

I. PURPOSE

The purpose of this policy is to ensure that students are aware of and comply with the NWSISD expectations for student conduct. Such compliance will enhance NWSISD's ability to maintain discipline and ensure that there is no interference with the educational process. NWSISD will work with its member districts to take appropriate disciplinary action when students fail to adhere to the Code of Student Conduct established by this policy.

II. GENERAL STATEMENT OF POLICY

The school board recognizes that individual responsibility and mutual respect are essential components of the educational process. The school board further recognizes that the nurturance of the maturing process for each student is of primary importance and is closely linked with the balance that must be maintained between authority and self-discipline as the individual progresses from a child's dependence on authority to the more mature behavior of self-control.

All students are entitled to learn and develop in a setting which promotes respect of self, others and property. Proper positive discipline can only result from an environment which provides options and stresses student self-direction, decision-making and responsibility. NWSISD programs and activities can function effectively only with internal discipline based on mutual understanding of rights and responsibilities.

Students must conduct themselves in an appropriate manner that maintains a climate in which learning can take place. Overall decorum affects student attitudes and influences student behavior. Proper student conduct is necessary to facilitate the education process and to create an atmosphere conducive to high student achievement.

Although this policy emphasizes the development of self-discipline, it is recognized that there are instances when it will be necessary to administer disciplinary measures. The position of the district is that a fair and equitable district-wide student discipline policy will contribute to the quality of the student's educational experience. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40 through 121A.56.

In view of the foregoing and in accordance with Minn. Stat. § 121A.55, the school board, with the participation of district staff, students, parents and community members and such other individuals and organizations as appropriate, has developed this policy which governs student conduct and applies to all students of NWSISD.

III. AREAS OF RESPONSIBILITY

- A. The School Board. The school board holds all school personnel responsible for the maintenance of order within NWSISD and supports all personnel acting within the framework of this discipline policy.
- B. Executive Director. The Executive Director shall 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 shall 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 school board for approval and shall be attached as an addendum to this policy.
- D. District Personnel. All district personnel shall be responsible for contributing to the atmosphere of mutual respect within NWSISD programs and activities, and enforcing the Code of Student Conduct. Their responsibilities relating to student behavior shall be as authorized and directed by the Executive Director. A NWSISD staff member or bus driver, in exercising the person's lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.
- E. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with district staff and to participate regarding the behavior of their children.
- F. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- G. NWSISD Member School Districts. Member school districts shall impose consequences on students who violate the NWSISD Code of Student Conduct in accordance with their own Code of Student Conduct.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

IV. STUDENT RIGHTS

All students have the right to an education and the right to learn.

V. STUDENT RESPONSIBILITIES

All students have the responsibility:

- A. for their behavior and for knowing and obeying all district rules, regulations, policies and procedures as outlined in the Code of Student;
- B. to attend all NWSISD programs and activities they are registered for, except when excused, and to be on time;
- C. to make necessary arrangements for making up work when absent from NWSISD programs and activities;
- D. to assist the district staff in maintaining a safe environment for all students;
- F. to be aware of all school rules, regulations, policies and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. to assume that until a rule or policy is waived, altered or repealed, it is in full force and effect;
- H. to be aware of and comply with federal, state and local laws;
- I. to volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with district staff as appropriate;
- J. to respect and maintain the space in which NWSISD programs and activities are held, and the property of others;
- K. to dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable NWSISD's and the student's home school district's policies;
- L. to avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M. to conduct themselves in an appropriate physical or verbal manner; and
- N. to recognize and respect the rights of others.

VI. CODE OF STUDENT CONDUCT

NWSISD programs and activities are an extension of its member school district's programs and activities. Thus, NWSISD shall comply with the Codes of Student Conduct of its member districts. Students violating their home school district's Code of Student Conduct shall be referred to their home school district for appropriate disciplinary action. However, this does not prohibit NWSISD from imposing consequences on students as a result of serious and/or repeated violations of the Code of Student Conduct.

VII. REMOVAL OF STUDENTS FROM A NWSISD PROGRAM OR ACTIVITY

- A. Staff have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning other consequences, or contacting the student's parents. When such measures fail, or when a staff member determines it is otherwise appropriate based upon the student's conduct, the staff member shall have the authority to remove the student from the program or activity pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean any actions taken by a NWSISD staff member to prohibit a student from attending a program or activity for a period of time not to exceed five (5) days or sessions, pursuant to this discipline policy.

Grounds for removal from a NWSISD program or activity shall include any of the following:

1. Willful conduct that disrupts the rights of others to an education, including conduct that interferes with a staff member's ability to teach or communicate effectively with students in a program or activity, or with the ability of other students to learn;
2. Willful conduct that endangers surrounding persons, including NWSISD staff, 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 NWSISD staff, requires removal of the student from class. Such removal shall be for at least one (1) day or session and shall not exceed five (5) days or sessions.

