

DISTRICT STUDENT DISCIPLINE POLICY

I. PHILOSOPHY

- A. Statement of Philosophy on Conduct and Discipline: The care, management, and control of the school district is vested in the School Board by Minnesota Public School Law (MS 120.A.20).
- B. Schools have a responsibility to parents and students which goes beyond the educational program. They must provide students with a suitable environment while on the school premises and at other school activities away from the school grounds. An environment conducive to learning must be maintained to ensure an equal educational opportunity for all students. Because an environment is partially determined by the conduct of the students, student self-discipline relative to rules and regulations is a desired goal. These rules and regulations are designed to promote a desired environment for learning. It shall, therefore, be a policy of Anoka-Hennepin Independent School District No. 11 that every student abides by all rules and regulations of the district.
- C. Before effective learning can take place, reasonable order or discipline must be present. Basically, the responsibility of classroom discipline rests with teachers; however, the principal is responsible to provide supervision, guidance, and assistance to teachers in handling discipline problems. Experience indicates that a positive approach to discipline is effective. Early intervention in attempting to improve a student's behavior is strongly encouraged. This may include but should not be limited to early involvement of parents or guardians and utilizing available resources, including referral to the child study team and the use of support services.
- D. The Anoka-Hennepin School District recognizes its obligations to comply with the provisions of the Pupil Fair Dismissal Act and MS 121A.61 (and removal of students from class statute). In local, state, and Federal proceedings, the fundamental question has been and is one of fairness for students. The elements of due process are designed to ensure that this goal is reached. Due process is the implementation of procedure which, when adhered to, guarantees the protection of individual rights.

II. STUDENT DISCIPLINE: STUDENT RIGHTS AND RESPONSIBILITIES

- A. This statement of rights is not expected to cover every situation that may arise. The rights of an individual are preserved only by the protection and preservation of the rights of others. All students attending Anoka-Hennepin District No. 11 schools have the right to:
 - 1. A free and appropriate education as defined by state and Federal statutes
 - 2. Equal educational opportunity and freedom from discrimination
 - 3. Due process as defined by state and Federal statutes and rules
 - 4. Freedom of inquiry and expression
 - 5. Data privacy
 - 6. Be informed of school rules
- B. Rights bring responsibilities and a student is responsible for the manner in which his/her individual rights are exercised. This statement of responsibilities is not expected to cover

every situation that may arise. All students attending Anoka-Hennepin District No. 11 schools have the responsibility to:

1. Attend school daily, except when excused, and to be on time to all classes and other school day functions,
2. Pursue and attempt to complete the course of study prescribed by the state and local school authorities,
3. Make necessary arrangements to make up school work when absent,
4. Assist school staff in maintaining a safe school for all students enrolled therein,
5. Be aware of all school rules and regulations and conduct themselves in accordance with them,
6. Assume that until a rule is waived, altered, or repealed, it is in full effect,
7. Be aware of and comply with state and local law,
8. Be aware of and comply with State High School League and regulations and School Board policy when participating in extracurricular activities,
9. Be willing to volunteer information in disciplinary cases and cooperate with school staff should they have important knowledge relating to such cases,
10. Protect and take care of school property and the property of others,
11. Dress and groom to meet fair standards of safety, health, and standards of decency,
12. Avoid inaccuracies in student newspapers or publications and indecent or obscene language, both written and verbal,
13. Express ideas in a manner that will not demean or slander others.

III. CODE OF STUDENT CONDUCT

- A. Disciplinary action may be taken for any behavior, which is disruptive of good order or violates the rights of others. The school has the authority and obligation to establish and enforce reasonable standards of conduct. In accordance with the Pupil Fair Dismissal Act and MS121A.61 Discipline and removal of students from class, a student may be removed from class, suspended, excluded, or expelled from school for:
 1. Willful violation of any reasonable School Board regulation. Such regulation must be clear and definite to provide notice to pupils that they must conform their conduct to its requirements.
 2. Willful conduct that significantly disrupts the rights of other students to an education, or the ability of school personnel to perform their duties, or school sponsored extracurricular activities, or
 3. Willful conduct which endangers the pupil or other pupils, or surrounding persons, including school district employees, or the property of the school
- B. The following list identifies unacceptable acts subject to disciplinary action in this school district. Violation of any of these offenses before, during or after school hours while on school property, the school bus, or any other approved vehicle used to transport students; or at school functions or events held at other locations or off school grounds if the action interferes with or obstructs the mission or operations of the school or the safety of the student, other students and staff or the aiding and abetting of such acts may lead to the implementation of a disciplinary action or consequence listed in part C, including expulsion. However, a violation of item two regarding the transmission of chemicals/controlled substances, and item four regarding possession, use and/or transmission of a weapon, possession of a destructive explosive, or the threatened use

of and/or the intent to use a destructive explosive device will lead to the immediate initiation of the expulsion process.

