

Mounds View Public Schools Ends and Goals Regulation

EG-3109 Student Rights and Responsibilities

The following regulations are written to support Policy EG-3109:

STUDENT RIGHTS AND RESPONSIBILITIES

Mounds View Public Schools will develop and enforce the following standards for rights and responsibilities of students in schools:

- To define individual rights and responsibilities of students, staff, and parents.
- To clarify standards of conduct expected of students.
- To establish reasonable rules for governing school life.
- To facilitate, as far as is possible, a fair, positive program which will reduce the need for disciplinary actions through the early detection of problems and implementation of preventive measures.
- To assure that applicable constitutional and statutory rights of individuals are observed.
- To provide information about policies, rules, regulations and standards of conduct to students, parents, staff and community using such means as written communications, student meetings, and classroom discussion.

Rights and Responsibilities

Every individual in the school system must take direct personal and active responsibility for his/her own behavior and its related outcomes. All individuals in Mounds View Public Schools are expected to follow this policy and accompanying rules and regulations in a fair, firm and respectful manner.

Students

- Students will have the right to be informed and the right to applicable due process procedures.
- Students are responsible and accountable for their behavior. They are responsible for knowing and obeying all school rules and regulations.
- Students are responsible for complying with reasonable instructions and directives given by any School District personnel and for accepting the direction of the faculty and School District officials on school property and at school sponsored off-campus events.
- Special education students have the same responsibilities as other students. Services are available to students whose special needs may cause them difficulty in complying with the rules.

Parents/Guardians

Parents/guardians have the right to be informed about matters concerning their children. Cooperation between parents or legal guardian and the school is essential in assisting students to work and achieve to the best of their abilities and to maintain a successful school experience.

Parents/guardians have a responsibility in helping to maintain communications with the school by participating in school community activities, attending scheduled individual conferences, and reporting their concerns to the principal or a faculty member.

Parents/guardians are expected to exercise the required control so that the student's behavior will be conducive to learning and to the development of self-discipline and will not be disruptive to the school's function in educating students.

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Standards of Conduct

Therefore, it is necessary that students conduct themselves in a manner not to infringe on the rights of any individual in the schools or interfere with the educational opportunities of other students. Essential elements for generating and maintaining positive attitudes and acceptable behavior in the schools include the following:

- A. Respect the unique value of each person.
- B. Treat every individual with dignity.
- C. Recognize and respect individual differences among people.
- D. Know and expect rights.
- E. Know and fulfill responsibilities.
- F. Set reasonable expectations.
- G. Establish and communicate clear and practical rules and procedures for protecting the rights of all individuals in the schools.
- H. Administer all rules and procedures promptly, fairly and consistently.

Basic Procedural Due Process

- A. Students will be informed of all policies, rules and regulations dealing with student rights and responsibilities.
- B. Parents will have the opportunity to be informed of all policies, rules and regulations dealing with student rights and responsibilities.
- C. Prior to implementation of corrective measures, students must be informed of the reason for such corrective measure(s) either orally or in writing, depending on the severity of the case.
- D. Students should be given the right to explain their account of an incident.
- E. Parents will be informed of any behavior by the student which may result in formal disciplinary action and will be informed of any corrective or disciplinary measures taken in accordance with state statutes, rules and regulations.
- F. The extent of involvement of parents in conferences will depend on the severity of the infraction and will be decided by the principal.
- G. Any disciplinary action taken and the date it occurred will be documented.
- H. A variety of consequences may be considered or utilized in order to encourage a positive behavioral change.
- I. Decisions for disciplinary action may be based on one incident or may be based on several related incidents. However, decisions for disciplinary action involving suspension should not be based on different types of past incidents regardless of the frequency of those incidents.
- J. Pursuant to M.S. 127.45, corporal punishment as a means of disciplinary action is prohibited in the Mounds View Public Schools. Pursuant to M.S. 609.06, reasonable force may be used by a teacher or other lawful custodian of a student in the exercise of lawful authority to restrain or correct such student.

Examples of Corrective Measures

Corrective measures used and parental involvement in these will depend upon the violation, its frequency, and the degree to which the student is willing to correct unacceptable behavior. Corrective measures may include but are not limited to:

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- A. Informal discussion of violation and possible warning - Depending on the infraction the violation may be discussed with the student and a warning may be given that, if it occurs again, the student's parents will be notified. The incident, action taken and date it occurred should be documented.
- B. Consideration of the student for placement in an available appropriate alternative educational program which may include, but is not limited to:
- 1) Change of school schedule in cooperation with appropriate staff member(s).
 - 2) Formal staffing conference, which should include the principal or associate principal, the counselor or unit leader, a classroom teacher and one specialist for the purpose of considering appropriate alternative placement.
 - 3) Special education staffing as prescribed by regulations of P.L. 94-142.
- C. Contact with parents/guardians by telephone, in writing, by means of a conference.
- If a student has violated a rule and the offense is a serious matter, a parent/guardian consultation is required. If a parent/guardian is unable to come in for a conference, a letter or telephone call may be used to consult with parent/guardian and/or to describe the actions which could result if the student's behavior does not improve. The incident, action taken and date of parental consultation or, if the parent/guardian is not available, the date of attempted notification of the parent/guardian must be documented.
- D. Class dismissal - Removal of a student from the classroom is addressed on page 7 of this regulation.
- E. Detention - Detention is defined as requiring a student to remain after normal school hours as a disciplinary action because of some misbehavior on the part of the student. Detention may be given by any professional staff member, according to rules established in each school.
- F. Non-Participation in School Sponsored Activities - Students may not be allowed to participate in school-sponsored activities such as field trips, athletic and fine arts competitions and activities, academic competitions or activities, commencement exercises and activities, school dances, etc.
- G. Restitution - Students will be responsible for the replacement, repair, or service fee costs which result in any way from their inappropriate behavior.
- H. Formal referral to outside agencies - Formal referral to outside agencies will include assistance or actions solicited from outside agencies with regard to any student problem. These agencies may include but are not limited to the Northwest Youth and Family Services, counseling agencies, drug therapy treatment centers, Ramsey County Mental Health Division, Ramsey County Juvenile Court Services, and Ramsey County Social Services. The principal or a designee and parent/guardian will be consulted if any community services are to be used for a student or if a student is to be referred to a community resource. An exception to this requirement may occur if a student has reached the age of majority.

