DISCIPLINE POLICY:

I. STATEMENT OF POLICY

It is the position of School District #2854 that a fair and equitable district-wide school discipline policy will contribute to the quality of a student's educational experience. Without discipline in the schools, learning cannot occur. Therefore, this district-wide school discipline policy has been adopted.

It is the responsibility of the school board, administrators, and teachers to safeguard the health and safety of each student. The school board and district administrators do not condone undue force or physical action towards students. They will support district personnel who, in dealing with students on disciplinary matters, act in accordance with state statute, state board of education regulations, and this policy.

A teacher, school employee, school bus driver or other agent of a district may use reasonable force in compliance with Minnesota Statutes 121A.582 and other laws.

II. RULES OF CONDUCT

Disciplinary action may be taken against students for any behavior which is disruptive or violates the rights of others. The following acts are unacceptable behavior subject to disciplinary action in School District #2854:

A. Truancy and Unauthorized Absences
   1. As required by current statutes and state department of education and school board regulations, students shall be in attendance each day that school is in session. The authority to decide whether an absence is excused or unexcused rests with the building principal. Students returning to school following an absence will be expected to complete all missed assignments within a reasonable period of time.
   2. Truancy, for purposes of this policy, is the absenting of one's self from school or class without the approval of the principal.
   3. If a student develops a pattern of tardiness to school or class, disciplinary action will be taken.
B. Damage to School or Personal Property
   1. Vandalism: Damage to or destruction of school property or property of others by students is vandalism.
   2. Theft: Theft is the act of intentionally and without claim of right taking, using, transferring, concealing or retaining possession of moveable property of another without his consent and with the intent to deprive the owner permanently of the property, or the finding of lost property and not making reasonable effort to find the owner.

C. Physical Assault: Physical assault is an act which intentionally inflicts or attempts to inflict bodily harm upon another, including obstruction, sexual assault and indecent exposure.

D. Verbal Assault: Verbal assaults are abusive, threatening, profane, or obscene language either oral or written by a student toward a staff member or another student including conduct which degrades people because of their race, religion, ethnic background, or physical or mental handicaps.

E. Threats and Disruptions:
   1. Dangerous Threats: Threats to normal school operations or school activities, including but not limited to the reporting of dangerous or hazardous situations that do not exist are unacceptable behavior.
   2. School Disruptions: Any student who disturbs or interrupts the peace and good order of the school or school-sponsored activities including electronic devices such as; radios, tape players, CD players, walkmans, beepers, telephones, cell phones, playing cards, etc. will be subject to disciplinary action.
F. Dangerous, Harmful, and Nuisance Substances and Articles
   1. Alcohol: Students are prohibited from using, possessing, or being under the influence of alcoholic beverages at school, on school grounds, or at school-sponsored activities.
   2. Drugs: Students are prohibited from using, possessing, distributing, or being under the influence of illegal drugs or narcotics at school, school-sponsored activities, or on school grounds.
   3. Use of Tobacco: Tobacco possession or use by students is prohibited at school, at school-sponsored activities, and on school grounds. Special note: Possession as well as use of tobacco will be considered a violation of Minnesota State High School League rules.
   4. Harmful or Nuisance Articles: The possession or use of articles that are nuisances, illegal, or that may cause harm to persons or property is prohibited at school and school-sponsored activities.

G. Failure to Identify Oneself: Failure to provide proper identification upon request of a staff member is unacceptable behavior.

H. Violation of Law:
   1. The violation of any state or local law or the violation of any federal law is unacceptable behavior.

I. Violations of school procedures or acts disruptive of the educational process, including disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, and trespassing.

J. Violation of school bus, transportation, or traffic regulations.

K. Possession or distribution of dangerous, slanderous, libelous, or pornographic materials.

L. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process. Clothing which advertises the use of tobacco, alcohol, or drugs is not to be worn.

M. Falsification of records, documents, or signatures.
N. Failure to complete required work, failure to cooperate, improper noon or after-school conduct, locker rules violations.

O. Violation of other school rules, policies, or procedures including failure to comply with disciplinary action.

P. In summary, the following constitute unacceptable behavior:
   1. Willful conduct which materially and substantially disrupts the right of others to an education;
   2. Willful conduct which endangers School District #2854 employees, the pupil or other pupils, or the property of the school;
   3. Willful violation of any rule of conduct specified in this discipline policy.

