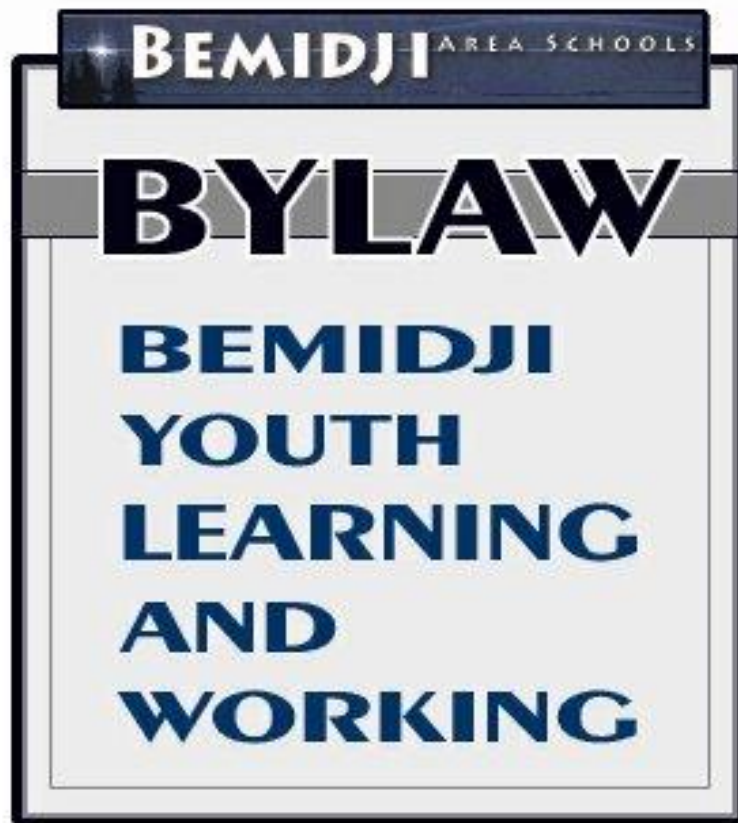


2016 /2017 Revisions to BYLaW Handbook

- Revised Cover Sheet for the 2016/2017 school year.
- Revised Contents page accordingly.
- Revised District Personnel page accordingly.
- Revised Procedures for Student Referrals.
- Revised BYLaW Regulations/Procedures Guide.
- Revised Quite Room / Unusual Occurrence form.
- Replaced School Properties – Internet Acceptable Use Policy with August 17, 2015 version.
- Revised School Calendar for 2016/2017 school year.



BEMIDJI AREA SCHOOLS

TAMI WESELY
PRINCIPAL

SCHOOL HANDBOOK
2016-17

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DISTRICT PERSONNEL

District Office Staff:

Dr. James Hess, Superintendent	333-3100 ext. 31120
Stephanie Hubbard, Director of Special Education	333-3100 ext. 31104
Chris Leinen, Director of Business Services	333-3100 ext. 31125
Jordan Hickman, Director of Human Resources	333-3100 ext. 31113
Kathy Palm, Director of Curriculum	333-3100 ext. 31103
Greg Liedl, Transportation Coordinator	333-3225 ext. 33191
, Coordinator of Indian Education	333-3187 ext. 56151

District Principals:

Kathy VanWert, Paul Bunyan Elementary	333-3119 ext. 45202
Patricia Welte, Central Elementary	333-3220 ext. 41202
Patricia Welte, J.W. Smith Elementary	333-3290 ext. 43203
Ami AalGaard, Horace May Elementary & EIC	333-3240 ext. 42203
Jason Luksik, Lincoln Elementary	333-3250 ext. 44205
Wendy Templin, Northern Elementary	333-3260 ext. 45202
Tami Wesely, Solway Elementary	467-3232 ext. 47203
Tami Wesely, Alternative Education Programs	333-3299 or 333-3458
Drew Hildenbrand, Bemidji Middle School	333-3215 ext. 52041
Brandon Bjerknes, Assist. Principal, Bemidji Middle School	333-3215 ext. 52031
Andra Vaughn, Dean of Students, Bemidji Middle School	333-3215 ext. 52021
Brian Stefanich, Bemidji High School	444-1600 ext. 63305
Jason Stanoch, Assist. Principal, Bemidji High School	444-1600 ext. 63306
Ranae Seykora, Assist. Principal, Bemidji High School	444-1600 ext. 63320

School Board Members:

Melissa Bahr	444-9281
Bill Faver	586-2876
Jeff Haack	444-8127
Carol L. Johnson	751-0415
John Pogleasa	333-3903
Ann Long Voelkner	333-0510

BYLaW
Bemidji Youth Learning and Working
Mission Statement

The goal of the BYLaW Program is to assist each student in becoming a productive and contributing member of his/her community.

