

Adopted: \_\_\_\_\_ November 7, 2016 \_\_\_\_\_

Revised: \_\_\_\_\_

## **PRAIRIE SEEDS ACADEMY POLICY No. 508 BEHAVIOR EXPECTATIONS & CODE OF CONDUCT**

### **I. PURPOSE**

The purpose of this policy is to outline the responsibilities of students, staff and the school community to create an atmosphere conducive to high student achievement. The Behavior Expectations & Code of Conduct policy is to ensure students are taught the school's expectations for student conduct and Prairie Seeds Academy staff recognize their obligation to teach students appropriate school behaviors in an effort to minimize out of class time as well as disruptions to teaching and learning.

### **II. POLICY STATEMENT**

Prairie Seeds Academy is committed to teaching all students appropriate school behaviors and to creating a safe and productive learning environment for students. Prairie Seeds Academy is also committed to assuring that the consequences for student behavior that violates this policy is appropriate and proportional based upon the circumstances, and this policy is fairly enforced.

Prairie Seeds Academy shall establish procedures that identify behaviors and/or activities that are expected from students and identify behaviors and/or activities that could subject students to disciplinary consequences.

This Behavior Expectations & Code of Conduct policy applies to all school buildings; school grounds; school property; school-sponsored activities or trips; school vehicles; school contracted vehicles; vehicles approved for school purposes; the area of entrance or departure from school premises or events; and all school-related functions. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school or the safety or welfare of the student, other students, or staff.

### **III. CODE OF CONDUCT**

#### **A. RESPONSIBILITY**

1. Prairie Seeds Academy is responsible for ensuring that behavior and discipline matters are handled in conformance with this policy. All teachers and other school personnel are responsible for teaching and reinforcing appropriate school behaviors.

2. Prairie Seeds Academy employees may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another person. Restraint of students must not be used except when the threat of harm to the student or others is imminent.
3. Parents and guardians are expected to cooperate with school authorities and to address the behavior of their children. All students shall be held individually responsible for their behavior and for knowing and following this policy including the Code of Conduct for students.

## **B. STUDENT RESPONSIBILITIES**

The following list of student responsibilities is not exhaustive. All students have the responsibility to:

1. Be on time and attend every class every day, unless excused.
2. Arrange to make up work when absent from school.
3. Attain satisfactory academic achievement consistent with an individual's ability and complete all homework and other assignments.
4. Assume personal responsibility for acting with respect and common courtesy.
5. Exhibit honest behavior as it applies to tests, assignments, and other school work.
6. Be respectful in communications with peers and those in authority.
7. Accept disciplinary consequences with dignity and make a commitment to improve one's own individual performance and conduct.
8. Comply with all school building and school policies, rules and behavior expectations as well as state and federal law including, but not limited to, refraining from all types of harassment and bullying.
9. Comply with school rules governing the proper use of electronic devices.
10. Understand and comply with school rules regarding appropriate conduct on the bus and at extra-curricular or other school-related activities.
11. Respect school property and not damage it.
12. Refrain from the use of non-prescription drugs at school and at school-related activities unless in accordance with school policy and procedural requirements, including written authorization provided by the parent/guardian to the school.

13. Refrain from using and/or possessing alcohol, tobacco, controlled substances, and other dangerous or illegal substances at school, on school property or school buses, and at extra-curricular or other school-related activities.
14. Refrain from bringing or possessing weapons at school.

