

## **ADMINISTRATIVE GUIDELINE 541.1 STUDENT BEHAVIOR**

### **I. PURPOSE**

This administrative guideline applies to student behavior in school, on school property, in and around school vehicles, and at school-sponsored events both within and outside Richfield Public Schools, and both during and outside of the school day. The goal of Richfield Public Schools is to provide students a safe school environment to promote academic success and a vibrant learning community. Fair and appropriate implementation of the student behavior policy is important to this goal, and every interaction between staff and students matters. Richfield Public Schools also recognizes that removal from instruction can work against the academic achievement of students, and should be avoided whenever possible. The purpose of this administrative guideline is to establish the system of classification of student behaviors and administrative responses to those behaviors.

### **II. DEFINITIONS**

- A. “Nonexclusionary disciplinary policies and practices” means policies and practices that are alternatives to dismissing a student from school, including but not limited to evidence-based positive behavior interventions and supports, social and emotional services, school-linked mental health services, counseling services, social work services, academic screening for Title I services or reading interventions, and alternative education services.
- B. “Pupil withdrawal agreement” means a verbal or written agreement between a school administrator or district administrator and a student’s parent to withdraw a student from the District to avoid expulsion or exclusion dismissal proceedings. The duration of the withdrawal agreement cannot be for more than a 12-month period.

### **III. GENERAL STATEMENT OF REGULATION**

- A. All responses to student inappropriate behavior should include elements of teaching or re-teaching appropriate school behavior and restoration of relationships affected by the student behavior.
- B. Alternatives to removal from instruction will be used unless the behavior of the student places the student or others in danger, or the disruption to the educational environment can only be remedied by a referral out of the classroom, or the referral out of the classroom is required by law. Alternatives to removal will be utilized within the classroom and may include a variety of methods and classroom management strategies.
- C. Opportunities for students to repair relationships affected or harmed by their behavior shall be offered as part of the response to behaviors. Where the student has been

removed from the classroom for any amount of time, opportunities to repair relationship should be provided.

D. Responses to student behavior should be free from bias and discrimination.

## **V. LEVELS AND RESPONSES**

Inappropriate conduct varies. It may disrupt a learning environment, cause injury to oneself or others, damage personal or public property, violate school regulations or civil laws, or have several impacts simultaneously. Similarly, a single infraction can range from very minor to very serious. Accordingly, individual circumstances must be considered in every case and responses to conduct must be fair, equitable, and proportionate.

A. Levels of student behavior are established as indicated in the RPS Behavior Levels and Responses chart which accompanies this administrative guideline, and are organized in five levels as follows. The levels of behavior are not linear but progressive in response to behavior.

1. Level 1 behavior incidents are minor in effect and are addressed at the classroom level. The staff response is to first self-regulate and then prompt, re-teach or practice the expected behavior so students learn and demonstrate kind, responsible and safe behaviors. Staff members are expected to use a variety of teaching and management strategies.
2. Level 2 behavior incidents are also minor in effect and are usually addressed at the classroom level. The staff response is to first self-regulate and then prompt, re-teach or practice the expected behavior so students learn and demonstrate kind, responsible and safe behaviors. Level 2 behavior incidents include:
  - a. repeated or significant incident(s) of Level 1;
  - b. unexpected behavior towards another student, staff, volunteers, etc;
  - c. behavior that is generally managed with a brief strategy by an adult present in that setting, and may include additional brief contact with support staff such as a dean, social worker, student engagement specialist, campus supervisor or other trusted adult.
3. Level 3 behavior incidents are more serious in effect and are usually addressed outside the classroom by the student support team. These actions aim to correct behavior by stressing the seriousness of the behavior while providing access to educational programming.
4. Level 4 behavior incidents have a more serious impact and are addressed outside the classroom by school administration and possibly, additional district-level support. These strategies or responses focus on maintaining the safety of the school community and ending self-destructive and/or dangerous behavior.
5. Level 5 behavior incidents are the most serious in effect and require the principal to notify the superintendent or designee. Furthermore, in consulting with the superintendent or designee, these behaviors may result in the potential for police

notification and potential expellable offenses. The focus is on maintaining the safety of the school community and ending self-destructive and/or dangerous behavior.