BYLaW Defined

BYLaW is a Special Education, Level 4 Emotional Behavioral Disorder (E.B.D.) program providing full time academic services to students who have not been successful in the traditional school setting. The Bemidji Middle School or High School make the initial referral to the BYLaW Advisory Committee. Students who are placed in the BYLaW Program are referred to the program by a referral from the middle school or high school and agreed by IEP teams.

Once students are accepted into the BYLaW Program, they are provided an individualized education program tailored to their specific needs and designed to further their abilities in all areas, but focused on improving their math, reading, and written language skills. The prescriptive curriculum stresses the skills necessary to pass the Minnesota Comprehensive Assessment III Exams.

Students, families, and staff are vital members of each student's planning team and earning credits toward graduation, as well as preparing students to function successfully after high school and in the world of work.

The BYLaW Program consists of the following:

- Junior BYLaW – Middle School Grades 6-8
- Senior BYLaW – High School Grades 9-12
-

Procedures for Student Referrals
Sr. BYLaW / Jr. BYLaW
Bemidji Youth Learning and Working

BYLaW is an option that may be considered when a student is not successful in the middle or high school despite increasing time, intensity, and support from the special education. BYLaW offers the full time supports from two special education teachers, a Children's Therapeutic Support Services worker, and three paraprofessionals. The combined Sr. BYLaW / Jr. BYLaW program shall maintain a total of 16 or less students (including evaluation slot students). If more than 16 students are placed at BYLaW, the average daily membership of the placed students and factors such as the intensity of the students will be reviewed; and additional staff may be assigned.

The Jr. BYLaW Committee will meet the second Tuesday of each month that school is in session at 7:45 a.m. at the BYLaW building. The BYLaW Principal will provide the standing committee with an agenda at the meeting. The BYLaW Intake-Exit Committee is comprised of the Middle School Principal or designee, the BYLaW Principal or designee, The Jr. BYLaW Instructors, The Middle School Psychologist, the Middle School Social Worker, appropriate Indian Education staff from the Middle School, and the Director of Special Education. The Jr. BYLaW program enrolls **five to six (5-6)** students which may include evaluation slots as necessary.

The Sr. BYLaW Committee will meet the third Tuesday of each month that school is in session at 7:30 a.m. at the BYLaW building. The BYLaW Principal will provide the standing committee with an agenda at the meeting. The Sr. BYLaW Intake-Exit Committee is comprised of the High School Principal or designee, the BYLaW Principal or designee, the BYLaW instructors, a High School Setting III E.B.D. instructor, the High School Social Worker, the High School Psychologist, appropriate Indian Education staff from the High School, and the Director of Special Education. The Sr. BYLaW program enrolls **ten to eleven (10-11)** students which may include evaluation slots as necessary.

The BYLaW Intake-Exit Committees will discuss students being referred to the program or referred out of the program prior to IEP teams considering the placement. The BYLaW Intake-Exit Committees will discuss each student in the program's success and lack thereof. Programming options will be considered based around the student's least restrictive environment.

When students are being successful, considerations will be made for when and how to best support the student as the team strives to reduce time at BYLaW and increase time within the regular school setting. Because at the high school level the students are earning credits based on quarters with definitive starting dates, the BYLaW Intake-exit Committee will concentrate transitions back to the high school at the meetings which take place prior to the new quarters. For the 2015-2016 school year, the dates of these conversations will be: October 20th (2nd quarter starts November 16th), January 19th (3rd quarter starts February 1st), March 15th (4th quarter starts April 11th) and

May 17th (for the 1st quarter of the 2016-2017 school year). The team will consider options to help promote the successful transition back to the regular setting. These options may include supports that will be weaned once the student has experienced success with the new placement.

On the contrary, BYLaW teachers will communicate with teaching staff and administration at the regular school when BYLaW students are transitioning back to their regular school. The transition process is generally a class or two at a time. The decision to pull the student back from the regular setting may be made at the point which it is clear to the IEP team that the student is not going to be successful in the regular setting with the resources we have available to provide there.

When a student is not successful, programming options within the regular school setting are becoming exhausted, and the student has gone through the Middle School or High School Child Study Committee a referral to the Sr. BYLaW or Jr. BYLaW Program will be made by a committee member. Emailing the student's name to the BYLaW Principal will ensure that the student is discussed at the next scheduled meeting. The person making the referral to the BYLaW Principal will provide formal information at the next BYLaW Intake-Exit Committees meeting. Student information will be shared only on a need-to-know basis. Options for potential interventions to be successful without BYLaW placement will be brainstormed. The goal is for students to find success in the regular setting, however the level 4 BYLaW program provides some students the level of support which is needed. Students will be rank ordered by need at each monthly meeting. Programming decisions will depend upon many factors including: options exhausted, options available, the severity of the student's needs, and most importantly the IEP team's decision.