Outside agencies may interview students only with the principal's knowledge and consent when it is anticipated that a referral to an outside agency may result in assessments, instructional services, and/or recommendation for which Mounds View Public Schools is fiscally responsible. Consultation with appropriate specialists may also occur prior to referral outside Mounds View Public Schools. The incident, action taken and date it occurred must be documented.

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- I. Dismissal - Suspension, expulsion, and exclusion of a student from school will be handled pursuant to M.S. 127.27 - 127.33.

Law Enforcement-Student Interaction

When a student's behavior may have violated law, the principal or his/her designee may contact local law enforcement.

If law enforcement become involved with a student based upon a referral from the principal or designee, or other school related source, the principal or designee will make reasonable efforts to notify the parents of that involvement. This is not intended to replace any notification requirement that the law enforcement may have.

If law enforcement request an interview of a student, the principal or designee will, where practicable, request to be present for the interview, unless state or federal law does not permit school officials to be present for the interview. To the extent possible, the interview will be conducted in a room removed from the observation of other students. Law enforcement has the responsibility to afford the student with all constitutional rights whether or not the interview occurs on school premises. The principal or designee present for the interview will document the date and any actions taken during or as a result of the interview.

When law enforcement seek to enforce an arrest warrant or seek to arrest a student on school premises for non-school related incidents, they are hereby requested to check in with the principal or designee. Upon arrest, the police or legal authorities will assume full responsibility for the student. Police or legal authorities will be responsible for completing the arrest consistent with applicable professional law enforcement standards. The principal or designee will assist legal authorities, to the extent appropriate, to effectuate the arrest as unobtrusively as possible. The principal or designee will attempt to contact the parent/guardian promptly and will document the contact.

Law enforcement interaction with a student may not be written into an Individualized Education Plan (IEP). Those students on an IEP may be removed from school grounds in a manner consistent with this section.

Illustrations of Acceptable Behavior and Methods for Dealing with Deviations from Standards

STUDENT ATTENDANCE (tardiness, truancy, skipping classes)

Regular attendance and participation in the classroom learning experience are essential to the continuity of the instructional process.

Responses to Violation: Student attendance will be governed by rules as established on page 14 of this regulation.

Applicable due process procedures will be followed. Any action taken and the date it occurred will be documented.

DISRUPTIVE BEHAVIOR (in the classroom, on the school premises, on the bus, or at school events)

It is the responsibility of each student in Mounds View Public Schools to display conduct which is socially acceptable and which does not endanger the welfare of any individual in the schools or interfere with the educational opportunities of other students.

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Student Rights and Responsibilities (continued)

Responses to Violation: Removal of a student from the classroom will be subject to the terms on page 7 of this regulation. All other forms of disruptive behavior will be dealt with in accordance with regulations established by each school. Applicable due process procedures will be followed. Any action taken and the date it occurred will be documented.

USE OF CONTROLLED SUBSTANCES (use of tobacco, alcohol, other controlled substances)
Mounds View Public Schools is committed to providing a healthy, caring environment through providing school facilities that are free from the use or misuse of controlled substances. "School facilities" include all Mounds View Public Schools property and vehicles or wherever students or employees are at school-sponsored events.

Responses to Violation:

Elementary Students: Referral will be made to pupil problem-solving teams and school discipline will be administered as appropriate.

Middle School and High School Students: Discipline will be administered according to violation procedures printed in student handbooks.

POSSESSION OF WEAPONS "Weapons" include any firearm, whether loaded or unloaded, any device designed as a weapon or through its use is capable of producing bodily harm or death, or any device or instrument which is used to threaten or cause bodily harm or death. Examples of weapons include but are not limited to: guns, including air guns; knives; clubs; metal knuckles; numchucks; throwing stars; explosives, including fireworks; stunguns; and ammunition. "Possession" includes having a weapon on one's person or in any area subject to one's control, at school, on or near school premises, or at school-sponsored activities.

The possession of weapons is prohibited.

Responses to Violation:

- a. The weapon will be confiscated.
- b. The student will be immediately suspended.
- c. The police and other appropriate authorities will be notified.
- d. In cases of firearms, the student will be expelled for one year. This requirement may be modified by the School Board on a case by case basis.
- e. If expulsion is being considered for possession of weapons other than firearms, the Principal and the Deputy Superintendent or a designee will investigate the incident and recommend to the Superintendent appropriate discipline pursuant to school regulations in compliance with the Pupil Fair Dismissal Act, Minn. Stat. 127.27-.39 (1990).

