

506: BEHAVIOR AND STUDENT DISCIPLINE

Approved: 8/20/09
Revised: 12/10/15

PURPOSE

The purpose of this policy is to ensure that students are aware and comply with Cannon River STEM School's (CRSS) expectation for student conduct. Such compliance will enhance the school's ability to maintain discipline and ensure that there is no interference with the educational process.

STATEMENT OF PHILOSOPHY

At Cannon River STEM School, children are given the opportunity from their earliest days at the school to begin to develop self-discipline and independence. The goal is for each child to be intrinsically motivated to show self-control. Children are taught that there are logical consequences for their actions and that the freedom they experience at the school must be balanced by responsibility on their part.

All disciplinary actions shall be processed pursuant to CRSS's discipline policy and the requirements of the Minnesota Pupil Fair Dismissal Act. Any student who violates a school policy or rule may be subjected to the consequences established in this policy and as articulated in the Parent Student Handbook.

DEFINITIONS

"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 assessment, homebound instruction, supervised homework, or enrollment in another district or under certain circumstances in an alternative learning center, although in a different setting.

"Dismissals" means dismissing a student from school for one school day or less.

"Exclusion" means an action taken by a School Board to prevent enrollment or re-enrollment of a pupil for a period which shall not extend beyond the school year.

"Expulsion" means an action taken by the School Board to prohibit an enrolled pupil from further attendance for a period that shall not extend beyond an amount of time equal to one school year from the date student is expelled.

"School location" includes a school building, school grounds, school activities or trips, bus stops, school buses or school vehicles, school-contracted vehicles, the areas of entrance or departure from school premises or events, and all school related functions.

“School personnel” means any person employed or under the direction/assignment of school personnel and who is acting within the scope of their employment.

“Suspension” means an action taken by the school administration, under the district’s behavior policy, which prohibits a pupil from attending school for more than one day but for 10 days or less. This definition does not apply to dismissal from school for one school day or less, except as provided in federal law for a pupil with a disability (see below). The school administration may not impose consecutive suspensions against the same pupil for the same course of conduct or incident, except where the pupil will create an immediate and substantial danger to self or to surrounding persons or property, or where the district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of 15 school days. In the case of suspension pending an expulsion or exclusion hearing, alternative educational services must be provided to the extent that the suspension exceeds 5 days.

- A. “Suspension of a pupil with a Disability” means that when a child with a disability has been suspended for more than five consecutive school days or ten cumulative school days in the same school year, members of the pupil’s individualized education team shall meet to determine the extent to which the child needs services while suspended. The meeting must occur no more than 10 days after the sixth consecutive day of suspension or the tenth cumulative day of suspension. A child with a disability shall be provided alternative educational services to the extent a suspension exceeds five consecutive school days.

AREAS OF RESPONSIBILITY

- A. The Board. The board holds all school personnel responsible for the maintenance of order within the school and supports all personnel acting within the framework of this discipline policy.
- B. School Director. The Executive Director may establish guidelines and directives to carry out this policy, hold all school personnel, students and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The Executive Director may also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the board for approval and shall be attached as an addendum to this policy. The Executive Director may consult with parents of students conducting themselves in a manner contrary to this policy. The Executive Director may also involve other professional employees in the disposition of the behavior referrals and shall make use of those agencies appropriate for assisting students and parents.
- C. Teachers. All teachers will be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate support from administration. All teachers shall hold students responsible to the Student Code of Conduct, articulated in this document, as well as Cannon River STEM School’s current year All School Expectations and policies in the Parent and Student Handbook.

- D. Other School Personnel. All school personnel will be responsible for contributing to the culture of mutual respect within the school. Their responsibilities relating to student behavior shall be authorized and directed by the Executive Director.
- E. Parents or Legal Guardians. Parents and legal guardians may be held responsible for the behavior of their children as determined by law and community practice. Parents and guardians are expected to cooperate with school authorities and to participate fully regarding actions taken as a result of the behavior of their children.

STUDENT RIGHTS

All students have the right to an education and the right to learn. Specifically students attending Cannon River STEM School have the right to:

- A. A free and appropriate education as defined by state and federal statutes;
- B. Equal education opportunities and freedom from discrimination;
- C. Be informed of school rules;
- D. Be treated with respect;
- E. Be physically and emotionally safe. [See Board Policy 514: Bullying Prohibition]
- F. Freedom of inquiry and expression;
- G. Due process including the right to appeal;
- H. Data privacy.