Students will **not** be placed in the BYLaW program from other public school settings or upon return from a residential placement, without the BYLaW Principal and teachers being involved in a placement discussion. Students referred back to the home district from any out-of-district school or treatment centers will be referred to the appropriate building administrator for review and then may, in turn, be referred to BYLaW should that be deemed appropriate. A placement at BYLaW would only occur under such circumstances after consultation with the BYLaW Principal and BYLaW teachers. Exceptions would only be made based on recommendations from the Superintendent of Schools, Director of Special Education, or the Bemidji Area Schools Board of Education. Program expansion may also occur should the need arise following consultation with the Director of Special Education and Superintendent of Schools.

*Revised November 21, 2015
(To be revised annually)*

Student Change of Placement to District Program

The following information refers to a change of placement for any reason: programming, suspension, expulsion, etc. If there are any questions regarding this process, please contact the Due Process Facilitator.

From a Building Program to a District Program:

1. The sending case manager must complete an Amended IEP, in collaboration with the receiving case manager, and have parent signature prior to the change of placement.
2. Sending case manager will share the student in Sped Forms with the receiving case manager immediately.
3. The current SE file, including current IEP and change of placement documentation, will be hand-carried to the receiving case manager before the student's first day.
4. If an evaluation is in progress, the sending case manager will follow the student through the completion of the evaluation, including the meeting and paperwork. The evaluation will be conducted in cooperation with the receiving case manager. The sending case manager is responsible for making sure a hard copy of the completed evaluation report gets into the student's Special Education file.
5. The receiving case manager will complete the IEP within 30 days of the completed assessment.

For a 45-Day (School Days) Evaluation at BYLaW:

1. The sending case manager must complete a Significant Change and have parent signature prior to the change of placement.
2. If an evaluation is in progress or becomes due during the 45-day evaluation period at BYLaW, the sending case manager will complete the evaluation. The sending case manager is responsible for making sure a hard copy of the evaluation report gets into the student's Special Education file.
3. Generally, the "eval slots" will not be used to actually conduct a three-year evaluation, but rather to evaluate the appropriateness of the BYLaW setting.
4. BYLaW is intended for EBD students. Exceptions would only be granted with the involvement of the Director of Special Education or Superintendent of Schools.

From High School/Middle School to First City School/Oshki Manidoo:

Long Term Placement:

1. High School/Middle School case manager will share the student in Sped Forms with the First City/Oshki Manidoo case manager immediately.
2. First City case manager will make change of placement and complete a new IEP as necessary.

3. If an evaluation is in progress, the High School/Middle School case manager will complete the evaluation in collaboration with First City/Oshki Manidoo staff.
4. If an evaluation comes due while at First City/Oshki Manidoo, the First City/Oshki Manidoo case manager completes the evaluation and may utilize High School/Middle School staff for completion of assessment.

Short Term Placement:

1. First City/Oshki Manidoo case manager reviews the IEP to make sure it can be implemented as written.
2. Parents/Guardians notified the IEP will be implemented as is.
3. If it cannot be implemented, the case manager will contact the parent and amend the IEP as needed, completing all required forms.

Court Ordered Placement:

1. No changes take place in the IEP.

From High School to AEC:

1. The High School case manager will amend the IEP (completing an Agreement to Amend or conducting the IEP meeting and a Prior Written Notice) and have parent signature prior to the change of placement.
2. If the student drops prior to a meeting, the High School case manager will notify AEC special education teacher of the student dropping to attend the AEC.
3. The High School case manager will share the student in Sped Forms with the AEC case manager immediately.
4. Upon the student attending the AEC, the AEC case manager will amend the IEP to better reflect the new schedule and take over as case manager. If an evaluation is in progress, the High School case manager will complete the evaluation in collaboration with the AEC case manager.
5. If the student does not attend the AEC within one month, according to the academic calendar, the AEC case manager will notify the High School case manager to complete discontinuation of services notice.

From Another School District:

1. A placement at Sr BYLaW or Jr BYLaW from another district may occur after consultation between the school social worker, school psychologist, BYLaW Principal and BYLaW teachers with approval of the Director of Special Education or the Superintendent of Schools.

BYLaW Regulations/Procedures Guide

Effective September 6, 2016

All students attending the BYLaW Program have an Individual Education Plan (IEP). Their educational program focuses on the goals and objectives of their IEP. Each student is assigned a case manager who coordinates the special education services.

Materials and assignments may be modified to individual ability levels. Students are expected to follow general school and classroom rules. Incentives are built into the program to encourage positive behaviors.

CLASSROOM DISCIPLINE

CLASSROOM PROCEDURES

- * Students are expected to follow basic classroom rules and regulations.
- * Students are given cues to correct inappropriate behavior.
- * If inappropriate behavior continues, the student will receive a warning.
- * Following a minimum of two warnings to cue the misbehavior to stop, the student will be removed to an isolated area within or outside of the classroom. Dependent on the severity of the behavior, a more immediate consequence may be given without warning.
- * If the misbehavior continues to disrupt the learning process, the student may be removed to the Quiet Room.
- * Refusal to do work: First a warning will be given. If he/she is disruptive to class, he/she will be sent to the Quiet Room.