### **C. CONSEQUENCES FOR INAPPROPRIATE SCHOOL BEHAVIOR**

1. Disciplinary Action. All responses to student inappropriate school behavior shall include elements of teaching, or re-teaching appropriate school behavior and restoration of relationships affected by the student behavior. Disciplinary action will be taken for any student conduct that interferes with the operations of the school or the welfare of the student or others. This includes, but is not limited to student behaviors or conduct which:
  - a. Violate federal, state, or local laws;
  - b. Violate the student's behavior responsibilities;
  - c. Disrupt the rights of others to an education;
  - d. Disrupt any school sponsored activity;
  - e. Disrupt the ability of school personnel to perform their duties;
  - f. Violate any other school rule or policy;
  - g. Endanger the health, safety, or welfare of any person including students and employees; or
  - h. Endanger or damage school property.
2. Disciplinary Action Options. Alternatives to removal from class or dismissal shall be used whenever possible unless the behavior of the student places the student or others in danger, or a removal/dismissal is required by other law, policy, or procedure. Any discipline for a violation of the student behavior expectations will be based on all available facts and circumstances of the violation and is solely within the discretion of the school. Any violation of a school rule will result in disciplinary action. Disciplinary action may range from a simple verbal warning, parent contact, removal from class, in-school and out-of-school suspension, detention, or other appropriate disciplinary action up to and including expulsion or exclusion, depending on the nature of the infraction. Prairie Seeds Academy shall create guidelines for out of school discipline that will be used to generally guide the consequence for inappropriate behavior.

## **IV. PUPIL FAIR DISMISSAL & REMOVAL FROM CLASS POLICY**

- A. Purpose. In order to maximize learning and create a positive classroom environment for all students, a student may need to be removed from class for a period of time in order to redirect learning. Prairie Seeds Academy, therefore, may remove a student from class, including a student with a disability, in compliance with Minnesota Pupil Fair Dismissal Act.

B. Policy Statement. It is the policy of Prairie Seeds Academy to fully comply with Minnesota law and the Minnesota Pupil Fair Dismissal Act.

C. Definitions:

1. "Assault" means: (1) an act done the intent to cause fear in another of immediate bodily harm or death; or (2) the intentional of or attempt to inflict bodily harm upon another.
2. "Removal from class" and "removal" mean any actions taken by a teacher, principal, or other school employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy. For a violation of a rule of conduct, a removal from class may not exceed five (5) class periods.
3. "Dismissal" means the denial of the current educational program to any student, including exclusion, expulsion and suspension. Dismissal does not include removal from class.
4. "Suspension" means an action by the school administration, under rules promulgated by the school board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the Executive Director with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less, except for a student with a disability. "Suspension" for a student with a disability includes any portion of a school day regardless of the length of the removal.
5. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
6. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.

D. Removal of Student from Class. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this policy.

- E. Immediate Removal from Class. A student must be immediately removed from class if the student engages in assault or violent behavior. The removal shall be for a period of time deemed appropriate by the School Administrator, in consultation with the teacher.
- F. Dismissal of Student from Class. The school shall not deny due process or equal protection of the law to any student involved in a dismissal preceding that may result in suspension, exclusion, or expulsion.

The school shall not dismiss any student without attempting to provide alternative educational services before dismissal proceedings, except where it appears that the student will create an immediate and substantial danger to him/herself or to surrounding persons or property.

The school shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.

- G. Meeting with Parents. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian prior to removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the pupil. The district is not required to pay for the mental health screening. The purpose of this meeting is to attempt to determine the pupil's need for assessment or other services or whether the parent or guardian should have the pupil assessed or diagnosed to determine whether the pupil needs treatment for a mental health disorder.
- H. Suspension. All suspension proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56, school policy, and school procedures.
- I. Expulsion and Exclusion. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56.
- J. Student with a Disability. School personnel may suspend a child with a disability for a maximum of ten school days for one incident as long as non-disabled students would be similarly disciplined. A student with a disability may not be suspended in a fashion that changes that student's special education program as defined by federal law. Students who are currently identified as disabled under the Individuals' with Disabilities Education Act (IDEA) or Section 504 will be subject to this policy, unless the student's Individualized Educational Program ("IEP") or Section 504 Plan specifies a necessary modification.

## **V. STUDENT DISCIPLINE RECORDS**

It is the policy of the school that complete and accurate student discipline records be maintained. The collection, dissemination, and maintenance of student discipline records shall be consistent with applicable school policies and federal and state law, including the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13.