Q. Electronic Equipment:
   - Personal Digital Assistants (Palm Pilots), calculators, graphing calculators, and laptops may be used in the classroom with teacher permission.
   - Use of cell phones, compact disk players, Game Boys, digital cameras, MP3 players and headphones are not allowed during or before the school day. Cell phones and digital cameras are NOT allowed in locker rooms, bathrooms, or any other dressing facilities.
   - Radios, tape decks, TV’s, laser pens, virtual pets, CD’s or games rated for mature audiences, or anything deemed to be inconsistent with the educational mission of the school are not permitted on school grounds.
   - All of these items are the sole responsibility of the student. As these items serve as targets for theft, students are advised to keep them locked in their cars or lockers.
   - If an item interferes with the educational mission of the school:
     First Offense - Item will be confiscated and the student can pick it up at the end of the day. Notification will be sent to the parent/guardian.
     Second Offense – Item will be confiscated and the parent can pick it up at the end of the day.
     Third Offense – Item will be confiscated and will be returned to the parent at the end of the school year.
   - If a student refuses to relinquish an item when directed by a teacher or staff, the student will be disciplined for insubordination.
   - Use of electronic equipment or bus trips will be at the discretion of the teacher/advisor/coach.
III. DISCIPLINARY ACTION

A. Disciplinary action may include but is not limited to:
Meeting with the teacher, counselor, or principal;
Detention – After School or Saturday morning;
Loss of school privileges;
Parental conference with school staff;
Modified school programs;
Removal from class;
Suspension;
Exclusion; and Expulsion.

B. Removal from Class:

1. Removal from class is the short-term exclusion of a student from a class or classes during which the school retains custody of the student. Informally, the teacher may send the student to the office; the student will be supervised for the remainder of the period. Formally, the teacher will make out a Disciplinary Referral. The principal will consult with the teacher and hold a conference with the student. The principal and teacher will agree on the length of removal - not to exceed three class periods. Students removed from class shall be the responsibility of the principal or his lawful designee. The removal from class may be imposed without an administrative conference where it appears that the student will create an immediate and substantial danger to himself or to persons or property around him. Students shall be returned to class upon completion of the terms of the removal established at the informal administrative conference including but not limited to the completion of any make-up work.

C. Disciplinary Procedures:

Informal disciplinary procedures will be used as necessary by staff members in working with students.

Formal disciplinary action begins with the writing of a Disciplinary Referral, ordinarily by the teacher or the principal. The principal will confer with the student and process the referral. Disciplinary action will be taken by the principal according to the following guidelines:
First, Second, or Third Referral during the School Year:

1. One period of after-school detention. If the referral is for unexcused absence, one period of Saturday detention will be assigned for each period missed.
2. Notification of parent by phone.
3. Copy of referral to parent by mail.
4. Copy of referral to originator.
5. Copy of referral to detention file until detention is completed, then to office file and student's cumulative record.

Fourth Referral:

1. All of the above actions including the after-school detention, plus
2. The parent will be asked to attend classes with the student for one day; if unable to do so, one day of in-school detention will be assigned.
3. A conference with involved school staff members and the parent.

Fifth Referral:

1. The same actions as for a fourth referral except that the parent will be asked to attend classes with the student for two days or two days of in-school detention will be assigned.

Sixth Referral:

1. Three days of out-of-school, at-home suspension will be assigned.
2. Procedures 2-6 under First Referral will be followed and provisions of the Minnesota Pupil Fair Dismissal Act will be followed.
3. A conference with involved school staff members and the parent.
4. Notification of the school board of the referral.

Succeeding referrals will be treated as sixth referrals with recommendation to the school board to consider expulsion.
D. Detention:

After-school detention will be Monday-Thursday, from 3:08-4:00 p.m. at the high school. Assignment to detention takes priority over other school activities. Detention will not be postponed for reasons such as outside jobs. Unexcused absence from detention is a rules violation and subject to disciplinary action. Students are to bring schoolwork with them to detention. After-school detention or in-school detention will be supervised by the principal or an assigned staff member. Saturday Detention will be assigned for attendance related or specific behavior violations.

E. Suspension: Suspension is the short-term exclusion of the student from school for no more that ten (10) days during which the school is relieved of custody of the child. Suspension, exclusion and expulsion shall be utilized in accord with The Pupil Fair Dismissal Act revised 1998.

F. Copies of this policy shall be published in the Student Handbook and distributed to all students during the first month of the school year. All policies concur with The Pupil Fair Dismissal Act as revised July, 2009. Copies of the Act will be mailed to parents and are available in the high school office.