POSSIBLE INTERVENTIONS

Depending upon the situation or behavior, a teacher or assistant will attempt to discuss inappropriate behaviors with the student. De-escalation will be attempted to encourage the student to successfully participate in class. Possible interventions include:

- * Verbal and non-verbal cues
- * Observation
- * Quiet Room
- * Conference with student

QUIET ROOM

QUIET ROOM PHILOSOPHY

The Quiet Room is used as a technique to teach students to take responsibility for their behaviors and to help them follow school rules and expectations. The Quiet Room provides a supervised, safe, non-punitive atmosphere that allows students to prepare themselves to return to class as quickly as possible. Misbehavior deserving of the Quiet Room may include, but is not limited to, one or more of the following:

- * Refusal to follow the teacher's directions
- * Swearing or threatening
- * Choosing not to be where assigned to be
- * Leaving without permission
- * Noncompliance with classroom rules
- * Throwing objects

USE OF THE QUIET ROOM

- * Quiet Room is not a punitive consequence.
- * Quiet Room does not begin until the student is following the Quiet Room rules.
- * Quiet Room is not a place to counsel or talk to the student. Do not engage in a dialog.
- * Quiet Room is an opportunity for the student to cool down and de-escalate him/herself.
- * Quiet Room is a place for the student to vent.
- * Documentation in the log should detail what the student said and did in the room. For example: Verbal venting, pacing in the room, hitting the walls.

QUIET ROOM RULES

- * There will be no talking in the Quiet Room.
- * Students need to stand or sit away from the door.
- * Students need a plan to re-enter class. The plan needs to be accepted by the teacher.
- * If disruptive behaviors continue, the student will be given another assignment to the Quiet Room.
- * When the student is able to regain composure and make a positive commitment to return to class, the student will be allowed to re-enter the classroom.
- * For continual disruptive behaviors, the student may be assigned Out of School Suspension.

- * Students who become physically aggressive or display self-harming behaviors may be dismissed or suspended to the lodge.
- * Documentation in the Quiet Room log should detail what the student said and did in the Quiet Room. (i.e., verbally venting, pacing, hitting the walls, etc.)
- * If a student is unable to use the Quiet Room effectively, he/she may move into the disciplinary mode.

REMOVAL FROM QUIET ROOM TO Out of School Suspension

- * Repeated use of the Quiet Room
- * Continued disruptive behaviors outside of the Quiet Room area.
- * Minor property damage (hinges, writing on walls, etc.)
- * Leaving the building without permission.
- * Intimidation of staff beyond the venting stage.

REMOVAL PROCEDURES

Students may be removed from school for the remainder of the day for behaviors that substantially disrupt the school program or after repeated attempts to correct the misbehavior are unsuccessful. The following list of misbehaviors may be grounds for dismissal.

- * Noncompliance with Quiet Room rules.
- * Discriminatory, abusive or obscene language.
- * Threatening another person with bodily harm.
- * Any action taken to attempt to prevent a staff member or student from exercising his/her assigned duties.
- * Violating the dress code and refusal to change.
- * Bullying.
- * Insubordination.

SUSPENSION PHILOSOPHY

The consequence for misbehavior that results in a suspension from school is consistent with the Code of Consequences for the Bemidji Area Schools. A student, including an identified special education student, may be suspended for up to 10 days according to the Pupil Fair Dismissal Act. The following behaviors could result in a suspension from school:

- * Physical Assault: We believe all students and staff must be safe. Physical aggressive acts toward another with the intent to harm will not be tolerated. Spitting at staff will be considered an assault.
- * Weapons Possession: Any weapon, device, material, etc. that is capable of causing death or serious bodily injury will not be allowed.
- * Property Destruction: Any willful damage of property or vandalism will not be tolerated. Restitution will be required.
- * Substance or Tobacco Use/Possession: Possessing or using any narcotics, inhalants, or controlled substances are prohibited by Minnesota and federal law.
- * Sexual Violence: Sexual violence toward another person is prohibited.

USE OF PHYSICAL CONTROL

Physical control is used only when the behavior of a student endangers the health and safety of him/herself, other students, or staff. The National Crisis Prevention Institute's program, Nonviolent Crisis Intervention, is followed for all physical control situations. Only staff certified in CPI techniques may be involved in physical control situations. The CPI team will be staff members first on the scene of the out-of-control student. Physical control is done with only as much force as is necessary to protect the student and others. Proper documentation must be maintained for each occurrence.

USE OF LAW ENFORCEMENT PERSONNEL

If a student violates a district rule, which is also a violation of the law, the administrator or designee may notify the proper authorities.

BYLaW School will follow the School Board Policy 700-40-6, dated September 19, 2011.

121A.40 CITATION.

Sections 121A.40 to 121A.56 may be cited as the "Pupil Fair Dismissal Act."

121A.41 DEFINITIONS.

