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ROCHESTER BEACON ACADEMY- RBA
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 community to create an atmosphere conducive to high student achievement. The Behavior Expectations & Code of Conduct policy was created to ensure students are taught the school's expectations for student conduct and RBA 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

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

RBA 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. RBA 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. RBA employees may use reasonable force when it is necessary under the circumstances to restrain a student to prevent bodily harm or death to another. 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 laws including, but not limited to, refraining from all types of harassment and bullying. The Safe and Supportive Schools Policy – Anti-Bullying Policy is incorporated here and can be found at {policy no. 506 & 520}.
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/van 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/vans, 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 may be taken for any student conduct that interferes with the operations of the school or the welfare of the student or others.
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 could result in disciplinary action. Disciplinary action may range from a simple verbal warning, parent contact, removal from class, in-school suspension, detention, or other appropriate disciplinary action up to and including expulsion or exclusion, depending on the nature of the infraction. RBA 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. Therefore, RBA 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 RBA to fully comply with Minnesota law and the Minnesota Pupil Fair Dismissal Act.
- C. Definitions:**
1. “Removal from class” and “removal” mean any actions taken by a teacher, Charter School Director, or other school employee to prohibit a student from attending a class or activity for a period of time not to exceed five (5) days, pursuant to this discipline policy.
 2. “Dismissal” means the denial of the current educational program to any student, including exclusion, expulsion and suspension. Dismissal does not include removal from class.
 3. “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.
 4. “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.

5. "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. 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.

F. 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.

- G. 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.
- H. 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.
- I. 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 IEP or 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 Executive Director 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 office upon request.

VII. REVIEW OF POLICY

The Executive Director 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 Executive Director 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)