STUDENT RESPONSIBILITIES

Rights, like those above, bring responsibilities and a student is responsible for the manner in which his/her individual rights are exercised. All students have the responsibility:

- A. For their own behavior and for knowing and following all school rules,
- B. To assist the school staff in maintaining a safe school for all students.
- C. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate.
- D. To respect and maintain the school's property and the property of others.
- E. To conduct themselves in an appropriate physical or verbal manner.
- F. To recognize and respect the rights of others.

By the use of the term respect, CRSS specifically means:

- A. Students are expected to respect themselves by:
 - a. Coming to school prepared, well rested, on time, dressed appropriately and with all necessary supplies.
 - b. Caring about the quality of their work. Assignments will be done to the best of each student's ability (appropriate use of materials and neat) and within designated timelines.
 - c. Following safety rules and directions carefully.
- B. Students are expected to respect others by:
 - a. Treating others with dignity and compassion.
 - b. Helping each other learn and be successful.
 - c. Valuing each other's differences, talents and work.
 - d. Students are to respect the CRSS campus environment by using all CRSS equipment and materials appropriately.
 - e. Cleaning up after their work.
 - f. Demonstrating concern for the entire school.

STUDENT CODE OF CONDUCT

- A. This policy applies to all “school locations” as defined in this policy. This policy also applies when a student’s conduct is sufficiently connected to the educational mission or duties of the school so as to obstruct the mission or the operations of the school, or the safety, rights, or welfare of the student, other students, or employees. This would include off campus behavior.
- B. The following are examples of unacceptable behavior subject to disciplinary action by the school. These examples are not intended to be an exhaustive list. Any student who engages in any of these activities will be disciplined in accordance with the progressive discipline philosophy discussed below.
1. The use of profanity or obscene language, or possession of obscene materials;
 2. Violation of the school Hazing Policy;
 3. Opposition to authority using physical force or violence;
 4. Violation of the school’s Weapons Policy;
 5. Fighting or assaultive behavior;
 6. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, attack with a weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
 7. Verbal assaults, or verbally abusive behavior, including, but not limited to, use of language that is discriminatory, abusive, obscene, or threatening ;
 8. Other acts, as determined by the school, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interfere with or obstruct the mission or operations of the school or the safety or welfare of the students or employees.

DISCIPLINARY ACTION OPTIONS

It is the general policy of the school to utilize progressive discipline to the extent reasonable and appropriate based upon the specific facts and circumstances of student misconduct. The specific form of discipline chosen in a particular case is solely within the discretion of the school. At a minimum, violation of school rules, regulations, policies or procedures will result in discussion of the violation and a verbal warning. The school may, however, impose more severe disciplinary sanctions for any violation, including exclusion or expulsion, if warranted by the student’s misconduct, as determined by the school.

Prior to assigning disciplinary consequences the staff will have attempted to intervene using the following techniques:

- identify the problem
- discuss the situation with the student
- use classroom management skills such as, but not limited to: change seating assignment, separate students, keep after class, give warning, or use of other Responsive Classroom or Developmental Designs techniques.
- set up a plan of action

- parent/guardian contact or conference
- discuss situation with a team of teachers and/or the parents/guardians

In the case of extenuating circumstances disciplinary action may immediately be assigned.

Disciplinary action may include, but is not limited to, one or more of the following:

- A. Student conference with teacher, Executive Director, or designated administrator, and verbal warning;
- B. Parent contact;
- C. Parent conference;
- D. Removal from setting, for example: playground, lunch, class;
- E. Loss of school privileges;
- F. Referral to police, other law enforcement agencies, or other appropriate authorities;
- G. Out-of-school suspension under the Pupil Fair Dismissal Act;
- H. Preparation of an admission or readmission plan;
- I. Expulsion under the Pupil Fair Dismissal Act;
- J. Exclusion under the Pupil Fair Dismissal Act;
- K. Other disciplinary action as deemed appropriate by the school.

PROHIBITED BEHAVIORS AND CONSEQUENCES

Any behavior that is disruptive or violates the rights of others is unacceptable at CRSS and will incur a consequence. This section lists specific prohibited behaviors and expected consequences. Consequences will be imposed as consistently as possible under normal conditions. However, the administration reserves the right to use discretion when assigning disciplinary action if extenuating circumstances exist.

