

ANCHORAGE SCHOOL DISTRICT  
SPECIAL EDUCATION

MEMORANDUM

AUGUST 5, 2004

TO: SPECIAL EDUCATION AND RELATED SERVICES  
ADMINISTRATORS, STAFF AND TEACHERS

FROM: JERRY SJOLANDER, EXECUTIVE DIRECTOR  
SPECIAL EDUCATION

SUBJECT: REPORT OF CRIMINAL ACTIVITY

This memorandum is to advise district employees regarding the report of criminal activity. Following is excerpts from Anchorage School Board Policy regarding potentially criminal activity on school premises:

**451.3 Drug/Alcohol**

Appropriate disciplinary action shall be taken against any student who is determined to have been in possession of, or to have used, drugs or alcohol in violation of Anchorage School District policy. The procedures provided by the school district's Statement of Rights and Responsibilities shall be observed.

a. While under the jurisdiction of school, students who engage in any of the following proscribed activities shall be subject to suspension and/or expulsion:

1. Actual or attempted sale, use, or possession of alcohol, non-prescribed inhalants, illegal drugs, substances designed to look like illegal drugs, substances purported to be illegal drugs, or drug paraphernalia.

2. Misuse or attempted misuse of prescribed or over-the-counter medications.

b. Students who engage in the activities listed in 451.3.a while off campus and who return to the school grounds or to District/school-sponsored activities will be subject to suspension and/or expulsion.

c. Students who violate the above drugs/alcohol policies are subject to arrest. Disciplinary action shall be taken by the school regardless of whether or not criminal charges or prosecution result.

d. Sanctions for violation of the drug/alcohol policy as specified in Sections 451.3.a are as follows:

1. First offense for use or possession:

a) Ten (10) days suspension from school.

b) Referral to the Drugs/Alcohol Suspension Program. Students may reduce their suspension to five (5) days by meeting specific criteria for the program.

c) Required parent/guardian and student conference with the school principal or designee prior to readmission to school.

2. Each subsequent offense for use or possession will result in a recommendation to the School Board for expulsion from the Anchorage School District.

3. First and any subsequent offense for sale or attempted sale will result in a recommendation to the School Board for expulsion from the Anchorage School District.

4. At its discretion, the School Board may offer a program to provide educational instruction and other services to students who have engaged in conduct that has resulted in long-term suspension or expulsion from their current program. The Board shall establish eligibility criteria for participation by any student in any such program.

e. Students who have been suspended will be denied participation in other District/school-sponsored activities during any period when the suspensions are in effect, and for such additional periods as are deemed appropriate in each individual case.

f. Drug Paraphernalia – (\*21 USCA 863)

(1) The term "drug paraphernalia" means any equipment, product, or material of any kind which is primarily intended or designed for use in manufacturing, compounding, converting, concealing, producing, processing, preparing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance, possession of which is unlawful under this subchapter.

(\*21 USCA 863 refers to Title 21. Food and Drugs; Chapter 13: Drug Abuse Prevention and Control; Subchapter I: Control and Enforcement; Part D Offenses and Penalties.)

(Section 451.4 – Revised June 28, 1996)

(Section 451.4 – Approved as Section 451.3 – June 11, 2001)

(Section 451.3 – Revised June 10, 2002)

#### **451.4 Suspension or Expulsion of Special Education Students**

The Superintendent shall establish uniform procedures which insures the right of special education students to an appropriate education when special education students are suspended or recommended for expulsion.

(Section 451.5 – Approved as Section 451.4 –June 11, 2001)

#### **451.5 Assault Upon Teachers**

Assault of teachers by students is prohibited and will result in suspension and/or a recommendation for expulsion.

(Section 451 - Revised June 25, 1984)

(Section 451.6 – Approved as Section 451.5 –June 11, 2001)

#### **451.6 Weapons**

a. Any student who is determined to have brought a weapon as defined in section 921 of title 18, United States Code, or the Anchorage School District's Rights and Responsibilities Document, to a school, or a school related activity, will be expelled from school for a period of not less than one year.

Under federal law, "weapon" is defined as any weapon which will or is designed to or may readily be converted to expel a projectile by action of an explosive, the frame or receiver of any such weapon, any firearm muffler or firearm silencer or destructive device. "Destructive device" means any explosive, incendiary or poison gas, bomb, grenade, rocket or missile.

In addition, a weapon is defined in the Anchorage School District's Rights and Responsibilities Document as follows: weapons include, but are not limited to, firearms, pellet guns, stun guns, shockers, knives, clubs, brass knuckles, numchuks, and throwing weapons.

The procedures provided by the District's Statement of Rights and Responsibilities shall be observed. Disciplinary action shall be taken by the school administrator regardless of whether or not criminal charges or prosecution result.

b. The Superintendent, on a case-by-case basis, may determine whether an expulsion for less than one year is appropriate. This modification may include removal from the student's present school setting and a placement in an alternative educational setting and/or program.

c. Reinstatement of the student to a school program will only be recommended by the Superintendent to the School Board after the student has met the conditions of reinstatement as follows: The student must submit a letter of application for reinstatement to the Superintendent that includes a statement from a forensic psychologist that the student will not pose a danger or threat to students or staff while attending classes or other school-sponsored activities.

