

- **Expulsion\*** - A school board action to prohibit an enrolled student from further attendance for up to 12 months from the date the pupil is expelled.
- **Exclusion\*** - an action taken by the school board to prevent enrollment or re-enrollment of a pupil for a period that shall not extend beyond the school year.

*\*Minnesota Statute 121A.41, Subd. 4, and 5 of the Pupil Fair Dismissal Act*

### **Student Discipline Policy\***

For each misbehavior described in the discipline matrix, there are specific consequences for first, second, third, and fourth violations. Those consequences are shown as \*, \*\*, suspension for a specified number of days, or expulsion. Consequences that cannot be affected during the current year may be affected in the following year.

Non Exclusionary disciplinary policies and practices" means policies and practices that are alternatives to dismissing a pupil 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 1 services or reading interventions, and alternative education services. Non-exclusionary disciplinary policies and practices include, but are not limited to, the policies and practices under sections 120B.12; 121A.575, clauses (1) and (2); 121A.031, subdivision 4, paragraph (a), clause (1); 121A.61, subdivision 3, paragraph (r); and 122A.627, clause (3).

\* For secondary schools, defined as consequences for violations to include student conference and parent notification, and may include, but are not limited to, parent conference, restitution, detention, and up to one day suspension (in school or out of school).

\*\* Disciplinary action up to and including expulsion.

\*\*\* Chronic violations of school policy and procedures may result in more significant disciplinary action up to and including expulsion.

The disciplinary matrix is intended to be used as a guideline for consequences. Administration may, at its discretion, deviate from the consequences outlined. Significant disruptive behaviors that interfere with the general operation of the school may result in suspension, expulsion, or exclusion.

| MISBEHAVIOR  | 1ST OFFENSE   | 2ND OFFENSE   | 3RD OFFENSE    | 4TH OFFENSE |
|--|---------------|---------------|----------------|-------------|
| Consequences are applied on an annual basis except as noted below.   |               |               |                |             |
| Students are expected not to engage in the following activities. The consequences apply regardless of whether the misbehavior took place in school, on district property, in a district vehicle, or at a school or district activity. Illegal activities will be reported to the proper authorities  |               |               |                |             |
| 1. <b>Abuse, Verbal</b> - Arousing alarm in others through the use of language that is discriminatory, abusive, obscene, or threatening.   |               |               |                |             |
| Toward student   | *             | 1-3 day susp. | 4-10 day susp. | **          |
| Toward staff   | 1-3 day susp. | 4-7 day susp. | 7-10 day susp. | **          |
| 2. <b>Alcohol or Chemicals, Possession or Use</b> - Possessing or using any narcotic or controlled substance where possession or use is prohibited by Minnesota or federal law. (Any prescription medication a student is required to take, except prescribed inhalers, must be left with and administered by the school nurse, per district administrative regulation) [Policy 473] | 1-5 day susp  | 5-10 day susp | **             |             |
| 3. <b>Alcohol or Chemicals, Possession with Intent to Distribute or Sell</b> - Selling or  | **            | **            | **             | **          |

