work, copying material off the internet/book(s) and taking credit for work that isn't yours.		X	X	X	
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.	X	X	X		
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.	X	X	X	X	

Sleeping in Class Sleeping during instructional time.	X	X			
Technology violation Unauthorized access or interception, data or system interference, misuse of devices or electronic fraud.	X	X	X	X	

Property

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

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.			X	X	
Alcohol - Solicitation/Sale Providing or selling alcohol to others before or during school or school activity.				X	X
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.			X	X	
Controlled Substance (prescription medications) - Solicitation/Sale				X	X
Illegal Drugs - Possession/Use Make sure to specify type from list: Amphetamines, Crack/Cocaine, Ecstasy/MDMA, Inhalants, LSD/ Psychedelics, Methamphetamines, Opiates, Other.			X	X	X
Illegal Drugs - Solicitation/Sale Make sure to specify type from list: Amphetamines, Crack/Cocaine, Ecstasy/MDMA, Inhalants, LSD/ Psychedelics, Methamphetamines, Opiates, Other.				X	X
Marijuana/THC/CBD and Related Products or Devices - Possession/Use Use or possession of marijuana or any marijuana, THC, or CBD based product before or during school or school activity.		X	X		
Marijuana/THC/CBD and Related Products or Devices - Solicitation/Sale			X	X	

Providing or selling marijuana or any marijuana, THC, or CBD based product before or during school or school activity.

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)

X	X	X	X		
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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.

		X	X		
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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.

X	X			
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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.

X	X			
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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.

X	X	X		
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Profanity or Swearing

Using language that is profane, vulgar, indecent, demeaning, derogatory or confrontational.

X	X			
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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.

X	X	X		
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Positive Behavior Recognition

Definition

L.1	L.2	L.3	L.4	L.5
-----	-----	-----	-----	-----

P.R.I.D.E Recognition

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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 the 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-Harassment Violence](#)

[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.

Laura Pingry-Kile
Director of Specialized Services
Pingry-KileL@district112.org
Office: 952-556-6171

Tara Cliff
Health Services Supervisor
CliffT@district112.org
Office: 952-556-6116

Malai Turnbull
Specialized Services Supervisor
TurnbullM@district112.org
Office: 952-556-6175

Danielle Fields
Early Childhood Specialized Services
FieldsD@district112.org
Office: 952-556-6250

Kellie Krick-Oborn
Specialized Services Supervisor
KrickObornK@District112.org
Office: 952-556-6176

Jennifer Davie
Specialized Services Supervisor
DavieJ@district112.org
Office: 952-556-6177

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 a general education student first given the understanding additional discipline protections exist for students with disabilities or students with suspected disabilities.
- Keep in mind that IEPs or BIPs may contain alternative required disciplinary measures related to individual students antecedents, behavior and consequences.
- Contact appropriate special education staff members, SPED administrator, 504 manager prior to determining a resolution or response for level 3-5 behaviors. Decisions about consequences will be made in collaboration considering legal safeguards and individual student plans.

- Prior to investigating / interviewing students with disabilities, contact the IEP manager to support and provide accommodations, as needed.
- 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.
- Resolutions/Responses: guide of *who* to contact *when*
 - Removal from class - IEP manager and coordinator
 - Held out of class - IEP manager and coordinator
 - Dismissal from school, ISS, or OSS - contact supervisor
 - Level 3 or 4 behavior - contact the coordinator
 - Level 5 behavior - contact the supervisor
 - Incident includes a weapon, serious bodily injury, or drugs (possible 45 day interim placement) - contact director (who will pull in supervisor)
 - Expulsion pending - contact director (who will pull in supervisor)

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 style="text-align: center;">Tier I Intended for all students</p>	<p style="text-align: center;">Tier 2 Intended for students in higher level of intervention</p>	<p style="text-align: center;">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 student does get OSS as last resort or to allow team time to review plan, use this form as a re-entry / welcome back following OSS)</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 the 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>

Filing a Discipline Complaint Procedure

Governing Statute: Subd. 4. Discipline complaint procedure

The discipline policy must contain procedures for students, parents and other guardians, and school staff to file a complaint and seek corrective action when the requirements of sections 121A.40 to 121A.61, including the implementation of the local behavior and discipline policies, are not being implemented appropriately or are being discriminately applied.

Students, parents and other guardians, and school staff may file a complaint and seek corrective action when the requirements of the Minnesota Pupil Fair Dismissal Act, or the implementation of the behavior and discipline policies are not being implemented appropriately or are being discriminately applied.

The process is initiated by submission of a complaint in writing to the Assistant Superintendent. The complaint must be submitted in writing and dated by the person making the complaint.

A [Discipline Complaint form](#) is on the District website and available in administration offices. The process is initiated by filling in the form and submitting the form to the Assistant Superintendent.

1. Upon receipt of the complaint, district representatives will investigate the complaint. The investigation will commence within three school days of receipt of the complaint. The Assistant Superintendent will direct the investigation and report to the Superintendent. The District may use outside counsel as it sees fit.
2. Upon completion of the investigation, written determination will be provided to the complainant addressing each allegation. The determination will contain findings and conclusions, with appropriate application of the Minnesota Government Data Practices Act.
3. If the investigation finds the requirements of Minnesota Statutes, sections 121A.40 to 121A.61, including any local policies that were not implemented appropriately, the Superintendent will require a corrective action plan to correct a student's record and provide relevant staff with training, coaching, or other accountability practices to ensure appropriate compliance with policies in the future.
4. Reprisals or retaliation against any person who asserts, alleges, or reports a complaint is prohibited. District administration will apply appropriate consequences for a person who engages in reprisal or retaliation.

**Eastern Carver County School District
Discipline Complaint Form**

Date of Complaint: _____

Name of Person Completing the Form: _____

Relationship to the Student: _____ Phone: _____

Student Name: _____ Grade: _____

Applicable Governing Discipline Documents

- [Pupil Fair Dismissal Act](#)
- [School District Discipline Policy](#)

Describe your complaint(s) and/or allegation(s) regarding improper implementation of the Minnesota Pupil Fair Dismissal Act and/or school discipline policy or how the procedure in these two documents are being discriminately applied.

List below any other information you would like the District to consider:

Signature: _____ Date: _____

Submit the form to the Assistant Superintendent: Erin Rathke Rathkee@district112.org

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
Colborne Street, Saint Paul, MN 55102, https://www.spps.org/rights_and_responsibilities