Damage To School Or Others' Property

Any student damaging school or others' property will be responsible to make restitution and/or restore the property to its original condition. Tampering with or unauthorized use of school property or the property of school personnel and/or others will be subject to disciplinary action at the discretion of the administration. Vandalism may be assigned a 1-5 day suspension, until a parent conference can be arranged, and possible referral to authorities. Multiple incidents will result in expulsion or referral to an alternative educational program.

Drugs/Chemicals/Tobacco/Smoking

Any student in possession of or under the influence of drugs/chemicals/tobacco (including alcohol and abuse of prescription and/or over-the-counter drugs) or in possession of related paraphernalia (including e-cigarettes):

- A. Parents will be called for a conference.
- B. Police may be summoned as per current statutes.
- C. Student will be sent home for the day (dismissal).
- D. A 2nd offense will also include a 3 day suspension and the parents will be advised that a chemical evaluation is required prior to a return to school. If this is not done and recommendations from the evaluation provided to the Administration, it will be treated as a 3rd offense.
- E. Upon a 3rd offense the student may be referred to an alternative educational program.

Any student selling or distributing drugs/chemicals or possessing drugs/chemicals with the intent to sell or distribute will be immediately suspended from school, the police summoned, parents contacted, and recommended for expulsion or referral to an alternative educational program.

Electronic Devices

Electronic devices are strongly discouraged from being brought to school. Any electronic device in use or in a location other than in the student's backpack on silent, except under the direct supervision of a Cannon River STEM School staff member, will be taken away as outlined below. CRSS understands families' desire to have contact with their students via cellular phones. As such, CRSS will allow cellular phones to be on silent (no ring or vibration allowed) and secured in backpacks from the time that students arrive on campus until school dismissal, or until afterschool programming in which the student is enrolled has concluded. Unless approved AND under direct supervision of a Cannon River STEM School staff member, it is against school rules to have an electronic device in one's clothing during the day. We also emphasize that the school is not responsible for lost, stolen, or damaged items, should students bring these items to school. If families need to contact their student prior to school dismissal or the conclusion of afterschool programming, they should call the school office.

Students possessing these devices during the school day, except under the direct supervision of a staff member for instructional purposes, will have them taken away.

- For a first offense, the student will receive a verbal warning from a staff member, and the device is to be immediately returned to the student's locker. The student's teacher will be promptly notified, and the teacher will send an email to the parents advising them of the first offense.
- For a second offense, a staff member will confiscate the electronic device, and it will be held by the student's teacher or in the office until the end of the day and then returned to the student. Parents will receive an e-mail communication notifying them of this second offense.
- Subsequent offenses will result in the device being confiscated and held in the office until a parent/guardian personally picks it up or talks directly with the

Executive Director authorizing its release. Please note that after the third offense, the parent/guardian will be required to come in and claim the phone every time.

Fighting

Fighting (slapping, punching, etc.) is not tolerated. Justifying physical retaliation on the grounds that the other pushed or hit first is equally unacceptable. Any student who is fighting will be immediately removed from the setting and may be suspended for 1-3 days. If a suspension is issued, a parent conference must be scheduled prior to returning to school. Multiple incidents will lead to a recommendation for expulsion or referral to an alternative educational program. Physical assault requiring medical attention must be reported to the criminal authorities for their determination of legal action.

Harassment/Abuse/Violence

Physical, emotional or sexually abusive behavior including psychological intimidation and harassment, will not be tolerated. Sexual, racial and religious violence is a criminal activity and will be reported to the authorities. A written report of the incident should be given to the Executive Director within five days of the incident. All incidents will be investigated by the Executive Director or designated personnel. Disciplinary consequences will be determined by the Executive Director and may consist of a 1-5 day suspension. If a suspension is issued, a parent conference must be scheduled prior to returning to school. Repeated offenses will lead to a recommendation for expulsion or referral to an alternative educational program.

DISMISSAL

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 immediate and substantial danger to self or to surrounding persons or property. If staff are not available to provide an alternative educational service and/or supervision, dismissal will be warranted.