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| distributing, or intending to sell or distribute, alcohol, any narcotic or controlled substance where sale or distribution is prohibited by Minnesota or federal law.   |   |   |               |    |
| 4. <b>Ammunition, Possession</b> - Possession of bullets or other projectiles designed to be used in a weapon   | 1-5 day susp.                               | 5-10 susp.  | **            | ** |
| 5. <b>Arson</b> - Intentional destruction or damage to school or district buildings or property by means of fire.   | **  | **  | **            | ** |
| 6. <b>Assault</b> - Acting with intent to cause fear in another person or immediate bodily harm, or intentionally inflicting or attempting to inflict bodily harm upon another person.  |   |   |               |    |
| Upon a student  | 1-5 day susp                                | 5-10 day susp                                       | **            | ** |
| Upon a staff member   | **  | **  | **            | ** |
| 7. <b>Bodily Harm, Inflicting</b> – committing an accidental act which, although a result of poor judgment, inflicts harm upon another person   | 1-3 day susp.                               | 4-7 day susp  | 7-10 day susp | ** |
| 8. <b>Bomb Threat</b> – Intentionally giving a false alarm of a bomb.   | **  | **  | **            | ** |
| 9. <b>Bullying</b> - Aggressive behavior that involves unwanted, negative actions; involves a pattern of behavior repeated over time; involves an imbalance of power or strength.   | 1-3 day susp                                | 4-7 day susp  | 7-10 day susp | ** |
| 10. <b>Dress and Grooming</b> – Clothing may not include words or visuals which are obscene, abusive, or discriminatory, or which advertise narcotics or drugs, alcohol/chemicals or gang symbols.  | *   | *   | *             | ** |
| 11. <b>Driving, Careless or Reckless</b> – Driving on school property in such a manner as to endanger persons or property.  | *; may include revocation of parking permit | 1-5 day susp; includes revocation of parking permit | **            | ** |
| 12. <b>Explosives, Possession and/or Use</b> – Possessing or using any compound or mixture, the primary or common purpose of which is to function by explosion, with substantially instantaneous release of gas and heat.   | **  | **  | **            | ** |
| 13. <b>Fighting</b> - in which one or the other party(ies) or both contributed to the situation by verbal and/or physical action.   | 1-3 day susp                                | 3-5 susp  | 5-10 susp     | ** |
| 14. <b>Fire Alarm, False</b> – Intentionally giving a false alarm of a fire, or tampering with any fire alarm.  | **  | **  | **            | ** |
| 15. <b>Fire Extinguisher, Unauthorized Use</b> – Unauthorized handling of a fire extinguisher.  | 1-3 day susp                                | 4-7 day susp  | **            | ** |
| 16. <b>Firearm or Look-alike Firearm, Possession</b> – Possessing any firearm, whether loaded or unloaded, or any device intended to look like a firearm.   | **  | **  | **            | ** |
| 17. <b>Fireworks, Possession</b> – Possessing or offering for sale any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation.   | 1-3 day susp                                | 4-7 day susp  | **            | ** |
| 18. <b>Fireworks, Use</b> – Using any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation.   | **  | **  | **            | ** |
| 19. <b>Gambling</b> – Playing a game of chance for stakes.  | *   | *   | *             | ** |
| 20. <b>Harassment, Including Sexual</b> – Participating in or conspiring with others to engage in acts that injure, degrade, intimidate, or disgrace other individuals, including indecent exposure, and words or actions that negatively impact an individual or group based on their race, cultural or religious background, their sex, or any disabilities they may have. (For more information about sexual harassment, refer to the district administrative regulation (Policy 538). | 1-5 day susp.                               | 5-10 day susp.                                      | **            | ** |

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| 21. <b>Insubordination</b> – Willful refusal to follow an appropriate direction or order given by a staff member.  | 1-3 day susp              | 4-7 day susp              | 7-10 susp      | ** |
| 22. <b>Interference, Disruption, or Obstruction</b> – Any willful action that prevents a staff member or student from exercising his or her assigned duties.   | 1-3 day sus.              | 4-7 day susp              | 7-10 day susp  | ** |
| 23. <b>Nuisance Devices, Possession</b> – Objects which cause distractions.  | *                         | *                         | *              | ** |
| 24. <b>Photography</b> - Posting, possession or distributing video, whether digital or analog, or photographs, whether digital or otherwise, of students and staff at Foley Intermediate School without their written permission or that is not part of an official school production is prohibited. Sharing of inappropriate content is prohibited.   | 1-3 day susp              | 4-7 day susp              | 7-10 day susp  | ** |
| 25. <b>Pornography, Possession or Distribution</b> -- Possessing or distributing any pornographic material   | 1-5 day susp              | 5-10 day susp             | **             | ** |
| 26. <b>Records or Identification Falsification</b> – Falsifying signatures or data, or refusing to give proper identification, or giving false information to a staff member. This includes falsifying absence notes or calls.   | 1-3 day susp              | 4-7 day susp              | 7-10 day susp  | ** |
| 27. <b>Robbery or Extortion</b> – Obtaining property from another person where his or her consent was induced by use of force, threat of force, or under false pretenses.  | 3-5 day susp              | **                        | **             |    |
| 28. <b>Symbolic Expressions</b> of intolerance, including but not limited to the Confederate flag, swastika, and/or any gang representations (bandanas, colors, etc.), are not allowed and will be confiscated. These items may or may not be returned.  | 1-5 day susp              | 5-10 day susp             | **             | ** |
| 29. <b>Terroristic Threat</b> – Threatening, directly or indirectly, to commit any crime of violence with the intent of terrorizing another person.  | 3-5 day susp              | 5-10 day susp             | **             | ** |
| 30. <b>Theft, or Knowingly Possessing Stolen Property</b> – Unauthorized taking of the property of another person, or receiving or possessing such property.   | 1-3 day susp              | 4-7 day susp              | 7-10 day susp  | ** |
| 31. <b>Tobacco/Tobacco Products</b> – Possessing or using tobacco and/or tobacco products in district buildings, on district grounds, in district vehicles, or at district events. E-cigarettes/Vapes are considered nicotine delivery systems and are prohibited. This will also be considered a violation of MSHSL rules.                            | 1-3 day susp              | 4-7 day susp              | 7-10 day susp  | ** |
| 32. <b>Trespassing</b> – Unauthorized presence in any district facility or portion of a district facility and/or presence in a district vehicle.   | 1-3 day susp              | 4-7 day susp              | 7-10 day susp  | ** |
| 33. <b>Vehicle, Unauthorized Use</b> – Occupying or using vehicles during school hours without school authorization.   | 1-3 day susp.             | 4-7 day susp.             | 7-10 day susp. | ** |
| 34. <b>Weapon or Look-alike Weapon, (excluding firearms), Possession</b> – Possessing any device or instrument designed as a weapon and capable of producing severe bodily harm, or any other device, instrument or substance, which, in the manner in which it is used or intended to be used, is calculated or likely to produce severe bodily harm. | **                        | **                        | **             | ** |
| 35. <b>Willful Damage of Property (Vandalism)</b> - Defacing, cutting, or otherwise damaging property that belongs to the school, to other students, to staff members, or to other individuals while the student is on school property, at a school activity, in a district vehicle or under the supervision of school staff.                          | 1-3 day susp.<br>or<br>** | 4-7 day susp.<br>or<br>** | 7-10 day susp  | ** |
|  |                           |                           |                |    |
| <b>The school may have additional consequences for violations not covered in the matrix. If an unforeseen situation should arise, the administration at Foley Intermediate School will meet to decide on the best course of action for the</b>   |                           |                           |                |    |