1. Truancy and unauthorized absence.
 - a. As required by current statutes, regulations of the Department of Education and the School Board of this district, students shall be in attendance each day that school is in session. Students returning to school following an absence will be expected to complete all the missed assignment within a reasonable period of time.
 - b. Truancy, for purposes of this policy, is the absenting of one's self from school or class without approval. The authority to decide whether an absence is excused or unexcused rests with the building principal.
 - c. If a student develops a pattern of tardiness to school or class, disciplinary action will be taken.
2. Possession, use (including being under the influence and look alike substances) and/or transmission of controlled substances including but not limited to any narcotic drug, hallucinogenic drug, inhalant, toxic or mood altering substances, intoxicating beverage, any paraphernalia associated with such controlled substances, or any controlled substance or the unauthorized use of prescription drugs.
3. Possession, use, and/or transmission of tobacco, nicotine products, Electronic Cigarettes, or look-a-likes in any form.
4. Possession, use, and/or transmission of a weapon(s) or any object that can reasonably be considered a weapon(s): weapon means a knife; firearm or an item which looks like a firearm, whether loaded or unloaded, in working or nonworking condition; destructive explosives, any incendiary device or look alike and/or the threatened intent or intent to cause an explosion; or any other device or instrument which is utilized in such a manner so as to threaten, intimidate or produce bodily harm or the fear of such.
 - a. A student who commits a weapons infraction will be immediately suspended from school
 - b. The expulsion process will be immediately initiated.
5. Possession and/or use of any electronic device, including a computer, in a manner, which threatens or intimidates others and/or disrupts the educational process;
6. Violations against persons communicated or attempted to be communicated by any means. Such violations include but are not limited to: verbal and/or nonverbal intimidation/ threats; stalking; obstruction; assault; fighting; extortion; bullying, racial harassment; harassment on the basis of disability sexual harassment/violence; indecent exposure; hazing;
7. Violations against property including tampering with, unauthorized use of, damage to, or destruction of school property or the property of school personnel and/or others (even though such an act was accidental or a result of poor judgment); vandalism; trespassing; arson; theft or robbery; possession of stolen property;

8. Violations of school procedures or acts disruptive to the educational process, including disobedience, disruptive and disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, use of profanity, improper activation of fire alarms, activation of stink bombs and unauthorized access to school data;
 9. Violation of school bus or transportation rules;
 10. Violation of parking or school traffic rules and regulations;
 11. Possession, distribution, or display of slanderous, libelous, pornographic, racist, or gang related materials or symbolism;
 12. Student attire and/or personal grooming which creates a danger to health or safety; creates a disruption to the educational process, or violates common standards of decency as they apply to a community school setting, and/or any apparel, jewelry, accessories, or matter of grooming which by virtue of its color arrangement, trademark, or any other attribute (as a primary purpose) denotes membership in an organized gang;
 13. Criminal activity;
 14. Violation of other school rules, policies, or procedures.
- C. Disciplinary action or consequences for these offenses may include but are not limited to the following
1. Student conference
 2. Parent contact
 3. Parent conference
 4. In-school monitoring
 5. Referral to in-school support services
 6. Detention
 7. Removal from class
 8. Saturday School
 9. Suspension from extracurricular activities
 10. Physical restraint
 11. Suspension from school
 12. Referral to Child Study Team (see Due Process/Total Special Education Systems manual)
 13. Referral to community, county or outside agencies
 14. Transfer to another school building
 15. Expulsion or exclusion from school
 16. Referral to police or other law enforcement agency
- D. When determining an appropriate action, the administrator will consider the extent of the disruption to the safety of an individual or a group or to the disruption of the learning environment in the schools.
- E. Students with Disabilities:

1. If the alleged violator is a student with a disability under IDEA or Section 504 of the Rehabilitation Act, the specific placement and services for the student will be consistent with state and federal requirements and are to be determined by the student's IEP Team.
2. Use of Conditional Procedures: Students with disabilities who demonstrate behaviors which interfere with the student's or others' safety and or learning, which has not been ameliorated through the use of positive behavioral interventions, may result in an IEP Team determination to use a conditional procedure in conjunction with continued use of positive behavioral interventions. The school district maintains procedures for use of conditional procedures, which are consistent with state and federal law.