In any corrective action, applicable due process procedures will be implemented. Any action taken and the date it occurred will be documented.

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Misuse of, Damage or Unauthorized Access to the District Computer System

The District System consists of all Mounds View Public Schools computers and communications equipment, including but not limited to, all computers, Internet access, electronic mail systems, voice mail systems, databases, network storage devices, facsimile machines, cable television system, and all other audio or video systems.

Use of the District System is a privilege and not a right. The District's System may only be used for appropriate educational purposes. In general terms, appropriate educational purposes include school administration, classroom instruction, educational research.

Student behaviors that may constitute misuse, damage, or unauthorized access include, but are not limited to the following: sending or receiving messages, pictures, or documents that are fraudulent, illegal, pornographic, obscene, indecent, sexually explicit, discriminatory, harassing, defamatory, threatening, or which are intended to promote or incite violence against a person or property.

Students are prohibited from using software that is designed to destroy data, provide unauthorized access to computer or communication equipment, or which would disrupt the District System in any way.

Students are prohibited from installing software, without authorization, on the District System.

Students are prohibited from doing anything which would degrade the performance of the District's System including, but not limited to, deliberately disrupting a computer or the computer network.

Students are prohibited from forging, altering, or otherwise concealing the identity of the person sending messages or other forms of communication with the District System.

Damage to District System hardware is prohibited.

Response to Violation:

- a. Student access to the District System will be suspended or terminated.
- b. The student will be immediately suspended.
- c. Violation will be reported to local law enforcement for possible criminal prosecution.
- d. Damage to the District System will be repaired. Those repairs may include a thorough check of the security of the District System. Cost of the repairs will be the responsibility of the student and their family.
- e. After the investigation of the incident, appropriate additional disciplinary action consistent with the Pupil Fair Dismissal Act, Minn. Stat. 127.27-.39 may be recommended to the Superintendent. This could include exclusion or expulsion

OTHER BEHAVIORAL CONCERNS such as assaultive behavior, vandalism, theft, possession of stolen property, bomb threats, false fire alarms, reckless driving on school property, and statutory crimes.

Responses to Violations: Applicable Mounds View Public Schools policies and regulations (noted on last page of this policy) and relevant laws will be considered in responding to transgressions listed in this section. Pertinent legal references are noted in individual policies and regulations.

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Student Rights and Responsibilities (continued)

REMOVAL OF STUDENT FROM CLASS

General

It is recognized that the primary responsibility for maintaining discipline in the classroom remains with the teacher. It is also recognized that stronger measures may be required once such steps as: insuring the students are aware of the rules and expectations; conferring - formally or informally - with the student; and contacting parents and counselors concerning developing problems have proven inadequate. Thus, when the grossness of the offense, the persistence of the misbehavior, and the disruptive effect of the violation makes the continued presence of the student educationally unsound, a teacher shall direct the student from the classroom. The teacher may enlist the assistance of the principal or a designee in the removal action.

Procedures

A teacher may direct a student from the classroom for the following reasons:

- A. Disruptive behavior such as:
 - 1) Unruly physical behavior
 - 2) Threatening behavior, verbal or physical, toward the teacher and/or fellow students
 - 3) Continual disrespectful behavior
 - 4) Insubordination
- B. Vandalism and/or theft
- C. Suspected chemical indulgence
- D. Willful violation of any rule of conduct specified in Policy EG-3109 - Student Rights & Responsibilities

The teacher may solicit assistance from the principal's office in removing the student from the classroom and conducting him/her to the office of the principal. The class will not be left without supervision while a student is being conducted to the principal's office. The student will remain in the principal's office until a decision is made regarding future class status.

As soon as is practical after removal of the student from class, and no later than the end of the school day on which the removal from class occurs, the teacher shall confer with the principal and/or assigned supportive professional staff member(s) regarding the reasons for the removal of the student.

The teacher will inform the student's parents or guardian of the reasons for the removal from class. This will apply also in cases where the student is 18 years or older.

Temporary Removal from Class

- A. During a period of temporary removal from a certain class (which will not exceed five class periods for a single violation), the student's course progress will remain under the tutelage of the teacher. The teacher may, therefore, request the student to continue to work on the regular course assignments in a designated place.
- B. An informal conference will be held as soon as is practical with the student, teacher, school administrative representative, and other supportive staff the principal considers helpful in the case. At this time, the incident and its ramifications for the student will be discussed and a readmittance procedure established.

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Repeated Removal from Class

In cases of repeated occurrence of any one or a combination of reasons for removal from class listed under Procedures, a conference will be held with the student, parent or guardian, teacher, school administrative representative, and other supportive professional staff the principal deems helpful. At this time, the following may be considered:

- A. Permanent removal from class and reassignment to another class
- B. Placement into an available alternative program
- C. Referral to an outside agency
- D. Suspension

Factual, chronological documentation of incidents resulting in removal of a student from class is required to insure that due process procedures are followed. In case of suspension, due process procedures and all other legal requirements will be followed.

EXCLUSION, EXPULSION AND SUSPENSION

This policy will establish criteria and procedures for student suspension, expulsion or exclusion pursuant to M.S. 127.27-127.39.

Definitions

"Alternative Educational Services" may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, special education services as indicated by appropriate assessment, homebound instruction, or enrollment in another district or in an alternative learning center under M.S. 124C.45.

"Dismissal" means the denial of the appropriate educational program to any pupil, including exclusion, expulsion and suspension. It does not include removal from class.

