

School Days



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Between certain ages, you have a right to an education and an obligation to attend school. At school, you have rights under the constitutional principles that guarantee due process and prohibit unreasonable searches and seizures. But your rights must be balanced against the school's need for an orderly place for learning. Read on for more information about school attendance, your rights at school, privacy and searches, and discipline.

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Behavior

Attendance

Do I have a right to go to school?

If you are of school age, you have the right to attend public school in the school district where you live. School age begins in the year in which a child turns six before September 1 and continues until the student reaches age twenty, or graduates from high school, whichever happens first. For kindergarten the age is five. Your right to a free public education cannot be taken away without [*due process of law*](#), which means fair procedures allowing you to answer any charges against you. In other words, your school cannot suspend or expel you from school without giving you a chance to show that you don't deserve the punishment. Your right to fair procedures is explained under [*Student Discipline*](#) below.

Do I have to go to school if I don't want to?

Alaska law requires you to attend school from the time you are seven until you are sixteen years old. If you are home-schooled, which means educated in your home by your parent or guardian, you are exempt from this attendance rule. You and your parents are both responsible for making sure that you do attend school. If you are less than seven or over sixteen, it is up to your parents whether you have to attend.

What happens if I don't go to school?

If you are seven through sixteen, and skip school without a valid reason, you are [*truant*](#). Truancy is a violation of Alaska law. Some school districts enforce truancy rules more than others, but you may be subject to school [*discipline*](#), including suspension or expulsion, if you skip school. Adults who help or encourage students to be truant may face large fines and other legal charges.

What is a valid reason for missing school?

Generally, absences are allowed for illness and medical appointments, and for justifiable personal reasons, such as a court appearance, or observance of a religious holiday. An absence may be allowed if your parents ask permission ahead of time and the school approves. Whether an absence is allowed will always depend on the specific facts and the judgment of your principal or superintendent. Be sure you know your school's procedure for reporting an excusable absence or asking for permission to miss school.

Can I attend school part-time?

In some cases, yes. Students attending private schools or correspondence programs, or who are home-schooled, often may enroll as part-time students in grades K-12. Part-time students

must meet all conditions and terms of enrollment in courses that are met by full-time students, and may not be eligible to participate in extracurricular activities and athletics.

Physicals/Vaccinations

Do I need a health examination to attend school?

Generally, yes. When you enroll in public school for the first time, you must bring a physical examination certificate completed within the last twelve months, or you must have an exam within 90 days after starting school. If you are asked for a health exam and don't submit it within sixty days after starting school, a certificated school nurse usually will complete a health screening.

Do I need to be vaccinated to attend school?

You must also demonstrate that you have been *vaccinated* or *immunized* for a number of infectious diseases identified in state law. You will have to get the shots to protect yourself and others against these diseases unless:

- you have a valid certificate of immunization listing the dates when you previously received the required immunizations; or
- you turn in a medical provider's signed statement showing that a required immunization would injure your health or the health of members of your family or household; or
- your parent or guardian gives your school a sworn statement (an *affidavit*) stating that immunization is contrary to the beliefs or practices of your parent's or guardian's church or religious denomination.

Discipline



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Types of discipline

Can I be suspended or expelled from school as a punishment?

Under Alaska law, a student can be suspended or expelled for actions that disrupt the school, bother or endanger other students, or violate school rules. The seriousness of the punishment the school may impose depends on facts such as

- how likely your actions are to cause harm to people or property;
- if you have a record of past offenses;
- the punishment given to others for the same conduct; and
- the school's need to maintain an appropriate educational environment.

Can a school punish me by spanking, striking, or other corporal punishment?

No. School officials may not use corporal punishment in Alaska. But school officials may touch or restrain you to prevent harm to persons or property; it is not corporal punishment if they do.

Can I be required to pay for damage to school property?

Yes. Both you and your parents may be required to pay back the school for any school property that you damage or destroy.

Discipline procedures

What are my rights if the school thinks I should be disciplined?

Your rights depend on how severe the possible discipline (or punishment) is, and whether the punishment will take away your right to receive an education. Generally, the more severe the possible punishment, the more extensive the fair procedures to which you are entitled.

Minor punishments that don't interfere with your education do not require due process. Examples of minor punishments include detentions or in-school suspensions. Your school may allow you some procedures to contest detention or in-school suspension, so check your school's handbook.

Moderate punishments such as out-of-school suspensions for less than 10 days require some fairness procedures, but they may be very informal. Before imposing a short suspension, school officials must

- let you know that you may be suspended,
- tell you the reasons for the suspension, and
- give you a chance to tell your side of the story.