IV. STUDENT DISCIPLINE: POLICIES

A. Disruptive Student Policy

1. As stated in the philosophy of our District Student Discipline Policy, an environment conducive to learning must be maintained to ensure equal educational opportunity for all students. Because an environment is partially determined by the conduct of the students, student self-discipline relative to district, building and classroom rules and regulations is a desired goal.
2. It shall; therefore, be a policy of the Anoka-Hennepin School District that:
 - a. Every student abides by the rules and regulations of this district.
 - b. Disciplinary action including expulsion may be taken for behaviors, which are disruptive or violate the rights of others to an environment conducive to teaching and learning.
3. Early intervention in attempting to improve a student's pattern of disruptive behavior is strongly encouraged. This should include involvement of parents/guardians and the utilization of available school district resources provided for students, including screening by the child study team.
4. A student will be referred to the school board for expulsion, if various appropriate interventions have been implemented and documented and the student persists in behavior which:
 - a. violates any reasonable School Board regulation. Such regulation must be clear and definite to provide notice to pupils that they must conform their conduct to its requirements, or
 - b. 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
 - c. endangers the pupil or other pupils, or surrounding persons, including school district employees, or the property of the school.

B. Policy on Weapons

1. It is the policy of the Anoka-Hennepin School District to maintain a positive, safe and secure learning and working environment. Therefore, the District will not tolerate weapons as defined in this policy at any time on school property or in the school zone, * including district owned buildings and grounds; leased or rented facilities; school sponsored activities; field trips; school buses and other school vehicles; and school bus loading and unloading areas. Students and visitors may not possess, store, handle, transmit, or use any weapons in any of the school environments listed above. Any student found to possess, store, handle, transmit, or use any weapon before, during, or after school hours would be subject to administrative and/or legal action.

* School zone: The area surrounding school property to a distance of 300 feet or one city block, whichever distance is greater, beyond school property.

2. Students who become aware of a weapon (that is not subject to an exception listed in this policy) being brought to school or on school property must immediately notify an adult staff member. A student, who becomes aware that he/she is in possession of a weapon and immediately notifies an adult staff member, may avoid, depending on circumstances, being considered to be in possession of a weapon. Students should not, however, pick up or transport the weapon.

- C. Definition of Weapon: weapon is defined as a knife, firearm, or an item which looks like a firearm, whether loaded or unloaded, in working or non-working condition; destructive explosives, any incendiary device or look-alike and/or the threatened intent or intent to cause an explosion; or any other device or instrument which is utilized in such manner so as to threaten, intimidate or produce bodily harm or the fear of such. Weapons include, but are not limited to the following:

1. All firearms, loaded, unloaded, working or not working
2. Other firearms of all types including pellet, BB, stun, splat, starter pistols, and/or look-a-likes, or replica firearms which include facsimile or toy versions of firearms and reasonably appear to be a pistol, revolver, shotgun, sawed-off shotgun, rifle, machine gun, rocket launcher, or any other firearm
3. Knives including switchblade or automatically opening blades, butterfly knives, Swiss army knives, pocket knives, box-cutters/utility knives hunting knives, daggers, swords, razors
4. Artificial knuckles or similar objects designed to be worn over or inside the fist or knuckles
5. Blackjacks, clubs, throwing stars, martial arts devices
6. Explosives and/or similar devices and/or the threatened intent to cause an explosion
7. Poisons, chemicals, combustible or flammable liquids, or substances capable of causing bodily harm
8. Slingshots, bows and arrows
9. Chemical irritant ** i.e. pepper spray, mace
10. Any other device or instrument used to intimidate, threaten, or inflict bodily harm or fear

- D. Exceptions: This policy, in accordance with Minnesota law, provides for the following exceptions:

1. Licensed police officers, military personnel, licensed security personnel
2. Instructors of school district approved firearm safety courses or activities conducted on school property
3. School district approved possession and use of weapons by ceremonial color guards
4. School district approved possession and use of starter guns for athletic contests
5. School district approved equipment and tools used and stored appropriately on school property for instructional or work-related purposes by workers and students
6. Other exceptions as granted by the superintendent