After a full review of the reinstatement application, the Superintendent will make a recommendation to the School Board as to whether to reinstate the student and under what specific conditions the student may be reinstated.

d. In the case of students receiving special education services, a Multidisciplinary Team meeting must be held to determine if the specific behavior is related to the student's disability. If the behavior is determined not to be related to the disability, then the one year expulsion requirement will be followed. If the student's behavior is related to the student's disability and, therefore, the student cannot be expelled, then an Individual Educational Plan (IEP) team should meet to determine appropriate services. An IEP meeting must be held to determine how the student's special education needs as identified in their Individual Educational Plan will be met in an alternative setting.

e. The District must provide the following assurances to the state of Alaska Department of Education in any application for funds from the act commonly called "Goals 2000" (Public Law 103-227, Part B);

(1) An assurance that the District has a policy in effect relating to a one year minimum penalty of expulsion for the act of bringing a weapon to a school or school related activity.

(2) A description of the circumstances surrounding any expulsions imposed under the required policy, to include: the name of the school, the number of students expelled from such school, and the types of weapons concerned.

(Section 451.7 - Approved September 26, 1994)  
(Section 451.7 – Approved as Section 451.6 – June 11, 2001)

## **452 Student Handbooks**

In addition to the rights and responsibilities denoted in the Statement of Rights and Responsibilities, each school unit also issues a student handbook which contains rules and regulations governing conduct in that school. A copy of the student handbook shall be made available at the start of each school year to each student and certificated employee at that school, and the material in each handbook shall have the force and effect of Board Policy. Each student handbook shall be submitted periodically to the School District Attorney to assure compliance and consistency with existing Board Policy.

In addition to providing a copy of the student handbook to students each year, the staff at each school shall conduct a program to review and/or teach rights and responsibilities, including expectations, rules and consequences, to students annually.

(Section 452 - Revised September 12, 1983)

## **453 Damage, Loss, and Non-Return of School Property**

### **453.1 Liability of Parent/Guardian**

If a student damages or destroys school property, the student's parents/guardians may be held responsible in accordance with the policies of the Board. Responsibility of parents/guardians includes financial liability as provided in A.S. 34.50.020 (a).

### **453.2 Liability of Student**

A student may be held personally responsible to pay for District property damaged or destroyed as a result of negligence or intentional acts.

### **453.3 Student Use of and Liability for School Equipment and Supplies**

a. It is the policy of the Board to make available to students various equipment and supplies which may be checked out by individual students for use in connection with school programs. These items include, but are not limited to textbooks, library books and materials, band equipment, and athletic equipment and uniforms.

b. The District may decline to check out equipment based on considerations of safety, risk of loss, and/or liability.

c. It is the policy of the Board that the materials listed above be made available to students free of charge, so long as such materials and equipment are not misused, mistreated, destroyed, or stolen and are returned in a timely fashion so as to allow for use by other students.

d. In situations where school supplies and equipment are not returned as required, the Administration shall take appropriate steps to ensure the return of, replacement of, or reimbursement for such supplies or equipment. Procedures may also be established for charging reasonable fines calculated to ensure the timely return of materials. Any such fines shall be established pursuant to a schedule that is made known to students prior to their checking out or taking responsibility for school property. These fines may be charged only as a means of ensuring proper use, care, and circulation of property.

e. Before monetary sanctions are imposed, the school must first give written notice to a student/parent of the proposed monetary sanctions. The student or parent may appeal the proposed monetary sanction first to the unit principal, and then to the Superintendent or designee.

f. Chronic or malicious destruction, loss, or theft of District property by any student constitutes a disruption of the educational process and may be grounds for suspension or expulsion. Normal procedures for suspension or expulsion shall apply.

(Section 453.3 – Revised January 12, 2004)

#### **454 Corporal Punishment**

Corporal punishment is defined as the application of physical force to the body of a student. Such punishment as a means of discipline is not allowed in the Anchorage School District.

An employee may use reasonable and necessary physical restraint of a student to protect the employee, the student, or others from physical injury; to obtain possession of a weapon or other dangerous object from a student; or to protect property from serious harm. Use of such restraint is not considered corporal punishment.

(Section 454 - Revised June 23, 1986)

(Section 454 – Revised January 12, 2004)

## **455 Trespassing**

All persons are welcome on District property when they are there for legitimate purposes.

All persons other than staff (including students from other schools) must check in with the proper authority in charge, normally the school office, in order to establish the legitimacy of their presence, prior to proceeding to other areas of the school. Persons who do not have a valid reason for their presence, or who do not comply with school rules, may be denied access to the District property. Individuals who proceed onto District property without proper authorization shall be treated as trespassers and shall be subject to prosecution under relevant state statutes and/or municipal ordinances.

(Section 455 – Revised January 12, 2004)

Employees who are faced with potentially criminal activity are directed to work with the School Resource Officer Program and their local administrator to report crimes to law enforcement. The Anchorage Police Department views the School Resource Officer Program as an opportunity to continue the strong partnership with the Anchorage School District and to provide a safe working and learning environment for teachers, support staff, administrators, and students. School Resource Officers will attempt to reduce juvenile crime through law enforcement, education, and prevention programs. School Resource Officers will work with students to build trust and break down barriers. To identify the Resource Officer assigned to a particular school, go to the Resource Officer websection at: [http://www.asdk12.org/parents/officers\\_more.asp](http://www.asdk12.org/parents/officers_more.asp).