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

"Expulsion" means a School Board action to prohibit an enrolled pupil from further attendance for up to twelve months from the date the pupil is expelled.

"Parent" means (a) one of the pupil's parents, (b) in the case of divorce or legal separation, the parents or parents with physical custody of the pupil, including a non-custodial parent with legal custody who has provided the District with a current address and telephone number, or (c) a legally appointed guardian. In the case of a pupil with a disability under the age of eighteen, parent may include a district-appointed surrogate parent.

"Pupil" means any student: (1) without a disability under twenty-one years of age; (2) with a disability until September 1 after the child with the disability becomes twenty-two years of age; or (3) who remains eligible to attend a public elementary or secondary school. (Disciplinary measures deemed necessary for students who are enrolled in special education programs shall be taken only in strict compliance with procedures established for these students.)

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"School" means any school defined in M.S. 120.05, subd. 2.

"School Board" means the governing body of any school district.

"Suspension" means an action by the school administration, under rules promulgated by the school board, prohibiting a pupil from attending school for a period of no more than ten school days. If a suspension is longer-than five days, the suspending administrator must provide the superintendent with a reason for the longer suspension. This definition does not apply to dismissal from school for one school day or less. Each suspension action shall include a readmission plan. The readmission plan shall include, where appropriate, a provision for implementing alternative education services upon readmission. The school administration may not impose consecutive suspensions against the same pupil for the same course of conduct, or incident or misconduct, 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 the school administration may extend the suspension up to fifteen days. In the case of a pupil with a disability, a suspension may not exceed ten school days. The school administration shall implement alternative educational services to the extent that suspension exceeds five days. A separate administrative conference is required for each period of suspension.

Policy

No public school will deny due process or equal protection of the law to any public school pupil involved in a dismissal proceeding which may result in suspension, exclusion or expulsion.

Grounds for Dismissal

No school will dismiss any pupil without attempting to provide alternative educational services before dismissal proceedings, except where it appears that the pupil will create an immediate and substantial danger to self or to surrounding persons or property. A pupil may be dismissed on any of the following grounds:

- A. 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
- B. Willful conduct that materially and substantially disrupts the rights of others to an education; or
- C. Willful conduct that endangers the pupil or other pupils, or surrounding persons, or property of the school.

Suspension Procedures

Informal Administrative Conference

The school administration will not suspend a pupil from school without any informal administrative conference with the pupil. 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 the case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school administrator will notify the pupil of the grounds of the suspension, provide an explanation of the evidence the authorities have, and the pupil may represent the pupil's version of the facts.

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Written Notice

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 M.S. 127.26 to 127.39, will be personally served upon the pupil at or before the time the suspension is to take effect, and upon the pupil's parent or guardian by mail within 48 hours of the conference. The district will 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 will be served upon the pupil and the pupil's parent or guardian within 48 hours of the suspension. Service by mail is complete upon mailing.

Notwithstanding the provisions set forth above, the pupil may be suspended pending the school board's decision in the expulsion or exclusion hearing; provided that alternative educational services are implemented to the extent the suspension exceeds five school days.

Exclusion and Expulsion Procedures

No pupil can be involuntarily expelled or excluded, unless the right to a hearing is waived in writing by the pupil and parent or guardian. The action will be initiated by the School Board or its agent.

Written Notice. Written notice of intent to take action will

- A. be served upon the pupil and the pupil's parent or guardian personally or by 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 M. S. 127.26 to 127.39;
- E. describe alternative educational services accorded the pupil in an attempt to avoid the expulsion proceedings; and
- F. inform the pupil and parent or guardian of the right to: (a) have a representative of the pupil's own choosing, including legal counsel, at the hearing. The District will advise the pupil's parent or guardian that free or low cost legal assistance may be available and that a legal assistant's 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.

The Hearing. The expulsion or exclusion hearing will be scheduled within ten school days of the service of the written notice unless an extension, not to exceed five school days, is requested for good cause by the School Board, pupil, parent or guardian. The hearing will be conducted in a fair and impartial manner.

- A. The hearing will be at a time and place reasonably convenient to pupil, parent or guardian.
- B. The hearing will be closed unless the pupil, parent or guardian requests an open hearing.
- C. The pupil will have a right to a representative of his/her own choosing, including legal counsel. If a pupil is unable to retain counsel, the School Board will advise the pupil's parent or guardian of available legal assistance.

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- D. The hearing will take place before: an independent hearing officer; a member of the School Board; a committee of the School Board; or, the full School Board, as determined by the School Board.
- E. The School Board will record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense. Testimony will be given under oath. The hearing officer or a member of the School Board will have the power to issue subpoenas and administer oaths.
- F. At a reasonable time prior to the hearing, the pupil, parent or guardian, or his/her representative, will 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.
- G. The pupil, parent or guardian, or his/her representative, will have the right to compel the attendance of an 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.
- H. The pupil, parent or guardian, or his/her representative have the right to present evidence and testimony, including expert psychological or educational testimony.
- I. The pupil cannot be compelled to testify in the dismissal proceedings.
- J. The recommendation of the hearing officer or School Board member or committee will be based solely upon substantial evidence presented at the hearing and be made to the School Board within two school days of the end of the hearing.
- K. The School Board will base its decision upon the recommendation of the hearing officer or School Board member or committee and will render its decision at a meeting held within five days after receiving the recommendation. The School Board may provide the parties with an 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 appraise the parties and the Commissioner of Education of the basis and reason for the decision.