## **VI. DISTRIBUTION OF POLICY**

The School Administrator shall ensure that this policy is distributed to students and parents at the beginning of each school year and upon enrollment of a new student. This policy will also be available in the School Administrator's office upon request.

## **VII. REVIEW OF POLICY**

The School Administrator and representatives of parents, students and staff in each school building shall confer at least annually to review this discipline policy, to determine if the policy is accomplishing its purposes, and to assess whether the discipline policy has been enforced. Any recommended changes must be submitted to the School Administrator for consideration by the school board. The school board will conduct an annual review of this policy.

***Legal References:*** Minn. Stat. § 13 (Government Data Practices)  
Minn. Stat. § 121A.0311 (Safe and Supportive Schools Act)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 124E.03 (Charter Schools – Applicable Law)  
Minn. Stat. § 124E.11 (Charter Schools – Admission Requirements)  
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)  
Minn. Stat. §§ 121A.60-121A.61 (Removal of Students from Class)  
Minn. Stat. § 124D.03 (Enrollment Options Program)  
Minn. Stat. § 124D.08 (Enrollment in Nonresident District)  
Minn. Stat. Ch. 260A.03 (Truancy)

**PRAIRIE SEEDS ACADEMY [Regulation No. 508.000]**  
**BEHAVIOR EXPECTATIONS & CODE OF CONDUCT PROCEDURES**

508.100 Purpose

Prairie Seeds Academy strives to provide students a safe school and an environment that is conducive to learning. This is achieved by fairly implementing student discipline policy. Removal or dismissal does not always promote the individual academic achievement of students, and if possible, should be limited. The purpose of this procedure is to outline guidelines for dealing with student behaviors that do not meet behavior expectations, and emphasize the use alternatives to removal or dismissal when possible.

508.200 General Statement of Regulation

All responses to inappropriate student behavior shall include elements of teaching, or re-teaching appropriate school behavior and restoration of relationships affected by the student behavior.

Alternatives to removal from class or dismissal shall be used whenever possible unless the behavior of the student places the student or others in danger, or a removal/dismissal is required by other law, policy, or procedure. These alternatives to removal from class or dismissal are within the discretion of Prairie Seeds Academy, and may be changed as the school deems necessary.

508.300 Code of Student Conduct

All responses to student inappropriate behavior shall include instruction on appropriate school behavior and focus on the restoration of relationships affected by the student behavior. Disciplinary action may be taken for any student conduct that interferes with the operations of the school or the welfare of the student or others.

508.301 Examples of Inappropriate Student Behavior or Conduct

Although Prairie Seeds Academy will take steps to teach appropriate behavior, disciplinary action will be taken for any student conduct that interferes with the operations of the school or the welfare of the student or others. The following are examples of inappropriate behavior which violate the Behavior Expectations and Code of Conduct policy and are subject to disciplinary action. The examples listed, however, are not exhaustive.

Inappropriate behavior includes, but is not limited to:

1. Causing damage to or attempting to damage school property or property belonging to another person;

2. Stealing or attempting to steal school property or property belonging to another person;
3. Fighting;
4. Physical assault or attempted physical assault;
5. Verbal assault including, but not limited to, use of language that can reasonably be expected to create fear, intimidation, humiliation, or language that is abusive, harassing, or derogatory;
6. Possessing, using, or transmitting any firearm, knife, explosive, weapon, or other object capable of causing bodily injury; or a look-a-like of the same;
7. Possessing, using, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, intoxicant, or controlled or regulated substance of any kind;
8. Possessing, using, or transmitting tobacco or tobacco paraphernalia;
9. Using an ignition device, including matches or a butane or disposable lighter on school property which creates a risk of fire, except where an ignition device is used in a manner authorized by school administration;
10. Verbal or physical acts of defiance of school authority;
11. Truancy, skipping class, tardiness;
12. Use of profanity or vulgar language, or defamatory language, or the use of language which may reasonably be expected to incite violence or create a substantial disruption to the educational process, or wearing attire depicting the same;
13. Threats of violence, bomb threats, or threats of injury to individuals or property;
14. Violating any local, state, or federal law;
15. Violating bus rules;
16. Leaving school property without permission;
17. Creating, possessing, or transmitting pornographic, slanderous, or libelous images or material of any kind;
18. Gambling, or playing games of chance in which money or other thing of value is risked for monetary or other gain;
19. Hazing;
20. Bullying;
21. Abuse or harassment based on sex, race, color, creed, national origin, religion,

disability, age, sexual orientation, marital status, or status with regard to public assistance;

