

I. PURPOSE

The purpose of this policy is to recognize that violence has increased and to identify measures that NWSISD will take in an attempt to maintain a learning and working environment that is free from violent and disruptive behavior.

The school board is committed to promoting healthy human relationships and learning environments that are physically and psychologically safe for all members of the community. It further believes that students are the first priority and they should be protected from physical or emotional harm during NWSISD programs and activities, both on and off site.

II. GENERAL STATEMENT OF POLICY

- A. The policy of NWSISD is to strictly enforce its weapons policy (Policy 501).
- B. The policy of NWSISD is to act promptly in investigating all acts, or formal or informal complaints, of violence and take appropriate disciplinary action against any student or staff member who is found to have violated this policy or any related policy.
- C. The Executive Director will periodically review discipline policies and procedures, prepare revisions if necessary, and submit them to the school board for review and adoption.
- D. NWSISD will implement approved violence prevention strategies to promote safe and secure learning environments, to diminish violence during NWSISD programs and activities, and to aid in the protection of children whose health or welfare may be jeopardized through acts of violence.

III. IMPLEMENTATION OF POLICY

- A. The school board will review and approve policies to prevent and address violence during NWSISD programs and activities. The Executive Director or her/his designee will develop procedures to effectively implement NWSISD's weapons and violence prevention policies. It shall be incumbent on all NWSISD students and staff to observe all policies and report violations to the appropriate NWSISD staff.
- B. The school board and Executive Director will inform NWSISD staff and students annually of policies and procedures related to violence prevention and weapons.

- C. NWSISD will act promptly to investigate all acts and formal and informal complaints of violence and take appropriate disciplinary action against any NWSISD student or staff member found to have violated this policy or any related policy.
- D. The consequences set forth in the district's weapons policy (Policy 501) will be imposed upon any NWSISD student or nonstudent who possesses, uses or distributes a weapon when at a NWSISD program or activity site.
- E. The consequences set forth in NWSISD's hazing policy (Policy 526) will be imposed upon any NWSISD student or staff who commit an act against a NWSISD student or staff member; or coerces a NWSISD student or staff member into committing an act, that creates a substantial risk of harm to a person in order for the NWSISD student or staff member to be initiated into or affiliated with an organization, or for any other purpose.
- F. Students with disabilities may be suspended or terminated from their participation in NWSISD programs or activities for behavior unrelated to their disabilities, subject to the procedural safeguards required by the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and the Pupil Fair Dismissal Act.
- G. Procedures will be developed for the referral of any person in violation of this policy or the weapons policy to the local law enforcement agency in accordance with Minn. Stat. § 121A.05.
- H. Students are expected to adhere to their home school district's policies regarding dress. Students found to be in violation of their home school district's Student Dress and Appearance policy while participating in a NWSISD program or activity will be referred to their home school district for appropriate disciplinary action. Students wearing articles of clothing that are offensive to NWSISD staff or students, while participating in NWSISD programs or activities, will be asked to change or remove that article of clothing. Both the student's parent/guardian and appropriate staff from the student's home school district will be notified of the student's inappropriate dress.
- I. This policy is not intended to abridge the rights of students to express political, religious, philosophical, or similar opinions by wearing apparel on which such messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, defamatory, profane, denote gang affiliation, advocate harassment or violence against others, are likely to disrupt the education process, or cause others to react in a violent or illegal manner. (Policy 504)

IV. PREVENTION STRATEGIES

NWSISD has adopted and will implement the following prevention strategies to promote safe and secure learning environments, to diminish violence during

NWSISD programs and activities, and to aid in the protection of children whose health or welfare may be jeopardized through acts of violence.

- A. Adopt a district crisis management policy to address potential violent crisis situations in the district.
- B. Provide training in recognition, prevention, and safe responses to violence, and development of a positive learning climate.
- C. In-service training for NWSISD staff in aspects of reporting, visibility and supervision as deterrents to violence.
- D. Promote student safety responsibility by encouraging the reporting of suspicious individuals and unusual activities at NWSISD program or activity sites.
- E. Establish clear rules that prevent and deter violence.
- F. Develop cross-cultural awareness programs to unify students of all cultures and backgrounds, to develop mutual respect and understanding of shared experiences and values among students, and to promote the message of inclusion.

V. STUDENT SUPPORT

- A. Students will be apprised of school board policies designed to protect their personal safety.
- B. Students will be provided with information as to NWSISD rules regarding weapons and violence.
- C. Students will be informed of resources for violence prevention and proper reporting.

VI. STAFF

- A. NWSISD staff shall comply with the district's weapons policy (Policy 501) and its hazing policy (Policy 526).
- A. NWSISD staff shall be knowledgeable of violence prevention policies and report any violation to the appropriate NWSISD staff immediately. NWSISD staff will be informed annually as to NWSISD rules regarding weapons and violence prevention.
- B. NWSISD staff or its agents shall not engage in emotionally abusive acts including malicious shouting, ridicule, and/or threats or other forms of corporal punishment. (Policy 507).

- Legal References:** Minn. Stat. §§ 121A.40 - 121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)
Minn. Stat. § 121A.57 (Crisis Management Policy)
Minn. Stat. § 121A.69 (Hazing Policy)
Minn. Stat. § 121A.05 (Policy to Refer Firearms Possessor)
18 U.S.C. §921 (Definition of Firearm)
29 U.S.C. § 794 et seq. (§ 504 of Rehabilitation Act of 1973)
20 U.S.C. 1401 et seq. (IDEA, Individuals with Disabilities Act)
Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 31 (1969)
Stephenson v. Davenport Community School District, 110 F.3d 1303 (8th Cir. 1997)
McIntire v. Bethel School I.S.D. No. 3, 804 F.Supp. 1415, 78 Educ. L. Represent. 828 (W.D. Okla. 1992)
Olesen v. Board of Educ. of Sch. Dist. No. 228, 676 F.Supp. 822, 44 Educ. L.Rep. 205 (N.D. Ill. 1987)
- Cross References:** NWSISD Policy 413 (Harassment and Violence)
NWSISD Policy 501 (School Weapons Policy)
NWSISD Policy 506 (Student Discipline)
NWSISD Policy 507 (Corporal Punishment)
NWSISD Policy 526 (Hazing Prohibition)
MSBA Service Manual, Chapter 6, District Education Program (A-11: Student Suspension, Exclusion and Expulsion)

Adopted: March 19, 2003