Severe punishments, including suspensions of 10 or more days, and expulsions, require additional fairness procedures because they will interfere with your education. Before imposing a long suspension or expelling you, school officials must

- let you know what your punishment may be,
- give you a chance to have a hearing before an *impartial* person, (an impartial person is one who has no reason to favor either you or the school official who is proposing the punishment),
- allow you to be represented by an attorney at the hearing,
- give you a chance to present witnesses and other evidence at the hearing, and
- give you a final written or recorded official decision that explains the reasons for the decision.

Generally, you can appeal suspension or expulsion decisions to the principal, superintendent, and in some cases, to the school board.

Electronic Bullying

Is it illegal to send rude or threatening text messages, emails, or other electronic messages?

Possibly. If you repeatedly send texts, emails, Facebook messages, or other electronic posts or messages to someone under 18 that insult, taunt, or intimidate (frighten) that person you may have committed the crime of harassment. These messages (known as cyberbullying) will be considered criminal harassment if the messages are written in a way that makes the person receiving them reasonably afraid he or she might be physically injured. If you send such messages you may be charged with a crime.

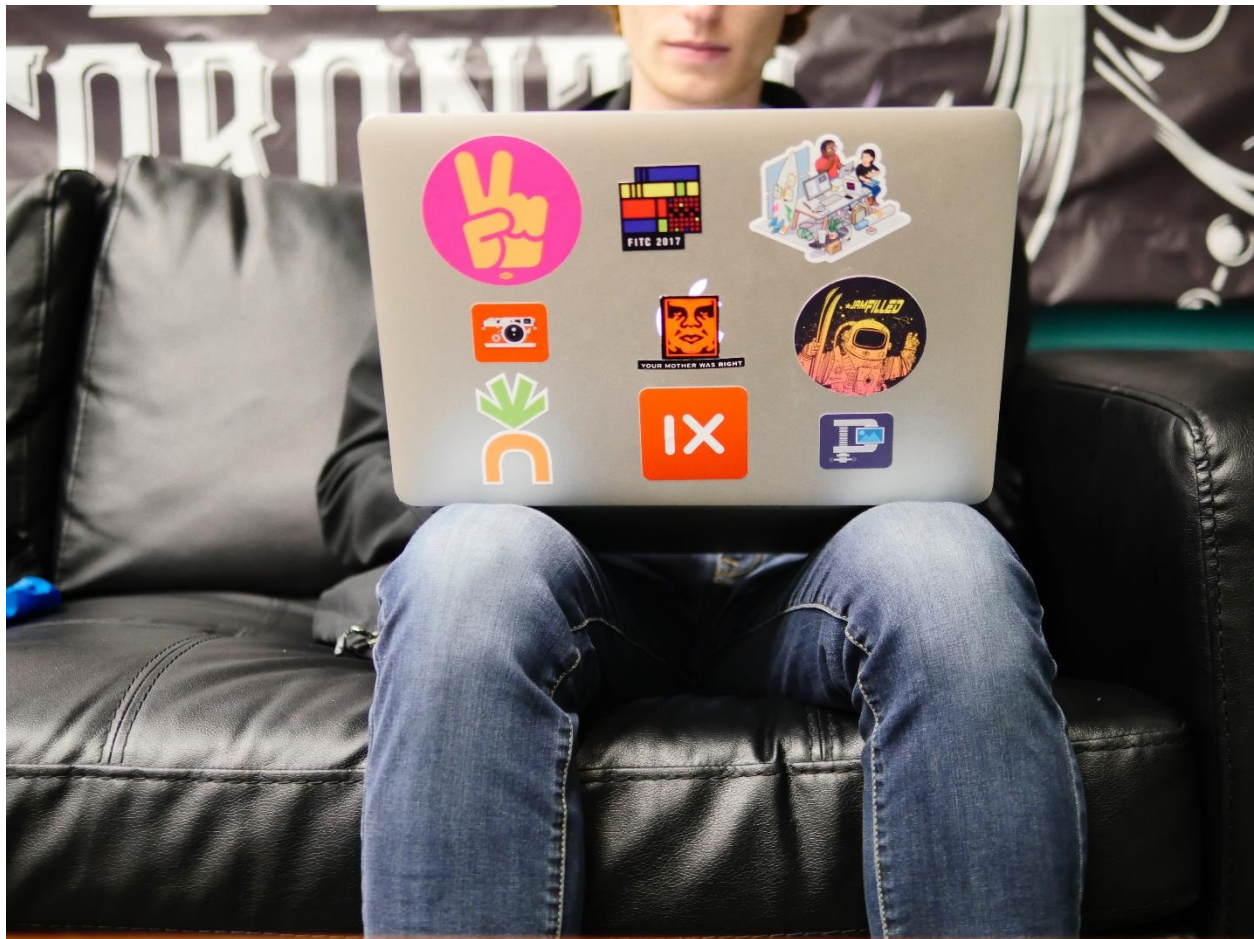


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Rights

Civil Rights

How do I know what my rights and responsibilities are?