#### B. Exclusion from Recess

Excluding or excessively delaying a student from participating in a scheduled recess period is not an allowable consequence for student behavior unless:

1. The student causes or is likely to cause serious physical harm to other students or staff; or
2. The student's parent/guardian specifically consents to the use of exclusion from recess as a consequence; or
3. For a student receiving special education services, the student's individualized education program team has determined that withholding recess is appropriate based on the individualized needs of the student.

A student may not be excluded from recess based on incomplete school work.

School staff must make a reasonable attempt to notify a parent/guardian within 24 hours of withholding recess.

The District must compile information on each instance of withholding recess, including the student's age, grade, gender, race or ethnicity, and special education status. This information will be available to the public upon request.

Excluding or excessively delaying a student from participating in scheduled mealtimes is prohibited.

### **VI. RESTRICTIVE PROCEDURES**

- A. The District must report data to the Minnesota Department of Education on its use of any restrictive procedures used on a student with a disability to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the definition of physical holding or seclusion. This includes restrictive procedures used by an unauthorized or untrained staff person.
- B. Beginning in the 2024-2025 school year, the District must also report data to the Minnesota Department of Education on its use of any restrictive procedures on a student without a disability to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the definition of physical holding or seclusion. This includes restrictive procedures used by an unauthorized or untrained staff person.

### **VII. PROCEDURES FOR DETECTING AND ADDRESSING CHEMICAL ABUSE**

- A. Any District staff member who knows or has reason to believe that a student is using, possessing, or transferring alcohol or a controlled substance while on school premises or involved in school-related activities, shall notify a school administrator as soon as practicable.
- B. Each school will have a method for students to anonymously report when they have knowledge that a student is using, possessing, or transferring alcohol or a controlled substance while on school premises or involved in school-related activities.
- C. The Student Teacher Assistance Team (STAT) is responsible for addressing reports of students whose academic performance is being negatively affected by repeated incidents of using, possessing, or transferring alcohol or a controlled substance while on school premises or involved in school-related activities. Within 45 days after receiving an individual reported case, the team shall make a determination whether to provide the student and, in the case of a minor, the student's parents with information about school and community services in connection with chemical abuse. As appropriate, the team may recommend drug prevention activities such as counseling, mentoring, referral services, and other student assistance practices and programs.
- D. Any searches for alcohol or controlled substances will adhere to Policy 543: Search of Student Lockers, Desks, Personal Possessions, Student's Person, Motor Vehicles, and All Other Locations.

## **VIII. PROCEDURES FOR OUT OF SCHOOL REMOVALS**

### **A. Administrative Conference**

If a student is assigned an out of school removal from instruction for conduct which materially disrupts the rights of others to an education, but where the student does not present an immediate and substantial danger to self, other students, staff or school property, an informal administrative conference must be held with the student unless the student has already left the school grounds.

If a student is assigned an out of school removal from instruction for conduct which reasonably can be believed to cause an immediate and substantial danger to the student, other persons or school property, the student may be removed from the premises without an initial informal administrative conference; however, the student shall be afforded an opportunity to at the earliest possible time to participate in the informal administrative conference.

An informal administrative conference may be held by phone or at an off-campus site if the student presents an immediate or substantial danger to the school.

### **B. Notification**

The principal or designee shall make reasonable efforts to promptly notify the parents of students assigned an out of school removal from instruction.

The principal or designee shall ensure that a written notice containing the grounds for the out of school removal, the known facts, known testimony, a readmission plan and a copy of the *Pupil Fair Dismissal Act* is personally served upon the student at or before the time of the out of school removal from instruction is to take effect at the informal administrative conference. If the informal administrative conference is delayed because removal from instruction was for conduct which reasonably could be believed to cause an immediate and substantial danger to the student, other persons or school property, the written notice shall be given to student at the informal administrative conference when it is held.

The written notice shall also be served upon the parent/guardian, either in person or by certified mail within forty-eight (48) hours of the out of school removal from instruction.