Subdivision 1. **Applicability.** As used in sections 121A.40 to 121A.56, the terms defined in this section shall have the meanings assigned them.

Subd. 2. **Dismissal.** "Dismissal" means the denial of the current educational program to any pupil, including exclusion, expulsion, and suspension. It does not include removal from class.

Subd. 3. **District.** "District" means any school district.

Subd. 4. **Exclusion.** "Exclusion" means an action taken by the school board to prevent enrollment or reenrollment of a pupil for a period that shall not extend beyond the school year.

Subd. 5. **Expulsion.** "Expulsion" means a school board action to prohibit an enrolled pupil from further attendance for up to 12 months from the date the pupil is expelled.

Subd. 6. **Parent.** "Parent" means (a) one of the pupil's parents, (b) in the case of divorce or legal separation, the parent or parents with physical custody of the pupil, including a noncustodial 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 18, parent may include a district-appointed surrogate parent.

Subd. 7. **Pupil.** (a) "Pupil" means any student:

(1) without a disability under 21 years of age; or

(2) with a disability under 21 years old who has not received a regular high school diploma or for a child with a disability who becomes 21 years old during the school year but has not received a regular high school diploma, until the end of that school year; and

(3) who remains eligible to attend a public elementary or secondary school.

(b) A "student with a disability" or a "pupil with a disability" has the same meaning as a "child with a disability" under section 125A.02.

Subd. 8. **School.** "School" means any school defined in section 120A.05, subdivisions 9, 11, 13, and 17.

Subd. 9. **School board.** "School board" means the governing body of any school district.

Subd. 10. **Suspension.** "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, except as provided in federal law for a student with a disability. Each suspension action may include a readmission plan. The readmission plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission and may not be used to extend the current suspension. Consistent with section 125A.091, subdivision 5, the readmission plan must not obligate a parent to provide a sympathomimetic medication for the parent's child as a condition of readmission. The school administration may not impose consecutive suspensions against the same pupil for the same course of conduct, or incident of 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 case the school administration may extend the suspension to a total of 15 school days.

Subd. 11. **Alternative educational services.** "Alternative educational services" may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessment, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under section 123A.05 selected to allow the pupil to progress toward meeting graduation standards under section 120B.02, although in a different setting.

121A.42 POLICY.

No public school shall 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.

121A.43 EXCLUSION AND EXPULSION OF PUPILS WITH A DISABILITY.

(a) Consistent with federal law governing days of removal and section 121A.46, school personnel may suspend a child with a disability. When a child with a disability has been suspended for more than five consecutive school days or ten cumulative school days in the same school year, and that suspension does not involve a recommendation for expulsion or exclusion or other change of placement under federal law, relevant members of the child's individualized education program team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's individualized education program. That meeting must occur as soon as possible, but no more than ten days after the sixth consecutive day of suspension or the tenth cumulative day of suspension has elapsed.

(b) A dismissal for one school day or less is a day or a partial day of suspension if the child with a disability does not receive regular or special education instruction during that dismissal period. The notice requirements under section 121A.46 do not apply to a dismissal of one day or less.

(c) A child with a disability shall be provided alternative educational services to the extent a suspension exceeds five consecutive school days.

(d) Before initiating an expulsion or exclusion under sections 121A.40 to 121A.56, the district, relevant members of the child's individualized education program team, and the child's parent shall, consistent with federal law, determine whether the child's behavior was caused by or had a direct and

substantial relationship to the child's disability and whether the child's conduct was a direct result of a failure to implement the child's individualized education program. When a child with a disability who has an individualized education program is excluded or expelled under sections 121A.40 to 121A.56 for misbehavior that is not a manifestation of the child's disability, the district shall continue to provide special education and related services during the exclusion or expulsion.

121A.44 EXPULSION FOR POSSESSION OF FIREARM.

(a) Notwithstanding the time limitation in section 121A.41, subdivision 5, a school board must expel for a period of at least one year a pupil who is determined to have brought a firearm to school except the board may modify this expulsion requirement for a pupil on a case-by-case basis. For the purposes of this section, firearm is as defined in United States Code, title 18, section 921.

(b) Notwithstanding chapter 13, a student's expulsion or withdrawal or transfer from a school after an expulsion action is initiated against the student for a weapons violation under paragraph (a) may be disclosed by the school district initiating the expulsion proceeding. Unless the information is otherwise public, the disclosure may be made only to another school district in connection with the possible admission of the student to the other district.

121A.45 GROUNDS FOR DISMISSAL.

Subdivision 1. **Provision of alternative programs.** No school shall 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.

Subd. 2. **Grounds for dismissal.** 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 significantly disrupts the rights of others to an education, or the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or
- (c) willful conduct that endangers the pupil or other pupils, or surrounding persons, including school district employees, or property of the school.