Admission or Readmission

A school administrator will prepare and enforce an admission or readmission plan for any pupil who is suspended, excluded or expelled from the school. The plan may include measures to improve the pupil's behavior, 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.

Appeal

A party to an exclusion or expulsion decision made under M. S. 127.26 to 127.39 may appeal the decision to the Commissioner of Education within twenty-one calendar days of School Board action. Upon being served with a Notice of Appeal, the District shall provide the Commissioner and the parent or guardian with a complete copy of the hearing record within five days of receipt of the notice of Appeal. All written submissions by the party appealing the decision must be submitted and served on the other party within ten days of its receipt of the transcript. All written submissions by the responding party must be submitted and served on the appealing party within ten days of its receipt of the written submission of the appealing party. An appeal under this section, the Commissioner may affirm

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the decision of the agency or may reverse or modify the decision if the substantial rights of the petitioning party may have been prejudiced because the administrative findings, inferences, conclusions or decisions are: (1) in violation of constitutional provisions; (2) in excess of the statutory authority or jurisdiction of the school district; (3) made upon unlawful procedure except as provided in M. S. 127.311; (4) affected by other error of law; (5) unsupported by substantial evidence in view of the entire record submitted; or (6) arbitrary or capricious. The Commissioner or the Commissioner's representative will make a final decision based upon the record of evidence presented at the hearing. The Commissioner will issue a decision within thirty calendar days of receiving the entire record and the party's written submission on appeal. The Commissioner's decision will be final and binding upon the parties after the time for appeal expires under M. S. 127.33.

Judicial Review

The decision of the Commissioner of Education made under M. S. 127.26 to 127.39 is subject to judicial review under M. S. 14.63 to 14.69. The decision of the Commissioner is stayed pending an appeal under this section.

SUPERVISION OF STUDENTS AT DISTRICT EVENTS

STUDENT CONDUCT

Types of misconduct which could result in removal from the event, school discipline, or referral to the police are:

- A. Use or possession of drugs and intoxicating beverages or a condition of drunkenness.
- B. Smoking or use of tobacco in any form.
- C. Possession of weapons; use of firecrackers and fireworks.
- D. Fighting, tripping, pushing others off bleachers and down stairways.
- E. Throwing objects into bleachers, spectator groups, or toward the track, playing field, or performing groups.
- F. Gaining entrance without paid admission.
- G. Use of printed programs as folded paper airplanes for sailing into spectator groups or onto the field or stage.
- H. Use of obnoxious or obscene language.
- I. Damage to property.
- J. Other conduct which endangers others, interferes with the event, or prevents others from participating in or viewing the event.

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SUPERVISION

The services of law enforcement officials may be provided at all in-District senior high football games in numbers sufficient to enforce proper conduct. All such law enforcement officials will be informed of School Board expectations as noted above.

Children below the 9th grade who attend District events should be accompanied and supervised by an adult.

NOTIFICATION TO STUDENTS AND PARENTS

This regulation will be published as necessary at the discretion of the principal or his/her designee.

SCHOOL LOCKERS

It is the policy of District #621 that school lockers are the property of the School District. At no time does the District relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school authorities for any reason at any time, without notice, without student consent, and without search warrant. The personal possessions of students within a school locker may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's personal possessions, school authorities must provide notice of the search to the student whose locker was searched unless disclosure would impede an ongoing investigation by police or school officials.

A copy of this policy will be provided to students the first time after the policy is effective that the student is given the use of a locker. The policy will be disseminated to parents and students in the same way other policies of general application to students are disseminated.

ACADEMIC HONESTY

The Mounds View School Board expects that students will achieve success with integrity. Academic dishonesty impairs a true showing of academic achievement.

Substantiated reports of academic dishonesty will result in appropriate consequences as defined in accompanying regulations and in student handbooks. Examples of academic dishonesty include, but are not limited to: theft and use of tests; use of crib sheets or other cheating devices on an exam; plagiarism or representation of a substantial piece of work as one's own without proper attribution. This policy applies to all manner, including the most current technological advances, systems, or equipment, that may be utilized for the purposes of academic dishonesty.

Elementary Students

Students will be informed that academic honesty is the rule at school. Violations will be investigated and dealt with in ways appropriate to the child's age and understanding, and in accordance with school-established guidelines. Parents will be informed of the school policy regarding academic dishonesty by means of parent newsletters.

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Middle School and High School Students

Violations will be addressed according to procedures outlined in student handbooks.

STUDENT ATTENDANCE

PURPOSE

Regular attendance and participation in classroom learning experiences is essential to the continuity of the instructional process. As a result of absences, the benefit of regular classroom instruction is lost and cannot be entirely regained, even by extra pre or post school instruction. The entire process of education requires a regular continuity of instruction, classroom participation, learning experiences and study in order to reach the goal of maximum educational benefits for each individual student. This is a well-established principle of education which underlies and gives purpose to the requirement of compulsory schooling.

Independent School District No. 621 has the consistent obligation to require that its pupils be present in school in order that they may be taught. In all cases of repeated unexcused absences from one or more classes of the school day, the school officials will attempt, first, to solve the problem without resorting to punitive measures; however, inherent in the right to an education is the responsibility of the student to attend and participate in classes regularly. This policy is for the benefit of the pupils, their parents and the community at large.

The basic philosophy is that all students must be in school every day of the school year unless they are ill, a family emergency has occurred, or they are excused on the basis of a special request from parents, guardian, or from the student, if 18 years or older, and is approved by the principal.