Schools are required to give students annual lessons about student rights and responsibilities at school. Most schools will give you a copy of a student guide to explain your rights and responsibilities. In addition, each school district's board policy manual contains most school rules. These manuals are often available on-line at your school district's website or you may be able to get a copy from the school district office.

The school board policy manual must follow Alaska law, and will often contain citations to statutes and regulations. Alaska statutes (AS) and regulations (in the Alaska Administrative Code or AAC) are available on the State of Alaska website (www.alaska.gov). They may also be found at the Alaska Legal Resource Center (www.touchngo.com/lglcntr/).

Do I have the right to free speech in school?

Yes, but the right to free speech is not absolute, and the limits are complicated. Generally, you have the right to freedom of speech so long as you do not disrupt the school environment, act insubordinate, use obscene speech, or threaten violence. Special rules may apply if you are writing for a school publication, such as a yearbook or newspaper.

Do I have the right to bring a firearm or deadly weapon to school?

No. You may be subject to severe punishment, including expulsion from school, for bringing a firearm or other deadly weapon to school. You could also be charged with a criminal offense.

Can I get in trouble for posting bad things about teachers or students on social media like facebook?

Maybe. Even if you use a computer away from school, you could be in trouble if you threaten or embarrass other students or faculty by your postings. The courts have not clearly answered the question of what online conduct can be punished, so don't assume that you can't be punished for what you do outside of school.

Dress Code

Can the school tell me how I have to dress?

Yes, up to a point. As with other student rights, your right of personal expression and appearance at school must be balanced with the school's need to provide a safe and healthy

learning

environment. Your school may have a dress code that prohibits clothing items that promote illegal activities or gang affiliations, violence, discrimination, or the use of tobacco, drugs, alcohol or weapons. A dress code may also prohibit items that may disrupt the learning environment because they are sexually suggestive, obscene, lewd or vulgar.

A school may not prohibit dress that is part of the practice of your religion. If your religion requires certain dress, such as a yarmulke or hijab, the school must accommodate you. You may not be deprived of your right to a free public education because of your religion.

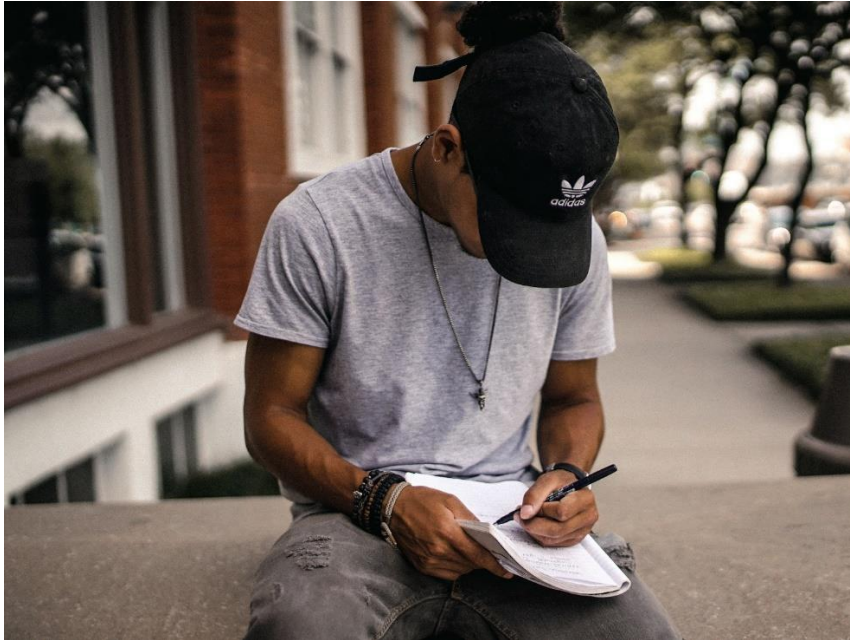


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Phones & Computers



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Can my school take away my cell phone, computer, or other property?