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:

- A. Willful conduct that significantly disrupts the rights of others to an education, the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or

- B. Willful conduct that endangers the student or other students, or surrounding persons, including school employees, or property of the school;
- C. Willful violation of any reasonable board regulation, including those found in this policy

SUSPENSION PROCEDURES AND RIGHTS:

1. Informal administrative conference. A student shall not be suspended from CRSS without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the pupil will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension.
2. Notice. At the informal administrative conference, a school administrator shall notify the pupil of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the pupil may present the pupil's version of the facts.
3. Written notice of grounds for suspension. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of sections 121A.40 to 121A.56 of the Pupil Fair Dismissal Act, shall be served upon the student's parent or guardian by email within 48 hours of the conference.
4. Notification of parents. CRSS shall make reasonable efforts to notify the parents of the suspension by telephone as soon as possible following suspension. In the event a pupil is suspended without an informal administrative conference on the grounds that the pupil will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the pupil's parent or guardian within 48 hours of the suspension. Service by email is complete upon sending. In the event email is not available to the parent or guardian, service will be by postal mail.
5. Suspension pending expulsion or exclusion hearing. A student may be suspended pending the school board's decision in an expulsion or exclusion hearing; provided that alternative educational services are implemented in the event that suspension exceeds five days.
6. Alternative to Pupil Suspension. After CRSS administration has notified a pupil of the grounds for suspension, instead of imposing the suspension, the administration may do one or more of the following:
 - A. Strongly encourage a parent or guardian of the pupil to attend school with the pupil for one day;
 - B. Petition the court that the student is in need of services under chapter 260C.

ADMISSION OR READMISSION PLAN

1. *Admission or readmission plan for student suspensions:* Each suspension action will include a readmission plan. A readmission plan must provide, where appropriate, alternative educational services, which must not be used to extend the student's current suspension period. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. CRSS school officials must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening or examination of the student as grounds by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis for charges of child abuse, child neglect or medical or educational neglect.
2. *Admission/readmission plans for expulsion or exclusion:* CRSS administration 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 pupil's behavior, will require parent involvement and may indicate the consequences to the student of not improving student's behavior. A school administrator may prepare and enforce a readmission plan for any student who is suspended from school, but the plan must not be used to extend the pupil's suspension period or require the parents to provide psychotropic drugs to the pupil as a condition of readmission.

PROCEDURES FOR EXPULSION AND EXCLUSION

1. *Requiring a hearing:* No exclusion or expulsion shall be imposed without a hearing, unless that right to a hearing is waived in writing by the pupil and parent or guardian. The action shall be initiated by the CRSS board or its agent.
2. *Written notice:* Written Notice of intent to take action shall:
 - A. Be served upon the pupil and the pupil's parent or legal guardian personally or by email, followed by postal mail;
 - B. Contain a complete statement of the facts, a list of the witnesses and a description of their testimony;
 - C. State the date, time, and place of the hearing;
 - D. Be accompanied by a copy of sections 121A.40 to 121A.56 of the Pupil Fair Dismissal Act;
 - E. Describe alternative educational services accorded the pupil in an attempt to avoid the expulsion proceedings; and
 - F. Inform the pupil and parent or legal guardian of the right to:
 - a. Have a representative of the pupil's own choosing, including legal counsel, at the hearing. CRSS shall advise the pupil's parent or legal guardian that free or low cost legal assistance may be available and that a legal assistance resource list is available from the Department of Education;

- b. Examine the pupil's records before the hearing;
 - c. Present evidence; and
 - d. Confront and cross-examine witnesses.
3. The hearing shall be scheduled within ten days of the service of the written notice unless an extension, not to exceed five days, is requested for good cause by the school board, pupil, parent or guardian.
4. The hearing shall be at a time and place reasonably convenient to pupil, parent and guardian.
5. The hearing shall be closed unless the pupil, parent or guardian requests an open hearing.
6. The hearing shall take place before an independent hearing officer. The hearing shall be conducted in a fair and impartial manner.
7. The school board shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense. Testimony shall be given under oath. The hearing officer shall have the power to issue subpoenas and administer oaths.
8. At a reasonable time prior to the hearing, the pupil, parent or guardian, or representative, shall be given access to all public school system records pertaining to the pupil, including any tests or reports upon which the proposed action may be based.
9. The pupil, parent or guardian, or representative, shall have the right to compel the attendance of any official employee or agent of the public school system or any public employee or any other person who may have evidence upon which the proposed action may be based, and to confront and to cross-examine any witness testifying for the public school system.
10. The pupil, parent or guardian, or representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
11. The pupil cannot be compelled to testify in the dismissal proceedings.
12. The recommendation of the hearing officer or school board member or committee shall be based solely upon substantial evidence presented at the hearing and must be made to the school board and served upon the parties within two days of the end of the hearing.
13. The school board shall base its decision upon the recommendation of the hearing officer or school board member or committee and shall render its decision at a meeting held within five days after receiving the recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's recommendations provided that neither party presents any evidence not admitted at the hearing. The decision by the school board must be based on the record, must be in writing, and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the commissioner of education of the basis and reason for the decision.