Worthwhile educational experiences also take place outside the school. These experiences are not considered in conflict with the school attendance philosophy, but excuse for such experiences will be subject to approval by the school principal.

Independent School District No. 621 attendance regulations will be governed by provisions of Minnesota Statutes and Minnesota State Board of Education regulations for school attendance, credit requirements, excuse, exclusion, and expulsion.

PROCEDURE

The following regulations have been established to implement the attendance policy of Independent School District No. 621:

All students will be enrolled in a full-time schedule of classes on the elementary, middle and senior high school level, and/or an approved program of work-study on the senior high school level, or Post Secondary Enrollment Options (PSEO) program. Exception will be made for students with unique educational needs (for example: homebound and medical cases).

Attendance and participation in all classes or work-study programs is required and will be enforced in accordance with State Board of Education regulations.

Mounds View Public Schools Ends and Goals Regulation

EG-3109

Student Rights and Responsibilities (continued)

Absences from Any and All Classes of the School Day

A. Elementary

1) General procedures

- a. Parents/guardians are asked to notify the school office of the reason for student absences. If no such notice is received, school office personnel will call, in a timely fashion, to determine the reason for the absence.
- b. The parent or guardian will be responsible for providing proof of the student's inability to attend school because of illness or an emergency. The homeroom teacher, or other designated personnel, may require a written excuse from the parent or guardian when the student returns to school. Such excuse will describe the reasons for the absence and indicate the dates of absence.
- c. Absences due to reasons other than illness or emergency will be unexcused unless approved by the principal prior to the absence
- d. The student will be required to complete work assigned by his/her teacher.
- e. The principal or designee may require a conference with the parent or guardian and student, if appropriate, following repeated unexcused absences so that all parties can be properly acquainted with the consequences of repeated absenteeism, and so that a solution to the problem can be discussed. The principal may ask the teacher or other professional support personnel to be present during the conference. If this intervention is not successful, the student may be referred to the Ramsey County Attorney's Family Truancy Intervention Program (FTIP).

FTIP Referral Procedures for Elementary Aged Students:

- Step 1: When a student has 3 unexcused absences or 5 unexcused out-of-building tardies. A written notification (attendance alert letter) will be sent to the family regarding the school attendance issue with a warning that a failure to improve attendance may result in a referral to the Family Truancy Intervention Program (FTIP).
- Step 2: When a student has 5 or more unexcused absences or 10 unexcused out-of-building tardies. A complete FTIP Referral Form will be filled out.
- Step 3: When a student has 7 or more unexcused absences or 15 unexcused out-of-building tardies. The principal or designee will meet with the parent(s) and student to complete an In-School Attendance Contract.
- Step 4: When a student has 10 or more unexcused absences or 20 or more unexcused out-of-building tardies. The parent and student may be referred to a School Attendance Review Team (SART) hearing.

Mounds View Public Schools

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EG-3109

Student Rights and Responsibilities (continued)

Step 5: If the student's attendance does not improve after the SART hearing they may be referred for a Petition to Court for Educational Neglect or possibly a second SART hearing.

Middle School

1) General Procedures

- a. Parents/guardians are asked to notify the school office of the reasons for student's absences. If no such notice is received, school office personnel will call to determine the reason for the absence.
- b. The parent or guardian will be responsible for providing proof of the student's inability to attend school because of illness or an emergency. The attendance clerk or designee may require a written excuse from the parent or guardian when the student returns to school. Such excuse will describe the reasons for the absence and indicate the dates of absence.
- c. Absences due to reasons other than illness or emergency will be unexcused unless approved by the principal prior to the absence.
- d. Following more than one unexcused absence in any or all classes of the school day, the principal, or a designee, will communicate to the parent or guardian the absentee history of the student.
- e. The student will be required to complete work assigned by his/her teacher, and may be required to make up time missed as directed by the principal or designee.
- f. The principal or designee may require a conference with the parent or guardian and student following repeated unexcused absences so that all parties can be properly acquainted with the consequences of repeated absenteeism, and so that a solution to the problem can be discussed. The principal or designee may ask the teacher or other professional support personnel to be present during the conference. If this intervention is not successful, the student may be referred to the Ramsey County Attorney's Truancy Intervention Program (TIP).

TIP Referral Procedures for Secondary Aged Students:

- Step 1: 3 Unexcused Full or Partial Days Unexcused Absences
School/Parent Intervention
- School meeting with the student
 - Mandatory parent contact via attendance alert letter

- Step 2: 5 Unexcused Full or Partial Days Absences
- Referral to TIP parent meeting
 - Letter informing parent/child of meeting sent from Ramsey County Attorney's Office (RCAO)

Mounds View Public Schools Ends and Goals Regulation

EG-3109

Student Rights and Responsibilities (continued)

Step 3: 7 Unexcused Full or Partial Days Absences

- School sends second letter to parents that include notification of the need to develop an In-School Contract and the identification of other school interventions to deal with attendance.
- Administrative conference with parent, student, attendance team member to develop and implement In-School Attendance Contract.

Step 4: 10 Full or Partial Days Unexcused Absences

- Referral to TIP Student Attendance Review Team (SART)
- Attendance team member assigned to interview parents if not already completed.
- Review of student's records to identify issues and interventions if not already completed.
- Weekly attendance report sent to parents/or phone call to parents.

Step 5: Continued Absences

- If the student's attendance does not improve after the SART hearing they may be referred for a Petition to Court for Educational Neglect or possibly a second SART hearing.

