

DISCIPLINE

Note: 4 AAC 07.010 mandates districts to adopt policies regarding student rights and responsibilities including substantive and procedural matters related to student behavior, treatment, and discipline. 4 AAC 07.010 further mandates a uniform discipline policy throughout the district and prohibits the use of corporal punishment. 4 AAC 07.050 requires Board review of these policies every three years.

The School Board believes that one of the major functions of the public schools is the preparation of youth for responsible citizenship. The district shall foster a learning environment which reinforces the concepts of self-discipline and the acceptance of personal responsibility. Students are expected to progress from being adult-directed to self-directed with minimal application of disciplinary measures.

The Board recognizes that there must exist certain disciplinary policies and regulations relating to student conduct which delineate acceptable behavior and provides the basis for sound disciplinary practices within each school in the district in order to maintain an environment conducive to learning. These policies and regulations will be enforced fairly and uniformly and consistently without regard to race, creed, color or gender.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5131 et seq. - Student Conduct)

The administration, teachers and classified staff share mutual responsibility for the enforcement of district policies and regulations pertaining to student conduct and safety. The Board shall give reasonable support and assistance to employees with respect to student discipline. The Board shall review its policies related to student rights and responsibility at least once every three years and shall modify its policies as needed in accordance with law.

The Board recognizes that not all students will adhere to district rules for appropriate behavior. Sufficient support services shall be provided so that continually disruptive students who have not responded to other plans of correction will not be returned to regular classes without modification of behavior. Students may be assigned to other alternative programs or be subject to removal from school.

Discipline must be administered based on a school's behavior management plan which includes behavior correction plans that are specific to the individual student as well as a continuum of minimal discipline to maximum discipline.

DISCIPLINE (continued)

In-School Suspension

In an effort to establish disciplinary procedures that are effective in reducing student truancy and misbehavior and do not interrupt the educational process, the School Board, Superintendent or designee may authorize in-school suspension as an alternative to out-of-school suspension. In-school suspension removes the student from the school social scene while still requiring the student to maintain the same basic school day schedule and to keep up with required academic assignments. Where possible parental supervision will be sought. Failure to serve in-school suspension or removal from the in-school suspension program for disciplinary reasons shall result in out-of-school suspension or additional time assigned.

(cf. 5144.1 - Suspension and Expulsion)

Each Principal/Lead Teacher shall publish school rules for student discipline which describe the school's behavior management plan and consequences for student misconduct. Special care shall be taken when developing school rules to solicit the views of the school community, including administrators, teachers, parents/guardians and students.

School site rules must be strictly based on district policy, regulation and state and federal laws and be enforced fairly and uniformly. The Superintendent or designee shall establish procedures for the approval of such rules.

Note: 4 AAC 07.030 requires districts at the beginning of the school year to make available to parents/guardians, students, and staff copies of district policies regarding student rights and responsibilities and to post such policies in accessible locations throughout the year.

At the beginning of each school year, the Superintendent or designee shall ensure that every student and all parents/guardians are notified in writing of the availability of Board policies and administrative regulations related to student rights and responsibilities. Such policies shall be posted in accordance with law. ~~(4 AAC 07.030)~~

Corporal Punishment

Note: The use of corporal punishment is prohibited in Alaska's schools. 4 AAC 07.010. Corporal punishment is defined as the application of physical force to the body of a student for disciplinary purposes. 4 AAC 07.900. School districts must adopt standards relating to when a teacher, teacher's assistant, or other person responsible for students is authorized to use reasonable and appropriate force to maintain classroom safety and discipline as described in a criminal statute, AS 11.81.430(a)(2). That statute provides for the use by a supervising teacher of reasonable and appropriate nondeadly force if authorized by school regulations adopted by the school board. AS 14.33.120(a)(4). However, effective October 2014, the legislature enacted AS 14.33.125-127, which defined and established limitations on the use of restraint and seclusion of students. (See BP 5142.3).

Corporal punishment is prohibited by law as a disciplinary measure against any student. School administrators and teachers shall employ other means of disciplining students.

Restraint and seclusion, if used in full compliance with applicable law, is not corporal punishment.

~~The use of reasonable and necessary force by an employee to protect oneself or students, to maintain reasonable order, or to prevent damage to district property shall not be considered corporal punishment. (4 AAC 09.900)~~

(cf. 3514 - Safety)

(cf. 4158 - Employee Security)

(cf. 5142.3 – Restraint and Seclusion)

Reporting to Law Enforcement

Note: Effective January 1, 2001, a teacher, teacher's assistant, administrator, or other employee responsible for students who, during the course of employment, observes a student committing a crime must report the crime to local law enforcement. AS 14.33.130. The obligation to report to law enforcement resides with the staff member observing the crime. "Crime" means an offense for which a sentence of imprisonment is authorized; a crime is either a felony or a misdemeanor. AS 11.81.900.

In addition to subjecting a student to discipline, any crime committed by a student while at school, on school grounds, or during any school sponsored activity on or off campus shall be reported to law enforcement. Criminal proceedings are independent of actions taken by the School District. The District may impose discipline for misconduct regardless of whether criminal charges are filed or a conviction is obtained. The Superintendent should ensure cooperation with law enforcement in the criminal investigation of students who commit crimes while under the jurisdiction of the school.

(cf. 1410 – Interagency Cooperation for Student and Staff Safety)

Legal Reference:

ALASKA STATUTES

11.81.430 Justification, use of force, special relationships

11.81.900 Definitions

14.33.120-.140 School disciplinary and safety program and student restraint and seclusion

ALASKA ADMINISTRATIVE CODE

4 AAC 07.010-4 AAC 07.900 Student rights and responsibilities

4 AAC 06.175-177 Reporting and training on restraint and seclusion

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