Subd. 3. **Parent notification and meeting.** If a pupil's total days of removal from school exceeds ten cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the pupil and the pupil's parent or guardian before subsequently removing the pupil from school and, with the permission of the parent or guardian, arrange for a mental health screening for the pupil. The district is not required to pay for the mental health screening. The purpose of this meeting is to attempt to determine the pupil's need for assessment or other services or whether the parent or guardian should have the pupil assessed or diagnosed to determine whether the pupil needs treatment for a mental health disorder.

121A.46 SUSPENSION PROCEDURES.

Subdivision 1. **Informal administrative conference before suspension.** The school administration shall not suspend a pupil from school without an 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 case the conference shall take place as soon as practicable following the suspension.

Subd. 2. **Administrator notifies pupil of grounds for suspension.** At the informal administrative conference, a school administrator shall notify the pupil of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the pupil may present the pupil's version of the facts.

Subd. 3. **Written notice of grounds for suspension.** 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 sections 121A.40 to 121A.56, shall 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 shall 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 shall 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.

Subd. 4. **Suspension pending expulsion or exclusion hearing.** Notwithstanding the provisions of subdivisions 1 and 3, 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 that suspension exceeds five days.

121A.47 EXCLUSION AND EXPULSION PROCEDURES.

Subdivision 1. **Requiring a hearing; pupil may waive hearing.** No exclusion or expulsion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the pupil and parent or guardian. The action shall be initiated by the school board or its agent.

Subd. 2. **Written notice.** Written notice of intent to take action shall:

- (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 sections 121A.40 to 121A.56;
- (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:
 - (1) have a representative of the pupil's own choosing, including legal counsel, at the hearing. The district shall advise the pupil's parent or guardian that free or low-cost legal

assistance may be available and that a legal assistance resource list is available from the Department of Education;

(2) examine the pupil's records before the hearing;

(3) present evidence; and

(4) confront and cross-examine witnesses.

Subd. 3. **Hearing schedule.** The hearing shall be scheduled within ten days of the service of the written notice unless an extension, not to exceed five days, is requested for good cause by the school board, pupil, parent or guardian.

Subd. 4. **Convenient time and place of hearing.** The hearing shall be at a time and place reasonably convenient to pupil, parent or guardian.

Subd. 5. **Closed or open hearing.** The hearing shall be closed unless the pupil, parent or guardian requests an open hearing.

Subd. 6. **Impartial hearer.** The hearing shall take place before:

(1) an independent hearing officer;

(2) a member of the school board;

(3) a committee of the school board; or (4) the full school board;

as determined by the school board. The hearing shall be conducted in a fair and impartial manner.

Subd. 7. **Creating hearing record.** The school board shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense. Testimony shall be given under oath. The hearing officer or a member of the school board shall have the power to issue subpoenas and administer oaths.

Subd. 8. **Access to pupil's records.** At a reasonable time prior to the hearing, the pupil, parent or guardian, or representative, shall 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.

Subd. 9. **Pupil's right to compel testimony.** The pupil, parent or guardian, or representative, shall have the right to compel the attendance of any 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.

Subd. 10. **Pupil's right to present evidence and testimony.** The pupil, parent or guardian, or representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.

Subd. 11. **Pupil not compelled to testify.** The pupil cannot be compelled to testify in the dismissal proceedings.

Subd. 12. **Hearer's recommendation limited to evidence at hearing; service within two days.** The recommendation of the hearing officer or school board member or committee shall be based solely upon substantial evidence presented at the hearing and must be made to the school board and served upon the parties within two days of the end of the hearing.

Subd. 13. **Basis of school board decision; opportunity for comment.** The school board shall base its decision upon the recommendation of the hearing officer or school board member or committee and shall render its decision at a meeting held within five days after receiving the recommendation. The school board may provide the parties with the 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 apprise the parties and the commissioner of education of the basis and reason for the decision.

Subd. 14. **Admission or readmission plan.** (a) A school administrator shall prepare and enforce an admission or readmission plan for any pupil who is excluded or expelled from school. The plan may include measures to improve the pupil's behavior, including completing a character education program, consistent with section 120B.232, subdivision 1, 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.

(b) The definition of suspension under section 121A.41, subdivision 10, does not apply to a student's dismissal from school for one school day or less, except as provided under federal law for a student with a disability. Each suspension action may include a readmission plan. A readmission plan must provide, where appropriate, alternative education services, which must not be used to extend the student's current suspension period. Consistent with section 125A.091, subdivision 5, a readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School officials must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect or medical or educational neglect.

121A.48 GOOD FAITH EXCEPTION.

A violation of the technical provisions of the Pupil Fair Dismissal Act, made in good faith, is not a defense to a disciplinary procedure under the act unless the pupil can demonstrate actual prejudice as a result of the violation.

121A.49 APPEAL.

