

Student Behavior, Discipline, and Reporting

Purpose

The purpose of this policy is to provide a consistent process for student behavior, discipline and reporting in the Fargo Public Schools and assist school teams in providing behavioral supports for all students.

Student Behavior & Discipline Statement

The District shall strive to involve families, students, and staff in the decisions affecting students' behavior and discipline.

Behavior Standards

Students will be expected to behave themselves in a manner fitting their age level and maturity and in a manner that will not impede the orderly conduct of district schools. Students will be expected to respect the rights of others on district property, including, but not limited to, district-owned/leased/chartered vehicles, and at school-sponsored events. Off-campus student behaviors that have a substantial disruptive effect on district operations and/or the educational environment will be addressed by school personnel.

Disciplinary Standards

Consequences for misbehavior will be developmentally appropriate and based on each incident.

Disciplinary Standards for Special Education Students

District employees are required to comply with the Individuals with Disabilities Education Act, Section 504 and the Americans with Disabilities Act when responding to violations of student behavior standards by special education students.

Prohibited Disciplinary Actions

The use of corporal punishment, defined as the willful infliction of physical pain on a student, is not allowed in the Fargo Public School District. Per North Dakota Century Code 15.1-19-02, corporal punishment does not prohibit action taken by an employee for self-defense, protection of persons or property, obtaining possession of a weapon or other dangerous object, to quell a verbal disturbance, for the preservation of order, or pain or discomfort caused by athletic competition or recreational activities voluntarily engaged in by a student. Complaints alleging that a district employee inflicted corporal punishment will be dealt with in accordance with administrative policy (AP 4060/5060/6060/6250).

Disciplinary Authority

School personnel, including student teachers, shall be granted disciplinary authority by the building principal or Superintendent based on the job description of the employee. Personnel granted such authority shall be required to comply with this policy and any limitations it establishes.

Any district employee who acts outside the job description of the employee may be subject to disciplinary action, including but not limited to, discharge from/termination of employment in accordance with the law and/or the negotiated contract.

Student Behavior Standards & Disciplinary Procedures

Student misbehavior shall be classified as minor, major, or expellable violations (see AP 6320 - Suspension and Expulsion) of behavior standards.

When determining the level of a behavior violation, a teacher, building administrator, or another school official with disciplinary authority shall take into account the totality of circumstances associated with misbehavior, such as, but not limited to:

- Prior interventions that have been put in place to address the behavior(s);
- The degree to which the misbehavior disrupted the educational environment;
- The degree to which the misbehavior infringed on the rights of others;
- The frequency of the incidents of prior misbehavior.
- The proximity in time of the incidents of prior misbehavior.

When a school official is unsure of how to appropriately classify a student behavior violation, s/he shall consult with a building administrator, the Associate Superintendent, or Superintendent before responding to the misbehavior. Neither this requirement nor the disciplinary procedure below shall supersede district policies and procedures containing emergency response and safety measures.

Student Behavior Violations

Below are descriptors and examples of minor behavior violations and major behavior violations.

Minor Behavior Violations May Include:

- Behaviors that are disrespectful, irresponsible, and unsafe.
- Behavior that is disruptive to the learning environment of the student or others.
- Refusal to comply with reasonable requests.
- Behaviors managed with a brief intervention by an adult present in that setting.

Minor violations may include, but are not limited to: inappropriate language, disruption, roughhousing, cheating, technology violation, physical aggression, teasing, work refusal, disrespect towards the property, dishonesty, dress code violation, disrespectful tone, attitude, or body language, running around the room, elopement, etc.

Major Behavior Violations May Include:

- Behaviors that involve safety issues.
- Behaviors targeting others.
- Behaviors that include physical injury.
- Behaviors that involve the destruction of school property.
- Behaviors that involve alcohol, tobacco, or drugs.

Major behavior violations may include, but are not limited to: inappropriate social media impacting the school day, terroristic threats, theft, vandalism of school or personal property,

bullying/cyberbullying, possession of stolen property, extortion, discrimination/harassment, possession of weapon, threats/intimidation/hazing, fighting/physical assault, sexting, any violation of state or federal law, dress code violations that support hate, gang, or drug affiliations, etc.