A school needs to keep order in its buildings and on its grounds to have a safe and healthy place for learning. Sometimes students use cell phones, tablets, computers, and other property in ways that interfere with the school's need for order and safety. Generally, school employees may take and hold your property if it disrupts the school or interferes with others' education.

School employees may set limits on when and where you use your phone, tablet, computer, and other property, and may even ban them from school completely. If you use your phone, tablet, computer, or other property in violation of a school rule, the school may also temporarily take them away from you. The school may hold your items until the end of the school day, and release them to your parents rather than to you. The school may also discipline you for violating a school rule on use of these items.

Can the school search the contents of information stored on my cell phone or computer?

A school official may search your cell phone, personal computer, or similar device if the official has a reasonable suspicion that the search will produce evidence that you or someone else has violated a law or a school rule. For example, if the school official has a good reason to think that your cell phone camera has been used to take a picture of another student in a restroom, the official can look at the photos on the camera because a school rule prohibits taking that kind of picture. The school official's search must be reasonably related to the reason for the search, and it must not go beyond what is necessary to look for the suspected violation.

In contrast, if a school official takes away your phone or computer simply because you used it at a time when you were not allowed to use the device, a search of the phone or computer is probably not reasonable.

What if the officer wants to search my cell phone?

The police usually do not have the right to take your cell phone or search it without a warrant. The only time they have a right to seize your phone or search it is when there is a true emergency. What counts as a true emergency will depend on the circumstances. Examples might be to find a kidnapping victim or prevent a bomb from going off. If the police ask for your phone and you don't want them to take it you should ask if they are ordering you to turn it over. If they say no, tell them politely that you don't want to provide it. If they order you to turn it over, state clearly that you do not give them permission to search your phone and that you are turning it over only to comply with their order. Be polite and cooperative, while stating your objection. You can ask a court later to protect your rights regarding your cell phone.

Privacy & Searches



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Are my school records private?

Generally, yes. School records that contain private or sensitive information that could identify you are protected under state and federal law. Private or sensitive records may be released to school officials who need to know about them, but not to anybody else without your parents' permission. Your parents have a right to see your school records until you turn 18. After that, the rights transfer to you.

Can a school search my property?

The United States and Alaska Constitutions prohibit the government from conducting *unreasonable* searches and seizures. But the courts have found some kinds of searches at school are reasonable. In part, the reasonableness of a search depends on whether you can expect privacy in the area that is searched. For example, you can generally expect privacy in your home. But you cannot expect privacy if signs posted in a locker area state that the lockers are subject to search at any time.

The reasonableness of a search may also depend on whether there is a good reason for the

search. The area of the search -including your body- must also be reasonable in relation to the reason for the search. A search cannot be more intrusive than necessary considering your age and sex, and the rule or law the school thinks you have violated.

Can the school search my locker?

Generally, Yes. School districts have the right to search your locker if the school posts a notice that lockers are subject to search, and if the search is necessary to investigate a suspected violation of school rules or the law. Even if the school does not post a notice, the school can search your locker if there is reasonable suspicion that the search will discover evidence of a violation of school rules or the law.

Can the school search my backpack, purse, or clothing?

Yes. School employees can search your backpack or purse if they have reason to believe you are violating the law or a school rule. The area of the search, however, must be reasonable as discussed above.

Can the school search me?

Sometimes. One decision of the United States Supreme Court held that student athletes may be randomly drug tested. The court said athletes have a lesser expectation of privacy, and that collection of urine samples is not too intrusive when considered against a school's need to stop illegal drug use.

On the other hand, a court decided that a strip search of a 13-year-old girl was not reasonable considering her age and sex and the type of violation of which she was suspected. The court said a search of her backpack and outer clothing for drugs may have been justified.

Can the school search my car?

Yes. Schools may search student cars parked in a school parking lot. The paperwork for a student parking permit may inform students that the school has a right to search cars in the parking lot. In one case, the Alaska Supreme Court ruled that a school safety officer could search a car for drugs or alcohol. The safety officer saw a student who was having problems parking and answering questions and appeared to be drunk. The safety officer could search the car's ashtray because the student's high level of intoxication suggested drug use as well as alcohol use.