14. A school administrator shall prepare and enforce an admission or readmission plan for any pupil who is excluded or expelled from school. The plan may include measures to improve the pupil's behavior, including completing a character education program, consistent with section 120B.232, subdivision 1 of the Pupil Fair Dismissal Act, and require parental involvement in the admission or readmission process, and may indicate the consequences to the pupil of not improving the pupil's behavior.

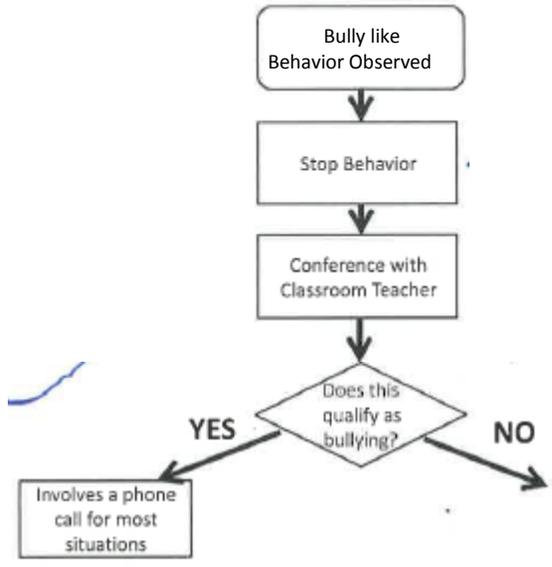
STUDENT DISCIPLINE RECORDS

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.

DISTRIBUTION OF POLICY

The school will notify students and parents of the existence and contents of this policy in such a manner as it deems appropriate. Copies of this policy shall be made available to all students and parents in the school handbook each year and to all new students and parents upon enrollment. This policy shall also be available upon request in the school office.

Offense-Consequence Flow Chart for discussing behavior with students that may be considered bully like behavior.



“Repairing the damage to the community is always the highest aim. In a bully behavior situation, however, the victim must be protected from direct interaction with the offender”

“Repairing the damage to the community is always the highest aim. Emphasis on healing the relationships.”

LEVEL 1 Offenses	LEVEL 2 Offenses	LEVEL 3 Offenses
Actions taken that intended at some level to hurt another person. Generally unplanned and includes: <ol style="list-style-type: none"> 1. Relational aggression such as name calling, teasing and exclusion 2. Physical aggression such as kicking, pushing/shoving (intended to hurt), throwing, budging, tripping, slapping/hitting (open handed, intended to hurt), and hair pulling. 	Actions that have greater impact than level 1 actions. These show more forethought and intentionality and include repeated or intensified level 1 offenses as well as: <ol style="list-style-type: none"> 1. Relational aggression such as spreading rumors, use of obscene words or gestures. 2. Physical aggression such as punching (closed fist), spitting, biting, and property damage. 	Actions that violate the sense of security or identity of an individual. These include repeated or intensified level 2 offenses as well as: <ol style="list-style-type: none"> 1. Relational aggression such as bribes, threats, biased language, harassment (sexual, gender, gender identity/attraction, ethnic, religious) 2. Physical aggression such as stealing, premeditated physical violence.

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LEVEL 1 Consequences	LEVEL 2 Consequences	LEVEL 3 Consequences
At this level, a phone call home may be appropriate at the discretion of the teacher. An apology of action is required. Other possible consequences include: <ul style="list-style-type: none"> • Removal from a recess or lunch • Loss of privilege • Lunchroom or library or classroom clean up 	At this level, phone calls home are mandatory for the offender and the victim. A conference with the teacher, student and Ms. Nalani or Ms. Deb is required, and the parents may be included at the discretion of the teacher. An apology of action is also required, but will not involve direct contact between offender and victim. Other possible consequences include: <ul style="list-style-type: none"> • Scaled up level 1 consequences • Repair/replace damaged item • Social skills lesson(s) • Suspension 	At this level, phone calls home are mandatory and a meeting with parents of the offender is required. Other possible consequences include: <ul style="list-style-type: none"> • Intensified level 2 consequences • Meeting with a police officer/filing of a police report • Removal from class/activities for an extended period of time • Sensitivity training • Suspensions leading to expulsion are a possibility at this level

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