Investigation & Disciplinary Procedures

Minor Behavior Violations

Minor behavior violations may be reported to the building administrator by submitting the Student Behavior Reporting Form at the elementary and middle levels or as a PowerSchool log entry at the high school. Minor behavior violations shall be handled by the student’s teacher or by a school official with disciplinary authority when the student is not under the supervision of a teacher. If the teacher/school official did not witness the misbehavior, s/he will investigate to determine if the student was in violation of behavior standards. In addition, teachers/school officials with disciplinary authority are authorized to respond to violations by invoking one or more of the following options, such as, but not limited to:

1. Implement responses that maintain the continuity of the student's instruction or are least disruptive.
2. Review and consider the student's individual plan (IEP, BIP, ILP, MTSS or 504) prior to implementing responses.
3. Communicate with parents/guardians about behaviors and responses.

Possible Responses

Teachers/school officials with disciplinary authority are authorized to respond to violations using one or more of the following options, but not limited to the printed options.

Responding to Students:

- Remind, Redirect, Reteach:
 - Classroom routines and procedures
 - Ways to ask for help or solve problems
 - Emotion management
 - Appropriate classroom language
 - Individual skills and role play
 - Self-charting behaviors
- Utilize Restorative Practices:
 - Affective statements and questions
 - Circles
 - Community Building
 - Problem-Solving
 - Conflict Resolution
 - Restorative Conferencing
- Community service (as restitution)
- Teacher-directed classroom detention

Staff Follow-up:

- Review classroom/non-classroom behavior management plan including social skills instruction and reinforcement
- Seat change, assigned seating
- Evaluate homework/assignment expectations and completion
- Consult with colleagues or building specialists
- Request coaching or input from colleagues, administrator, Student Performance Strategist, Positive Behavior Interventionist, Board Certified Behavior Analyst, etc.
- Review fidelity of school-wide systems, structures and supports
- Initiate a team meeting (e.g. MTSS, IEP) to discuss the implementation of an intervention plan including, a goal, instruction, and monitoring
- Refer targeted student and aggressor in bullying/harassment incidents to administrator/counselor for individual skills coaching.

Major Behavior Violations

Major violations must be reported to the building principal by submitting the Student Behavior Reporting Form at the elementary and middle school or as a PowerSchool log entry at the high school. The principal will conduct further investigation and report findings to the parent(s) and classroom teacher or appropriate support staff. This report may be placed in the student's educational record at the principal's discretion in accordance with applicable policy (AP 6910). Staff with disciplinary authority are authorized to respond to violations by invoking one or more of the following options, such as, but not limited to:

1. Implement responses that maintain the continuity of the student's instruction or are least disruptive.
2. Review and consider the student's individual plan (IEP, BIP, ILP, MTSS or 504) prior to implementing responses.
3. Communicate with parents/guardians about behaviors and responses.
4. Communicate with the classroom teacher or appropriate support staff regarding the outcome of the behavior referral.

Possible Responses

Teachers/school officials with disciplinary authority are authorized to respond to violations by using one or more of the following options but not limited to the printed options.

Responding to Students:

- Reteach Expected Behaviors:
 - Individual or small group skills instruction
 - Lessons in anger management, conflict resolution, etc.
- Implement Restorative Practices:
 - Restorative Conferencing and Restitution:
 - Neutral party mediation
 - Restorative reentry plan
 - Family/group conference

<p><u>Staff Follow-up:</u></p> <ul style="list-style-type: none"> • Consultation with related experts (e.g. security, counseling, SWFF, SPED) • Initiate a team meeting (e.g. MTSS, IEP) to discuss the implementation/review of intervention • Referral to an outside agency or the Regional Behavior Review Board
<p><u>Administrative Actions:</u></p> <ul style="list-style-type: none"> • School detention • Withdraw student privileges • Contact and consultation with the SRO • In-school removal from instruction (in-school suspension) (AP 6320) • Out-of-school suspension, not to exceed 10 days (AP 6320) • Referral for alcohol or drug incidents (AP 4750) • Alternative placement within the school setting • Exploration of alternative placement outside of the school setting

The building principal may respond to student behavior violations using any of the measures listed above or may recommend more severe penalties, which may include expulsion, in accordance with district policy (AP 6320).

AP 6312 Juvenile Referral of a Student with Disabilities

Legal Reference:

Americans With Disabilities Act of 1990, Pub. L. No. 101-336, 104 Stat. 328 (1990)
 IDEA/B 300.530 Authority of School Personnel
 NDCC 15.1-09-33

8/8/1967
 Revised 1/15/2003
 Revised 12/15/2009
 Revised 1/11/2013
 Revised 7/2015
 Revised 8/2017
 Revised 1/2020