G. Parents shall be notified in writing of violation of the rules of conduct and resulting disciplinary actions by first-class mail except as provided otherwise by The Pupil Fair Dismissal Act. Students shall be notified of violations of the Rules of Conduct and resulting disciplinary actions verbally except as provided otherwise by The Pupil Fair Dismissal Act.

IV. RIGHTS, PRIVILEGES, RESPONSIBILITIES

I. Philosophy. Every student who displays a genuine effort to profit from the educational experience provided, will succeed to the limit of his or her individual ability. To attend Ada-Borup Public Schools is a privilege and an opportunity. If students are not ready to accept the type of behavior which is in keeping with the schools' philosophy and objectives, they cannot expect to continue their membership.
## A. SCHOOL RESPONSIBILITIES

1. School Board  
   a. To review annually the existing discipline policy.  
   b. To support the administration in all actions taken involving discipline and that fall within the guidelines of this policy.  

2. Superintendent  
   a. To keep the school board informed of any changes in the state’s Student Conduct and Discipline Policy.  
   b. To make sure that due process is followed in all disciplinary actions taken.  

3. Principal  
   a. To inform the student body of school policies.  
   b. To make sure every student receives a copy of the school’s discipline policy.  
   c. To interpret the school discipline policy. To make sure it is followed, and that necessary disciplinary actions are carried out.  
   d. To make recommendations to the board on students who should be expelled.  
   e. To convene a disciplinary committee to meet every spring to review existing policy.  

4. Teachers  
   a. To handle minor disciplinary problems in the classroom or any area under their supervision.  
   b. To make referrals to the principal on students who they feel warrant further disciplinary action.  

5. Counselor  
   a. To sit in on all informal administrative conferences in which a student faces a possible suspension or expulsion.  
   b. To hold an informal conference with every student who has been suspended immediately following his/her return to school.
B. PARENT/GUARDIAN RESPONSIBILITIES
   1. To read the student handbook and the school's discipline policy.
   2. Report to school officials any violations of the rules by their children.
   3. Support the school board and administration on any corrective actions taken, within the guidelines of the district's policy.

C. STUDENT RIGHTS, PRIVILEGES, RESPONSIBILITIES
   1. Rights and Privileges:
      a. The right to a free and full education and the right to learn.
      b. The right to equal educational opportunity and to freedom from discrimination.
      c. The right to due process of law.
      d. The privilege to participate in student activities.
      e. The right to not be detained in school for disciplinary or other reasons for more than one hour after the close of the maximum school day.
      f. The right to be informed at least 24 hours prior to the next scheduled detention.
      g. The right to have an informal conference to present his/her version and evidence in his/her defense, and to be advised of the reason for disciplinary action.

   2. Responsibilities:
      a. The responsibility to attend school daily, except when excused, and to be on time to all classes and other school functions.
      b. The responsibility to make necessary arrangements for making up work when absent from school.
      c. The responsibility to be aware of all school rules and regulations and conduct themselves in accord with them.
      d. The responsibility to assume that until a rule is waived, altered, or repealed, it is in full effect.
      e. The responsibility to be willing to volunteer information in disciplinary cases and cooperate with school staff should they have important knowledge relating to such cases.
      f. The responsibility to protect and take care of the school's property.
      g. The responsibility to dress and groom to meet fair standards of safety and health and common standards of decency.
      h. The responsibility to satisfy disciplinary penalties when scheduled, realizing that they take priority over other school activities.
DISCIPLINE PROCEDURE FOR STUDENTS ON AN INDIVIDUALIZED EDUCATIONAL PLAN

1. In the event that a student is currently on an Individualized Educational Plan, the first thing will be to review the Plan, to see if a positive behavior support plan is in place on the IEP. The IEP team is encouraged to conduct a functional behavioral evaluation and develop a Positive Behavioral Support plan for any student whose behavior is impacting his education.

2. If a behavior plan is in place on the IEP, that plan will be reviewed and if determined to be appropriate, it will be used to discipline the student.

3. If the student has received 10 days of out of school suspension or is nearing the 10 days, a manifestation determination meeting will be held to determine if the behavior is a part of the student’s disability.

4. If it’s determined by the team, that the behavior is part of the student’s disability, the team would come up with a Positive Behavior Intervention Plan, if one has not been previously developed, that would focus on teaching the student how to appropriately manage behavior. This would be added to the student’s IEP. If the Positive Behavior Support Plan fails to alter the behavior, the team will continue to meet to discuss other options.

5. If the team determines the behavior is not a part of the student’s disability, the regular school discipline policy will be used.