C. High School

1) General Procedures

Absences due to illness, injury, or emergency should be communicated to the attendance office on the date they arise, or as soon as practical.

All other absences should be arranged in advance with the principal or his/her designee.

Absences from school will be categorized in one of three ways: Excused, Unexcused, Unapproved.

- a. Excused absences are those absences which both the school and the parent/guardian approve. Examples include illness, doctor and dentist appointments, family emergencies and state required court appearances.
- b. Unexcused absences are those absences which are approved by neither the school or the parent/guardian. In addition, the following absences are unexcused regardless of whether they are approved by the parent/guardian: Class time missed due to car trouble, missed buses, college fair, rumored skip days, leaving school at any time for any reason without notifying the principal or designee, attendance office, or nurse's office and any absence the principal feels would be clearly detrimental to the continuing education of the student.
- c. Unapproved absences are those absences which are approved by the parent/guardian but unapproved by the school, i.e. vacations, hair appointments, drivers license exams, etc. (Excepting those absences listed in 1b above.)
- d. Procedures regarding unexcused absences after three unexcused absences:

Mounds View Public Schools Ends and Goals Regulation

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Student Rights and Responsibilities (continued)

First offense - Student conference - written communication with parent or guardian (including copy of Regulation EG-3109) - school discipline.

Second offense - Student conference - written and verbal communications with parent or guardian - school discipline.

Third offense - Student conference - communication and parent/guardian conference - school discipline.

Fourth offense - Student conference - communication and parent/guardian conference - school discipline. If this intervention is not successful, the student will be referred to the Ramsey County Attorney's Truancy Intervention Program (TIP).

TIP Referral Procedures for Secondary Aged Students:

- Step 1: 3 Full or Partial Days Unexcused Absences or 5 tardies
School/Parent Intervention
- School meeting with the student
 - Mandatory parent contact via attendance alert letter
- Step 2: 5 Full or Partial Days Unexcused Absences or 10 tardies
- Referral to TIP parent meeting
 - Letter informing parent/child of meeting sent from Ramsey County Attorney's Office (RCAO)
- Step 3: 7 Full or Partial Days Unexcused Absences
- School sends second letter to parents that include notification of the need to develop an In-School Contract and the identification of other school interventions to deal with attendance.
 - Administrative conference with parent, student, attendance team member to develop and implement In-School Attendance Contract.
- Step 4: 10 Full or Partial Unexcused Absences
- Referral to TIP Student Attendance Review Team (SART)
 - Attendance team member assigned to interview parents if not already completed.
 - Review of student's records to identify issues and interventions if not already completed.
 - Weekly attendance report sent to parents/or phone call to parents.
- Step 5: Continued Absences
- If the student's attendance does not improve after the SART hearing they may be referred for a Petition to Court for Educational Neglect or possibly a second SART hearing.

Mounds View Public Schools Ends and Goals Regulation

EG-3109 Student Rights and Responsibilities (continued)

e. Tardiness

Each teacher will maintain a record of student tardiness to class. School discipline may be assigned.

Any unexcused tardiness which results in a student missing more than 15 minutes of the period will be reported by the teacher to the attendance office as an unexcused absence.

The associate principal or designee will then notify the parent or guardian of this unexcused absence and any school disciplinary action.

2) Grades; Credit

- a. Excused and unapproved absences will not arbitrarily result in reduction in grades, but failure to complete work will usually affect grades. Students and/or parent or guardian are responsible for requesting make-up work for each day's absence. Students will be allowed two school days make-up time for each day of excused absence with the exception of long-term assignments of 10 or more school days. Long-term assignments will be due the day the student returns to school. These times may be extended at the discretion of the teacher. Students will be allowed one day to make up work in the case of unapproved absences.
- b. Teachers are responsible for providing assignments after student or parent/guardian request.
- c. **No credit will be given for work missed due to unexcused absences.**

REGULATIONS GOVERNING CHEMICAL USE, HARASSMENT AND HAZING FOR MINNESOTA STATE HIGH SCHOOL LEAGUE

Class 1 Activities Plus Activities That Have A Regular Schedule During Their Season (i.e., Mock Trial, Math Team, Marching Band, etc.)

1ST VIOLATION

After confirmation of the first violation, the student will lose eligibility for the next three consecutive interscholastic contests or three weeks of a season in which the student is a participant, whichever is greater. No exception is permitted for a student who becomes a participant in a treatment program.

Student will be referred to the school chemical education counselor.

Student will lose the right to be a captain in any activity for the school year. If the student was a captain at the time of the violation, he/she will not continue in that capacity.

Mounds View Public Schools Ends and Goals Regulation

EG-3109 Student Rights and Responsibilities (continued)

2ND VIOLATION

After confirmation of the second violation, the student will lose eligibility for the next nine consecutive weeks of participation. No exception is permitted for a student who becomes a participant in a treatment program.

Student will be referred to the school chemical education counselor.

Student will lose the right to be a captain for his/her high school career. If the student was a captain at the time of the violation, he/she will not continue in that capacity.

3RD VIOLATION

After confirmation of the third or subsequent violations, the student will lose eligibility for the next twelve months. If after the third or subsequent violations, the student has been assessed to be chemically dependent and the student on his/her own volition becomes a participant in a chemical dependency program or treatment program, then the student may be certified for reinstatement in activities after a minimum of nine weeks. Such certification for reinstatement must be issued by the director or a counselor of a dependency treatment center.