Student Loans & Financial Aid

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Financial Assistance for College or Career Training Programs: Student Loans and Financial Aid

When you go to college or train in a career program, you pay the costs now as an investment to increase your earning power in the future. Most people need financial aid to pay for college or career programs. Two-thirds of students take out student loans for their post high school education. Unfortunately, today's students have to borrow more than any earlier generation to get a college degree or career training. Currently, student borrowers in the U. S. owe more than \$1 trillion in student loan debt. The default rate on these student loans is at an all time high.

So, to make a wise lifetime investment in your financial future, you need to make smart economic choices about financing your education. The kind of financial assistance you get, and the amount and repayment terms of debt you take on for your education, can affect your financial life for many years. If you make poor choices about financial aid, you could take on overwhelming debt that wipes out the financial benefits of your professional and career training.

It's important to fully investigate every type of financial assistance you may be eligible to receive. The time for making smart financial aid decisions begins before you enroll in college or a career program. Fortunately, all the information you need to make smart economic choices about your education is available as long as you take the time to investigate and educate yourself.

What kind of financial aid for students is available?

Exploring what is available is one of the first and most critical steps in choosing financial aid wisely. Student financial aid sources include the federal government, state programs, individual schools, private lenders, scholarships, and other programs.

Some financial aid offers are scholarships or grants that do not have to be repaid. Take advantage of as much financial aid as you can from grants, scholarships, and other sources that are not loans and do not have to be repaid.

But if, like most students, you have to take out student loans, you want to know what kinds of loans you qualify for. Various kinds of student loans have very different repayment terms, including the rate of interest, the length of time for repayment, the possibility of extending the repayment time or re-financing at a lower interest rate, and the possibility of having the loan forgiven or discharged. Borrow first on loans with the lowest costs and best repayment terms. Only by knowing all of your available options can you be certain you are receiving the most affordable and desirable financial aid package available to you.

If you plan to borrow for education costs by taking out a loan, you have essentially two choices: federal or state government student loans, and private loans. Although government loans are generally preferable and easier to obtain than private loans, be sure you understand that these are debts and therefore the borrowed money must be repaid in the future.

For most borrowers, government student loans are the best option. Federal and state student loans almost always cost less than private student loans and have more protections when it's time for repayment. When you start to pay back your government loans, the interest rate will be fixed, which will help you predict your payments after graduation. Many types of government loans, with different qualifying criteria, are available. The qualification criteria may include: your family's financial circumstances, and your credit score. In some cases, your parent must co-sign and be liable on your student loan obligation. In some cases, the federal government will pay the interest on your loans while you are in school; these loans are called subsidized loans.

Private student loans are often available in addition to government loans. The most common private student loans are offered by banks. These loans usually have variable interest rates, which means the interest rates and your payments can go up over time; rates on some private loans have been as high as 16% over the past couple of years. With a variable interest rate loan, it is hard to determine what your future payments will be and when it is time to repay. Private loans don't offer as many options to reduce or postpone payments.

How do I find out more about student financial aid?

The U.S. Department of Education provides \$150 billion in federal money for grants, loans and work- study each year. To find out what forms of federal assistance you are eligible to receive, you must complete the *Free Application for Federal Student Aid* (FAFSA). Many individual schools also base their financial aid and scholarships on the FAFSA form, so it is a good idea to complete this form. You can find federal financial aid information, instructions and the application for FAFSA at <https://studentaid.ed.gov>. This website is also a good place to begin learning about the various types of student loans and the long term cost differences between loan types.

You can find out about Alaska state financial aid programs at Alaska Commission on Postsecondary Education <http://akadvantage.alaska.gov>. This website has a loan comparison chart that is also useful in learning about loans.

Should I pay for help in finding financial aid and scholarships for school?

Don't be scammed! There are companies that offer, for a fee, to find you financial aid or to help in filing out the FAFSA. Don't let them take advantage of you. These types of companies may pretend to have an inside track on obtaining financial aid. In reality, they are offering to sell you what you can find for free just as easily from many sources. Furthermore, you know best what is uniquely special about you that may qualify you for a scholarship, such as your special talents, your involvement in community and school activities, your ethnic background. Therefore you are more capable than any company in researching and discovering available scholarships.

Sometimes companies offering to assist you with financial aid are not even legitimate companies. They are scams to obtain your personal identify information. **You should never pay** for help in finding financial aid or help in completing the FAFSA, which is a free application and **you should never give out any personal information** in applying for financial aid unless you are 100% confident you are providing it to a reliable and legitimate entity.

How do I protect myself from the hazard of student loans I can't afford?

While student loans are a necessary form of financial assistance for most students, they can also be a financial trap in the future. These loans may be easy to get while you are in school, but they must be repaid. It is easy to lose track of the actual amount that you will have to pay in the future.