A party to an exclusion or expulsion decision made under sections 121A.40 to 121A.56 may appeal the decision to the commissioner of education within 21 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 its receipt of the notice of appeal. All written submissions by the appellant must be submitted and served on the respondent within ten days of its actual receipt of the transcript. All written submissions by the respondent must be submitted and served on the appellant within ten days of its actual receipt of the written submissions of the appellant. The decision of the school board must be implemented during the appeal to the commissioner.

In an appeal under this section, the commissioner may affirm the decision of the agency, may remand the decision for additional findings, or may reverse or modify the decision if the substantial rights of the petitioners 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 section 121A.48;
- (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 shall make a final decision based upon the record. The commissioner shall issue a decision within 30 calendar days of receiving the entire record and the parties' written submission on appeal. The commissioner's decision shall be final and binding upon the parties after the time for appeal expires under section 121A.50.

121A.50 JUDICIAL REVIEW.

The decision of the commissioner of education made under sections 121A.40 to 121A.56 is subject to judicial review under sections 14.63 to 14.69. The decision of the commissioner is stayed pending an appeal under this section.

121A.51 REPORTS TO SERVICE AGENCY.

The school board shall report any action taken pursuant to sections 121A.40 to 121A.56 to the appropriate public service agency, when the pupil is under the supervision of such agency.

121A.52 NONAPPLICATION OF COMPULSORY ATTENDANCE LAW.

The provisions of section 120A.22, subdivision 5, shall not apply to any pupil during a dismissal pursuant to sections 121A.40 to 121A.56.

121A.53 REPORT TO COMMISSIONER OF EDUCATION.

Subdivision 1. **Exclusions and expulsions.** The school board must report through the department electronic reporting system each exclusion or expulsion within 30 days of the effective date of the action to the commissioner of education. This report must include a statement of alternative educational services given the pupil and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender, race, and special education status.

Subd. 2. **Report.** The school board must include state student identification numbers of affected pupils on all dismissal reports required by the department. The department must report annually to the commissioner summary data on the number of dismissals by age, grade, gender, race, and special education status of the affected pupils. All dismissal reports must be submitted through the department electronic reporting system.

121A.54 NOTICE OF RIGHT TO BE REINSTATED.

Whenever a pupil fails to return to school within ten school days of the termination of dismissal, a school administrator shall inform the pupil and the pupil's parents by mail of the pupil's right to attend and to be reinstated in the public school.

121A.55 POLICIES TO BE ESTABLISHED.

(a) The commissioner of education shall promulgate guidelines to assist each school board. Each school board shall establish uniform criteria for dismissal and adopt written policies and rules to effectuate the purposes of sections 121A.40 to 121A.56. The policies shall emphasize preventing dismissals through early detection of problems and shall be designed to address students' inappropriate behavior from recurring. The policies shall recognize the continuing responsibility of the school for the education of the pupil during the dismissal period. The alternative educational services, if the pupil wishes to take advantage of them, must be adequate to allow the pupil to make progress towards meeting the graduation standards adopted under section 120B.02 and help prepare the pupil for readmission.

(b) An area learning center under section 123A.05 may not prohibit an expelled or excluded pupil from enrolling solely because a district expelled or excluded the pupil. The board of the area learning center may use the provisions of the Pupil Fair Dismissal Act to exclude a pupil or to require an admission plan.

(c) Each school district shall develop a policy and report it to the commissioner on the appropriate use of peace officers and crisis teams to remove students who have an individualized education program from school grounds.

121A.56 APPLICATION.

Subdivision 1. **Prohibition against discrimination remains in effect.** Sections 121A.40 to 121A.56 shall not be deemed to amend or otherwise affect or change section 363A.13, subdivision 2.

Subd. 2. **Portions of school program for credit.** Sections 121A.40 to 121A.56 shall apply only to those portions of the school program for which credit is granted.

BYLaW Suspension Form

For Office Use Only:

DIRS Incident # _____

Entered in DIRS _____

DOB: _____

MARSS: _____

NAME:

DATE of Incident:

TIME of incident:

LOCATION of incident: (can choose more than one):

____ Classroom

____ Restroom

____ Parking lot

____ Hallway

____ Other indoor area

____ Other outdoor area
(on campus)

____ Locker

____ School bus

____ Off campus

Total # of days suspended: (i.e. .5, 1, 1.5, 2 etc.)

(Note: For special education students, removals from school for any portion of a day must be reported in ½ day increments).