PRACTICE: While serving any penalty, the student must follow team rules and regulations governing practice. If these rules and regulations are not followed, the penalty will not be considered served.

By conference rule, no student would be eligible for All Conference honors while serving a Minnesota State High School League violation.

Students may not cross over from Activity Class to Activity Class when serving penalties.

No program will use any other rules or regulations governing chemical use, harassment, or hazing other than those outlined above.

Under this policy, in order for a penalty to be considered satisfied, the student must complete the entire season of the next activity in which he/she participates. If a student fails to participate for the entire season, his/her penalty will not be considered served and must be served in its entirety in any subsequent activity in which the student participates.

*Penalties incurred under this policy will be cumulative beginning with the student's first participation in a Minnesota State High School League sponsored activity or Mounds View School District co-curricular activity and will continue throughout the student's high school career, including when school is not in session.

Class 2 Activities Plus Activities That Do Not Have A Regular Schedule During Their Season (i.e., Fall Play, Student Council, etc.)

1ST VIOLATION

After confirmation of the first violation, the student will lose eligibility for a period of time as determined by the School Principal acting on the authority of the School Board. It is understood that the penalty may be as severe as those outlined under Class 1 activities.

Mounds View Public Schools Ends and Goals Regulation

EG-3109 Student Rights and Responsibilities (continued)

Student will be referred to the school chemical education counselor.

2ND VIOLATION

After confirmation of the second violation, the student will lose eligibility for a period of time as determined by the School Principal acting on the authority of the School Board. It is understood that the penalty may be as severe as those outlined under Class 1 activities.

Student will be referred to the school chemical education counselor.

3RD VIOLATION

After confirmation of the third or subsequent violations, the student will lose eligibility for the next twelve months. If after the third or subsequent violations, the student has been assessed to be chemically dependent and the student on his/her own volition becomes a participant in a chemical dependency program or treatment program, then the student may be certified for reinstatement in activities after a minimum of nine weeks. Such certification must be issued by the director or counselor of a dependency treatment center.

PRACTICE: While serving any penalty, the student must follow rules and regulations governing practice for that activity. If these rules and regulations are not followed, the penalty will not be considered served.

Students may not cross over from Activity Class to Activity Class when serving penalties.

No program will use any other rules or regulations governing chemical use, harassment, or hazing other than those outlined above.

STUDENT CODE OF RESPONSIBILITY

Bylaw 206.00, subd. 2 of the Minnesota High School League (MSHSL) rules governing student participation in fine art or athletic events that are sponsored by that organization provides that student participants will abide by a Code of Responsibility. The two District high schools are members of the League and are obligated to abide by League bylaws. Bylaw 206.00, subd. 2 provides that consequences for a violation will be determined by the building administrator. In order to provide consistency in the application of this MSHSL rule, the Mounds View School District has adopted the following standards regarding its enforcement.

A student participating in MSHSL sponsored events will be deemed to have committed a violation of Bylaw 206.00, subd. 2 if any of the following occur:

- A. A student receives a suspension from school for five days or more
- B. A student violates District Policy and Regulations #EG-3104 – Harassment and Violence or MSHSL Bylaw 209.00, subd. 1 or 2
- C. A student is charged with a crime alleging sexual harassment or misconduct
- D. A student is charged with a crime against person or property, i.e. assault, vandalism, theft, etc.
- E. A student violates District Policy EG-3104 and MSHSL Bylaw 209, subd. 3 through sexual, racial, religious, violence or assault

Mounds View Public Schools Ends and Goals Regulation

EG-3109 Student Rights and Responsibilities (continued)

A first violation of Bylaw 206.00, subd. 2 or Bylaw 209.00, subd. 1 or 2 will be loss of eligibility for the next three consecutive interscholastic contests or three weeks, 21 calendar days, of a season in which the student is a participant, whichever is greater. Student will lose the right to be a captain in any activity for the school year. If the student was a captain at the time of the violation, he/she will not continue in that capacity. If the violation is for Bylaw 209.00, subd. 3, the penalty will be loss of eligibility for the next 12 calendar months along with loss of the right to be captain for his/her career.

A second violation of Bylaw 206.00, subd. 1 or 2 will result in loss of eligibility for the next nine consecutive weeks of participation. The student will lose the right to be a captain for his/her career. If the student was a captain at the time of the violation, he/she will not continue in that capacity. A second violation of Bylaw 209.00, subd. 3 will be loss of eligibility for their career and forfeiture of captain status.

A third or subsequent violation of Bylaw 206.00, subd. 1 or 2 will result in loss of eligibility for the next twelve months.

Activity suspensions under Bylaw 206.00 and this regulation will be served consistent with Regulation EG-3109 relating to activity suspensions for chemical use.

Nothing in this regulation prevents a school from limiting student participation in MSHSL sponsored events for other behavior which violates Policy and Regulations EG-3109 - Student Rights and Responsibilities.

An administrative transfer from one District building to another will not result in a violation of the Student Code of Responsibility. If, however, the basis of the transfer was conduct outlined in 2 through 5 above, a violation of the Bylaw has occurred and the consequences outlined above will be imposed.

Ref:

M.S. 121A - Student Rights, Responsibilities and Behavior

M.S. 127.27-.39 Pupil Fair Dismissal Act

M.S. 127.27; 127.40-42

Ref: M.S. 127.48

Policy EG-1103 – Use of Technology - Acceptable Use

Policy EG-3109 - Student Rights and Responsibilities

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