Today you often hear that the amount of loans students have borrowed to meet the ever-higher costs of college and career programs has skyrocketed. Many students successfully complete their college and career programs only to discover that they cannot afford to pay back their student loans. Instead of celebrating a new phase of independence in their life, they find

themselves immediately debt-stressed, forced to make living arrangements and life choices they don't desire and didn't anticipate. The burden of excessive student loans can be impossible to overcome. Unlike other overwhelming debt, student loans cannot be relieved through bankruptcy (except under rare circumstances). Sometimes the burden of student debt falls on parents who have been required to co-sign on your student loans.

But if you make informed borrowing and money management decisions while in school, you can avoid a rude economic awakening after you leave school. Limit what you borrow, budget while you are in school, control your expenses, borrow only what you absolutely need to complete your education, and follow the rule of "know before you owe." This rule is: before you take out any student loan, be sure you know

- the terms of the loan,
- what the interest rate is,
- whether the loan is subsidized or is accruing interest,
- what is the length of the repayment term.

The bottom line is: don't borrow more than you will be able to pay back. The total amount of the student loan debt you take on while in school is important, but in practical terms what will matter most to you is whether you can make the monthly payment after you finish your education. You need to consider your necessary living expenses as well as your monthly student loan payments. Below is a very rough formula for determining what you can afford. Make this calculation each time you consider borrowing money through a student loan.

For each loan you consider taking, calculate the monthly payment that will be due after you leave school. The loan documents should tell you the monthly payment for that loan, but you should also be sure you calculate for yourself and clearly understand what the total monthly payments will be on all your student loans. The monthly payment for any loan depends not only on the interest rate, but also on the repayment period. For example, the most favorable federal student loan currently available has a fixed interest rate of 4.66% but the repayment period for student loans at this interest rate may be anywhere from 10 to 25 years. Although the interest rate is the same, the length of the repayment period will greatly impact the monthly payment due on the loan. If you borrow \$50,000 at 4.66% to be paid over ten years, your monthly payment will be \$522.00. If you borrow \$50,000 at 4.66% to be paid over twenty five years, the monthly payment will be \$282.00.

If you have only government loans, with a fixed interest rate, you should know almost exactly what your total monthly repayment amount will be. If you have any private loan, the interest rate may change over the loan repayment period. Review the terms of the loan and determine the highest interest rate that your loan allows. Assume this highest rate will be the applicable interest rate and calculate the monthly amount on this basis. If you need help to calculate the monthly amount that you will owe, numerous educational websites have tools that will help you.

Then determine if your estimated income will cover all your expenses, including your student loan payments. Compare your expected monthly loan payments and living expenses, such as

housing, food, and clothing, to what you reasonably anticipate earning at an entry level position in the career fields for which you are attending school. Research expected salary ranges for entry-level positions that are available in your field. Be realistic and conservative. To get a reasonable estimate of monthly pay, divide estimated annual salary ranges by 12 months. Then deduct at least 17% for mandatory withholdings for social security, Medicare, and taxes, or other anticipated withholdings such as medical insurance. But don't overestimate your income immediately after you finish school. You may earn more than you estimate, and you are likely to earn more over time. If you earn more, you can make larger payments to pay off your student loans more quickly.

If this formula tells you that the monthly payments on your student debt are too much to be paid along with other necessary living expenses, then don't borrow more student loans! You need to make different choices about financing your education before you get deeper into student loan debt.

How can I learn more about budgeting and financial planning for school?

Here is a list of online Money Management Courses, Articles and Tips for Students that can assist you to learn more about budgeting for College or a Career Program.

High School Financial Planning Program—Students Section

<http://hsfpp.nefe.org/students/index2.cfm?deptid=15>

Student Money Management Cash Course

<http://www.cashcourse.org/unt/>

Manage your Money

<http://mappingyourfuture.org/money/>

Financial Literacy for College Students

<http://www.igrad.com/FinancialLiteracyForCollegeStudents/?fl>

Care One Debt Relief Program—Student Money Management

Articles <http://www.careonecredit.com/knowledge/students.aspx>

Young Money Online Magazine

<http://www.youngmoney.com/>

The Dollar Stretcher: Living Frugal

<http://www.stretcher.com/index.cfm>

The Campus Debit Card Trap

<http://www.studentpirgs.org/reports/sp/campus-debit-card-trap>

Financial Literacy Guide <http://mappingyourfuture.org/downloads/financialliteracyguide.pdf>