The principal or designee shall notify the Executive Director of Special Programs of any suspensions lasting three days or more for review.

#### C. Continued Responsibility for Education

School administration must allow the student the opportunity to complete all school work assigned during an out of school removal from instruction and to receive full credit for satisfactorily completing the assignments. The school principal or building leader is encouraged to designate a staff member as a liaison to work with the student's teachers to allow the student to receive timely course materials and other information and to complete daily and weekly assignments and receive teachers' feedback.

Educational services provided during an out of school removal from instruction must be adequate to allow the student to make progress toward meeting graduation standards and help prepare the student for readmission.

The school's continued responsibility for education of the student also applies to students who have been expelled or who have a pupil withdrawal agreement until the student has been enrolled in a new district. Students in this circumstance are still eligible to receive school-based mental health services, and parents/guardians will be informed about accessing community mental health services.

#### D. Readmission to Instruction

Prior to or after an out of school removal from instruction, the principal or designee shall require the student's attendance at an informal administrative conference prior to the return to classes. Such conferences shall be noticed to the parents/guardians of the student, who are encouraged to attend the conference.

For any out of school removal from instruction, the principal or designee shall prepare a written readmission plan. The proposed plan may include procedures for the student's return to school and classes. The proposed plan also may include provision for an alternative program, which may include, but is not limited to:

1. make-up school work;
2. assigned homework;
3. changes in assigned courses or classroom;
4. changes in student's schedules;
5. provision of tutorial service;
6. provision of student support services,
7. provision of information concerning mental health or other community supports;
8. reassignment to a different educational setting.

If a reassignment to a different educational setting is proposed, the principal shall follow District procedures for reassignment, and the due process rights of the student shall be observed.

The informal administrative readmission conference may be held by phone or at an off-campus site if necessary to meet the needs of the student.

#### E. Consecutive Removals

Out of school removals from instruction may not be imposed consecutively upon the same student for the same course of conduct, or incident of behavior, except where the student poses an immediate and substantial risk of danger to the student or to persons or property around the student. Whether or not an immediate and substantial risk of danger exists shall be determined by the principal or designee. Notice of the extension shall be given following the same procedure as the initial notice of the removal from instruction.

An out of school removal from instruction may not be extended solely due to the inability or refusal of a parent/guardian to participate in a readmission conference.

Up to two (2) five (5) day suspensions (total of ten school days) may be imposed if the principal determines that the student continues to present an immediate and substantial risk of danger.

A third five (5) day suspension may be imposed only if the District is proposing expulsion or exclusion and the superintendent has been notified.

Whenever a removal from instruction exceeds five (5) days, an alternative instruction program such as those identified in Paragraph V.C shall be provided to the student.

## **IX. PARTICIPATION IN COMPETITIVE ACTIVITIES**

In order to participate in activities governed by the Minnesota State High School League (MSHSL), students must adhere to MSHSL rules and requirements. Student violations of the MSHSL Student Code of Responsibilities may result in ineligibility to participate in MSHSL activities for a period of time as determined by the school principal.

Students who are suspended from school cannot participate in MSHSL activities during the period of suspension and may be ineligible to participate for an additional period of time following the suspension as determined by the school principal.

The MSHSL has established specific penalties for students who engage in sexual, racial or religious harassment or hazing.

***Legal References:***

Minn. Stat. §121A.40 *et seq.* (Pupil Fair Dismissal Act)

Minn. Stat. § 121A.611 (Recess and Other Breaks)

***Cross References:***

Policy 103: Harassment Prohibition

Policy 108: Hazing Prohibition

Policy 110: Chemical Use/Abuse

Policy 113: Bullying Prohibition

Policy 116: Equity

Policy 543: Search of Student Lockers, Desks, Personal Possessions, Student's Person, Motor Vehicles, and All Other Locations

MSHSL Official Handbook

Dated: 1975

Revised: 1979; 1982; 1984; 1987; 1991; 1994; 11/95; 2/00; 4/03; 3/15/04, 3/6/06; 6/17/08;  
7/15/19; 5/6/2024

Reviewed: 9/03; 8/17/20; 8/16/21; 9/6/22; 9/16/24