B. Procedures for Removal of a Student From a Class

1. When a staff member determines a student's needs to be removed from a program or activity while it is in session, that staff member shall contact their supervisor and request the student be escorted to the program or activity site office or other alternative space at the site.
2. The staff supervisor shall contact the removed student's parent or guardian. Arrangements will be made for transporting the student home.
3. Staff shall provide written notification to the student's parent or guardian stating why the student was removed and the duration of the removal. Staff, or appropriate staff from the student's home district, shall meet with the student and her/his parent or guardian to discuss the student's behavior, alternatives to that behavior, and behavioral expectations for the student when the student returns to the NWSISD program or activity.
4. Staff, the student or the student's parent or guardian may request the presence of a district family support worker to assist the family or student with any issues that may be causing the student to behave in an unacceptable manner.
5. If a student with a disability or IEP is removed from a NWSISD program or activity, the student's home school district shall follow up with the student and his/her parents or guardian. The home school district and student's parents or guardian shall determine if further assessment of the student is needed, or if the student's current IEP needs revision.

VIII. DISMISSAL

- A. "Dismissal" means the denial of the current district program or activity to any student, including exclusion, expulsion and suspension. Dismissal does not include removal from the program or activity.

The district shall not deny due process or equal protection of the law to any student involved in a dismissal proceeding, which may result in suspension, exclusion or expulsion.

- B. 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:

1. willful violation of any reasonable school board regulation, including those found in this policy;
2. willful conduct that significantly disrupts the rights of others to an education and including conduct that interferes with a staff member's ability to teach or communicate effectively with students during a NWSISD program or activity, or with the ability of other students to participate during the program or activity;
3. willful conduct that disrupts the NWSISD program or activity or its environment; or
4. willful conduct that endangers the student or other students, or surrounding persons, including NWSISD staff, or the facility where the program or activity is held.

IX. STUDENT DISCIPLINE RECORDS

The record of student discipline, including disciplinary action taken by NWSISD, shall be maintained by the student's home school district. The collection, dissemination, and maintenance of student discipline records shall be consistent with applicable NWSISD policies and federal and state law, including the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13.

X. DISTRIBUTION OF POLICY

The district will notify students and parents of the existence and contents of this policy in such manner, as it deems appropriate. Copies of this discipline policy shall be made available to all students enrolled in NWSISD programs or activities, and their parents or guardians, at the commencement of each school year and to all new students and parents upon enrollment in a NWSISD program or activity. This policy shall also be available upon request at each NWSISD program or activity site.

XI. REVIEW OF POLICY

The Executive Director or her/his designee and representatives of parents, students and staff shall confer at least annually to review this discipline policy, determine if the policy is working as intended, and to assess whether the discipline policy has been enforced. Any recommended changes shall be submitted to the Executive Director for consideration by the school board, which shall conduct an annual review of this policy.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota Students)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.26 (School Preassessment Teams)

Minn. Stat. § 121A.27 (School and Community Advisory Team)
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)
Minn. Stat. Ch.125A (Students With Disabilities) and IDEA 1997
Minn. Stat. §§ 121A.40 to 121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)
Minn. Stat. §§ 121A.582 (Reasonable Force)
Minn. Stat. §§ 121A.60 to 121A.61 (Removal From Class)
Minn. Stat. § 123A.05 (Area Learning Center Organization)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. §§ 124D.07 and 124D.08 (Enrollment in Nonresident District)
Minn. Stat. § 124D.08 (Enrollment in Nonresident District)
Minn. Stat. 125A (Students with Disabilities)
Minn. Stat. Ch. 260A (Truancy)
Minn. Stat. 260C (Juvenile Court Act)
Goals 2000: Educate America Act 20 U.S.C. 5801 et seq.
20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 et seq. (Section 504 of the Rehabilitation Act of 1973)
34 C.F.R. § 300.640(e)(1) Manifestation Determination

Cross References: NWSISD Model Policy 413 (Harassment and Violence)
NWSISD Policy 501 (School Weapons Policy)
WSISD Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
NWSISD Policy 503 (Student Attendance)
NWSISD Policy 505 (Distribution of Nonschool-Sponsored Materials on Premises or at NWSISD Program or Activity Sites by Students and Staff)
NWSISD Model Policy 524 (Internet Acceptable Use and Safety Policy)
NWSISD Model Policy 525 (Violence Prevention)
NWSISD Policy 526 (Hazing Prohibition)
NWSISD Model Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)
NWSISD Model Policy 610 (Field Trips)
NWSISD Model Policy 709 (Student Transportation Safety Policy)

Adopted: January 15, 2003

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Revised: May 18, 2011

(Sample Form)
NOTICE OF DISMISSAL OR SUSPENSION
(Date)

(Name of Parent or Guardian)
(Address)
(City, State, Zip)

Dear (Parent or Guardian)

Name of Student has been dismissed/suspended from (name of school) for number of days commencing on (date)

The grounds for dismissal/suspension are:

Briefly, the facts that have been determined are:

The testimony received was:

An administrative conference to determine the above was conducted before

_____, at _____ on _____
(Name of Administrator) (Time) (Date)

pursuant to Minn. Stat. §§127.26-127.39, a copy of which is enclosed.

The plan of readmission is:

While suspended, the student may not attend any NWSISD programs or activities or be at any of their sites, except with you for the purpose of discussing conduct.

If you have any questions, please call.

Sincerely,

Enc: Minn. Stat. §§127.26-127.39