E. Implementation of the Policy on Weapons

1. Weapons violation, Federal law: Pursuant to the Federal "Gun Free Schools Act of 1994" any student who brings a weapon (firearm and/or destructive device as defined under Federal law) shall be expelled from school for not less than one year.
2. Middle school students: Possession of a weapon, as defined in this policy, by students in middle school, grades six through eight, will lead to the immediate initiation of the expulsion process and may lead to referral to the police. The School Board will expel middle school students for a period of not less than the equivalent of one trimester of student contact days, and not more than 12 months. Alternative educational services will be provided to the student during the expulsion. A student in middle school will reenter school on the day the expulsion is completed.
3. High school students: Possession of a weapon, as defined in this policy, by students in high school, grades nine through graduation, will lead to immediate initiation of the expulsion process and referral to the police. The School Board will expel high school students for a period of not less than the equivalent of one trimester of student contact days, and not more than 12 months. Alternative educational services will be provided to the student during the expulsion. A student in high school will reenter school on the first day of the new term closest the completion of the expulsion.
4. Administrative Discretion: While the Anoka-Hennepin School District forbids the possession, use or distribution of weapons by students, the superintendent's designee may use discretion in determining whether, under specific circumstances outlined by district administration and the school board, a course of action other than a referral to the school board for expulsion is warranted. If so, other appropriate action may be taken, including consideration of a recommendation for lesser discipline.
5. Elementary school students: Principals in the elementary schools, when disciplining students in grades K-5 for possession of a weapon, as defined in this policy, will suspend the student and determine the intended and actual danger to other students and staff. (Note Expulsion may be recommended.) The principal will inform the student's parents of the disciplinary action. In all cases the student will receive information regarding the danger of weapons.
6. Students with Disabilities:
 - a. Students with disabilities may be suspended for violation of school rules in accordance with state and federal law.

- b. If the student is in violation of the district drug, alcohol policy or has a weapon as defined by federal law is a student with a disability under IDEA or Section 504 of the Rehabilitation Act, the student may be placed in a 45 school day interim alternative placement, the specific placement and services for the student will be consistent with state and federal requirements and are to be determined by the student's IEP Team.
- c. The use of seclusionary time out or restraint of a student with a disability requires development of a behavior plan which meets specific criteria of state and federal law and rule.

F. Search and Seizure

1. **School Facilities/School Lockers:** While the student has exclusive control over his/her locker, desk, workstation, and other similar assigned areas of school property as against other students, such possession is not exclusive as against the school and its officials. The lockers, desks, work stations, and other similar assigned areas remain the property of the school and, at any time it is deemed necessary, the principal or his/her designee has the authority to conduct a search and confiscate items considered illegal illicit, or disruptive to the educational process or evidence tending to prove a violation of law or a rule of the School District.
2. **Students and their Personal Possessions:** While the student has exclusive control over his/her property in his/her immediate possession as against other students it is not exclusive as against the school and its officials. When a reasonable suspicion arises that use or possession of a student's property is illegal, illicit, disruptive, or a danger to that student or others, a search may be made of the student's person and/or personal property; including vehicles.
3. **Conducting a search**
 - a. Before conducting a search, the principal or designee will determine that there is a reasonable suspicion that the search of a student or of a student's personal property will produce evidence that the student has violated or is violating either the law or the rules of the School District.
 - b. The search shall be conducted in a manner, which is reasonably related to the objective of the search and is not excessively intrusive into the student's privacy in light of the age and sex of the student and the nature of the violation. Items considered illegal, illicit, disruptive to the educational process, or evidence tending to prove a violation of law or of a rule of the School District may be confiscated.
4. **Procedures to Implement the Policies on Search and Seizure**
 - a. Only the building principal or specific designee shall be responsible for determining if a search will be conducted.
 - b. A written record of each search will be kept by the principal or designee on a form provided for this purpose; including the facts upon which a reasonable suspicion rests, location, time, reason for the search and/or seizure, persons present, and disposition of items.
 - c. A search of a student's person or personal property shall be done as discreetly and privately as possible without compromising safety.