22. Cheating on a test or other dishonesty in school work;
23. Falsification of any records, documents, notes or signature;
24. Inappropriate use of an electronic device which causes distraction or nuisance including, but not limited to pagers, radios, cameras, cell phones, or other personal electronic devices;
25. Use of an electronic device on school property or school sponsored events to send, receive, or store inappropriate content including, but not limited to content promoting products or activities that are illegal for use by minors, sexting or other content containing obscene or illegal material, content which constitutes bullying, or content which violates any other school policy, rule, regulation, or procedure;
26. Violating locker rules or improperly accessing another student's locker;
27. Violating any school policy, rule, regulation or procedure;
28. Behavior that is detrimental to the health, welfare, or safety of other students;
29. Any student behavior that is detrimental or disruptive to the educational process, as determined by the school's Executive Director.

#### 508.302 Violations of Student Behavior Expectations & Code of Conduct Policy or Procedure

Violations of student Behavior Expectations will be dealt with on a case-by-case basis, consistent with the student's prior disciplinary record and the seriousness of the offense. The specific action chosen in a particular case will be based on the facts and circumstances of the misconduct and is solely within the discretion of the school.

Student discipline procedures may include, but are not limited to:

1. a verbal warning,
2. conferencing,
3. removal from class/setting,
4. police contact,
5. suspension,
6. exclusion, or expulsion.

#### 508.400 Pupil Fair Dismissal and Removal from Class Procedures

Prairie Seeds Academy shall comply with all procedures required under the Pupil Fair Dismissal Act and the procedures under this section.

#### 508.401 Grounds for Removal from Class

Grounds for removal from class shall include any of the following:

1. Willful conduct that significantly disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn;
2. Willful conduct that endangers surrounding persons, including school employees, the student or other students, or the property of the school;
3. Willful violation of any school rules, regulations, policies or procedures, including the Code of Student Conduct in this policy; or
4. Other conduct, which in the discretion of the teacher or administration requires removal of the student from class.

#### 508.402 Period of Time for Removal

Removal of a student from class shall not exceed five (5) such periods.

#### 508.403 Removal of a Student from Class; Notification to Parents

If a student is removed from class more than ten (10) times in a school year, the school shall notify the parent or guardian of the student's tenth removal from class and make reasonable attempts to convene a meeting with the student's parent or guardian to discuss the problem that is causing the student to be removed from class.

#### 508.404 Procedures for Removal from Class

The authority to remove a student from class rests with the classroom teacher. If removal is for part of one class period simply to provide the student with some time to avoid problems, the formal procedures of this section need not be followed. If the removal is for an entire period or more, the following procedures must be followed:

1. The teacher should send the student to the School Administrator's office or another area designated by the Administrator. The Administrator or designee will provide custodial care of the student.
2. The teacher should provide the School Administrator or the Administrator's designee the following information:
  - a. The reason for the removal;
  - b. Length of removal; and

- c. Whether there is reason to consider the need for additional assessment or review of the Individualized Educational Program (“IEP”) for a special education student, or to consider the need for identifying and addressing chemical abuse problems of a student while on school premises.
3. The teacher should provide the student and parent the reason for the removal.
4. School administration or other school personnel may remove a student from class:
  - a. Upon a request by a classroom teacher;
  - b. If the student violates a school rule or policy; or
  - c. The removal is otherwise reasonable in the discretion of the school administrator or other school personnel given the totality of the circumstances.