|   |                   |                        |                         |                           |
|---|-------------------|------------------------|-------------------------|---------------------------|
| <b>student and the school as a whole.</b>   |                   |                        |                         |                           |
| <b>Students may not engage in the following activities in district vehicles.</b>  |                   |                        |                         |                           |
| 1. <b>Lighting Incendiary Devices</b> – Igniting matches, cigarette lighters, and other devices that produce flames.  | 3-day bus susp.   | 3-5 day bus susp.      | 10-day bus susp.        | ** from the bus           |
| 2. <b>Not remaining seated</b> – Not remaining seated when the bus is in motion.  | Warning           | 1-3 day bus susp.      | 5-10 day bus susp.      | 10-day bus susp.          |
| 3. <b>Tampering with Emergency and Safety Equipment</b> – Unauthorized handling of emergency or safety equipment on the bus, including first aid kit, fire extinguisher, emergency door and hatches, and door opener. | 1-day bus susp.   | 3-day bus susp.        | 5-10 day bus susp.      | ** from the bus           |
| 4. <b>Throwing Objects</b> – Throwing any items inside a bus, from outside a bus to inside a bus, or from inside a bus to outside a bus.  | Warning           | 1-2 day bus susp.      | 3-5 day bus susp.       | ** from the bus           |
| 5. <b>Squirting Devices</b> – Use of any device capable of sending a stream, spray, or propellant.  | 1-3 day bus susp. | 5-10 day bus susp.     | Indefinite bus susp.    | ** from the bus           |
| 6. <b>Interference with Safe Operation of Bus</b> – Any action, including throwing, noise, movement, or rocking of the bus.   | 1-3 day bus susp. | 5-10 day bus susp.     | Indefinite bus susp.    | ** from the bus           |
| 7. <b>Failure to follow Driver's Directions</b>   | Warning           | 3-5 day bus suspension | 5-10 day bus suspension | Indefinitely from the bus |
|   |                   |                        |                         |                           |

**DISCIPLINARY CONSEQUENCES:** For each misbehavior described in the above matrix, there are specific consequences for first, second, third, and fourth violations. Those consequences are shown as \*, \*\* suspension for a specified number of days or expulsion. Consequences which cannot be effected during the current year may be effected in the following year.

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\*\* Disciplinary action up to and including expulsion.

\*\*\* Multiple, chronic violations of school policy and procedures may result in more significant disciplinary action up to and including expulsion.

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Two major suspensions in one calendar year (5-10 days) will warrant consideration for expulsion.

Disruption to the school environment (of significance), including but not limited to food fights, streaking, and water ballooning.

Two or more significant suspensions of 5 days or more in the student's Intermediate School career will place the student's status under review.

## **COMPUTER AND INTERNET BEHAVIOR**

All students at FIS will have computer instruction. Students are offered the privilege of using the computer when they are available. School work and school programs only are to be used on the computers. All computers have access to the internet. District policy 524 regarding Internet use and the use of school-issued PDL (Personal Learning Device) and bringing your own PDL may be viewed in full on the district website.

- Parents will be notified of any suspensions or confiscations.