- d. Those items considered to be illegal, illicit, disruptive, a general nuisance to the educational process, or evidence tending to prove a violation of a law, or a rule of the District may be seized. The storage, return, or disposition of seized items shall be at the discretion of the principal, subject only to legal impoundment.
- e. Repossession of school property shall not be considered seizure.
- f. The School District retains the authority to patrol school parking lots and inspect the exteriors of automobiles or other motor vehicles on school property. The interiors of vehicles on school property may be inspected and searched when the principal or specific designee has a reasonable suspicion to believe that materials which are illicit, illegal, or disruptive to the education process are contained inside that vehicle.

V. Removal of Students from Class

- A. 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.
- B. 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 district 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.
- C. Removal from class is the short-term exclusion of a student from class during which the school retains custody of the student. Students violating the code of student conduct may be removed from class at the discretion of the classroom teacher for the duration of the class or activity period. If the student is to be removed for additional time, this and the conditions for return to class will be determined at a conference between the principal and the teacher. Students removed from class shall be the responsibility of the principal or designee. The principal or designee shall inform the student and the student's parent/guardian of the conditions for returning to class.
- D. If a student's total days of removal from class exceeds ten (10) cumulative days in a school year, the principal or designee shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian prior to removing the student from class. The purpose of this meeting is to attempt to determine the pupil's need for assessment or other services.

- E. Parent notification: Parents shall be notified of a violation of the rules and of the resulting disciplinary action. Under unusual circumstances, principals may determine that it is not necessary to notify the parent/guardian.
- F. Modified Learning Program: The short-term modification of a student's program, not to exceed five days per infraction, during which the school district retains custody of the student.
- G. Out of School Suspension:
 - 1. Suspension is the short-term exclusion, not to exceed five days (unless the student presents a danger to themselves or others) per infraction of the student from school during which the school is relieved of the custody of the child. If the suspension is longer than five days, the suspending administrator must provide the superintendent or designee with a reason for the longer suspension. A suspension may not extend beyond fifteen days. Upon the sixth day of a suspension an alternative form of education must be presented to the child, i.e. supervise homework.
 - 2. Suspensions shall be utilized in accord with the Pupil Fair Dismissal Act and with Anoka-Hennepin School District policy.
- H. Exclusion and Expulsion
 - 1. Exclusion is an action taken by the School Board to prevent enrollment or reenrollment of a student for a period that shall not extend beyond a school year.
 - 2. Expulsion is an action taken by the School Board to prohibit an enrolled student from further attendance for a period of time that shall not extend beyond one calendar year from the date the child is suspended for the expellable offense.
 - 3. Exclusion and expulsion shall be utilized in accordance with the Pupil Fair Dismissal Act and Anoka-Hennepin School District policy.

VI. SUMMER SCHOOL

- A. Summer school is not a state or federally mandated program, and students are not required to attend. Anoka-Hennepin Independent School District No. 11 has rules and regulations regarding the granting of credit for courses taken during the summer school; essentially these regulations state that participants must make up every day of absence from summer school in order to complete the necessary minimum number of hours for course credit. Excessive absence could result in a student being dismissed from a summer school credit course.
- B. Parents and students should be aware that summer school also differs from the regular school year in that alternative programs are not provided for students who exhibit attendance and/or behavior problems. Students will be dropped from summer school for violations of the student code of conduct.
- C. Anoka-Hennepin School District No. 11 recognizes its obligations to provide students the elements of due process. Due process is the implementation of procedures which when adhered to guarantees the protection of equal rights. Before a student is dropped from summer school, the appropriate due process components will be followed.
- D. The Anoka-Hennepin School District's discipline policy applies to summer school.

VII. COMMUNICATION/DISTRIBUTION OF POLICY

- A. Publication: This policy shall be published and distributed annually for all students utilizing one or more of the following methods: publication in a student handbook; publication in a principal's newsletter to parents with the request that the parent discuss the policy with the student; publication in pamphlet form to be distributed; and/or publication in a district wide mailing to parents.
- B. Building-level Supplement: The building principal may supplement this policy with rules and regulations for a particular building. However, no such rule or regulation shall be inconsistent with School Board policy.
- C. Dissemination to Students: This policy and supplemental building rules and regulations shall be reviewed with students in classrooms at the beginning of each school year.
- D. Annual Review: The principal and representative staff and students in each school building shall confer at least annually to review the discipline policy and to assess whether the policy is appropriate and has been enforced. Any recommended changes shall be forwarded to the Superintendent for review.

Anoka-Hennepin District No. 11
Coon Rapids, MN 55433
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