#### 508.405 Grounds for Dismissal

Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:

1. Willful violation of any reasonable school board regulation, including those found in this policy;
2. Willful conduct that significantly disrupts the rights of others to an education, or the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or
3. Willful conduct that endangers the student or other students, or surrounding persons, including school employees, or property of the school.

#### 508.406 Suspension Procedures

- A. All suspension proceedings will be held in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56, school policy, and procedures.
- B. Suspensions may be based upon any of the grounds for dismissal under Minnesota Pupil Fair Dismissal Act when reviewing the facts and circumstances of the misconduct.
- C. Alternatives to suspension shall be used whenever possible unless the behavior of the student places the student or others in danger, or a suspension is required by other law, policy, or procedure.

- D. Any suspension shall be in addition to instruction on appropriate school behavior or other corrective action.
- E. The following are guidelines and examples for behaviors that may allow for a suspension and recommendations for particular violations. The following guidelines and examples, however, are not an exhaustive list and Prairie Seeds Academy has discretion for any disciplinary action: (See PSA Discipline Policy).
1. Behaviors typically receiving suspension in or out of school from one (1) day up to expulsion/exclusion.
    - a. Fighting;
    - b. Threats/intimidation;
    - c. Extortion;
    - d. Sexting;
    - e. Theft or vandalism under \$500;
    - f. Property offenses;
    - g. Possession of stolen property;
    - h. Repeated disordered behaviors towards other students, staff, etc. typically receiving a lesser disciplinary action.
    - i. Suspected substance use or possession;
    - j. Possession of drug paraphernalia;
    - k. Assault;
    - l. Terroristic threats;
    - m. Theft or vandalism over \$500;
    - n. Weapons possession or use;
    - o. Arson; Pyrotechnics;
    - p. Drug or alcohol distribution/ intent to distribute;
    - q. Sexual assault;
    - r. Severe physical assault;
    - s. Bomb threats;
    - t. Bombs or incendiaries.
- F. Each suspension action shall include an informal conference, proper notices, and a readmission plan in accordance with the Minnesota Pupil Fair Dismissal Act. The readmission plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission and may not be used to extend the current suspension.
- G. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school is in the process of initiating an expulsion, in which case the school administration may extend the suspension of general education student in five

(5) day increments up to a total of fifteen (15) days for one incident. Suspension for a student who has an active IEP or Section 504 plan may not exceed two five (5) day suspensions up to a total of ten (10) days for one incident.

- H. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another school or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the pupil to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.

#### 508.407 Expulsion and Exclusion Procedures

- A. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56, and school policy.
- B. A school administrator shall prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan may include measures to improve the student's behavior, require parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving student conduct. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

#### 508.408 Procedures for Students with a Disability

##### A. Suspension

1. Where a student with a disability has been suspended for more than five (5) consecutive school days, or has accumulated more than ten (10) school days of dismissal over the course of the school year, and that suspension does not involve a recommendation for expulsion or exclusion or other change of placement under federal law, relevant members of the child's IEP team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum although in another setting, and to progress toward meeting the goals in the child's individualized education program. That meeting must occur as soon as possible, but no more than ten days after the sixth consecutive day of suspension or the tenth cumulative day of suspension has elapsed.
2. The school administration shall implement alternative educational services when the suspension exceeds five (5) consecutive school days.
3. The notice requirements for suspension of a student with a disability do not apply to a dismissal of one day or less. (A dismissal of one day or less, however, is a

partial day of suspension if the student with a disability does not receive regular or special education during the dismissal period.)

## B. Expulsion and Exclusion

Before initiating an expulsion or exclusion under Minn. Stat. §§ 121A.40 to 121A.56, the school, relevant members of the child's individualized education program team, and the child's parent shall, consistent with federal law, determine whether the student's behavior was caused by or had a direct and substantial relationship to the child's disability and whether the child's conduct was a direct result of a failure to implement the child's individualized education program. When a child with a disability who has an individualized education program is excluded or expelled under Minn. Stat. § 121A.40 to 121A.56 for misbehavior that is not a manifestation of the child's disability, the school shall continue to provide special education and related services during the exclusion or expulsion.