DATES suspended, inclusive:

Type of incident/Grounds for Suspension: (check at least one)

____ Alcohol

____ Disruptive/

____ OTC Meds

____ Arson

____ Disorderly

____ Pyrotechnics

____ Assault

____ Cond/Insubordination

____ Robbery (force)

____ Attendance

____ Extortion

____ Terroristic Threats

____ Bomb

____ Fighting

____ Theft

____ Bomb Threat

____ Gang Activity

____ Threat/Intimidation

____ Bullying (except cyber)

____ Harassment

____ Tobacco

____ Cyber Bullying

____ Hazing

____ Vandalism/Property

____ Computer

____ Homicide

____ Verbal Abuse

____ Controlled Sub

____ Illegal Drugs

____ Weapon ____ Other

STATEMENT of FACTS: Code(s) of Conduct Violation:

Victim Info:

____ NO VICTIM(S)

____ Teacher

____ District Employee

____ Student (MARSS # known)

____ Student (MARSS # unknown)

____ Multiple (i.e.: bus, class, school wide)

Victim Impact:

Did injury occur? __yes __no

Medical costs to victim incurred by this event? ____\$0 ____\$1-500 ____over \$500

Teacher / Staff Involved:

Form Completed BY:

ISD #31
HOLD REPORT

Date: _____ Start Time: _____ am/pm End Time: _____ am/pm

Person Reporting: _____ Name of Student: _____

Staff Involved: _____

Location of Hold: _____

Type/Length of Technique(s) Used (Round to the nearest whole minute):

___ Children's Hold ___ Team Control ___ Transport Hold ___ Interim Hold

CRISIS DEVELOPMENT

Description of Incident: Student Behavior	Staff Response
<u>Anxiety:</u>	<u>Supportive:</u>
<u>Defensive:</u>	<u>Directive:</u>
<u>Acting Out Behavior:</u>	<u>Nonviolent Physical Crisis Intervention:</u>
<u>Tension Reduction:</u>	<u>Therapeutic Rapport:</u>

*Was resident informed of reason for hold as well as expectations for discontinuance?
Yes____ No____

*When terminated, was assessment conducted to determine if student can re-enter school activity?
Yes____ No____

*Was the hold longer than fifteen minutes in duration?
Yes____ No____

-If yes, was there documentation of hold in fifteen minute intervals?
Yes____ No____

-If yes, were bathroom privileges offered to student?
Yes____ No____

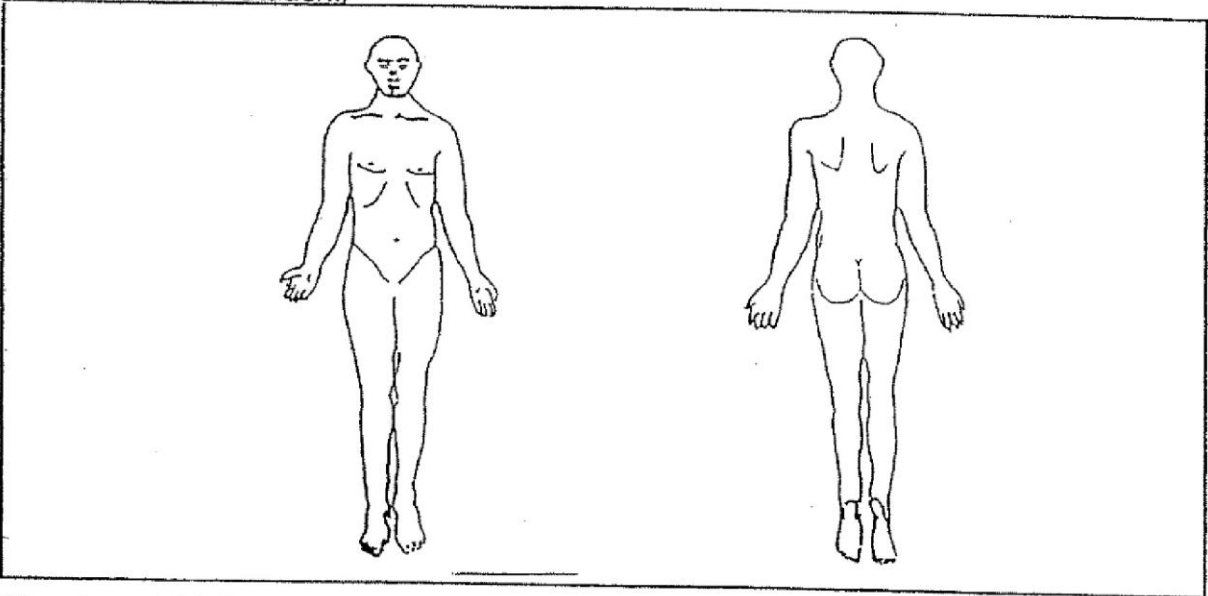
Injury to Staff? Yes____ No____ If yes, notify nurse

Injury to Student? Yes____ No____ If yes, notify supervisor for follow up

Name of Staff(s) Injured: _____

Description/Treatment of Injury: _____

Location of Injury:
(Indicate Staff or Student)



Signature of All Staff Involved: _____

Date: _____

BYLAW Quiet Room / Unusual Occurrence

Date:

Student(s) Involved:

Time of Occurrence:

Classroom / Area:

Form Completed by:

Brief description of occurrence; including student behavior, staff response, consequences, follow up and timeline.

Were staff and student able to agree upon reasons for timeout and future student expectations? Yes / No

Briefly explain:

List staff involved including responsibilities during quiet time. Include begin and end time involved for each staff.

Please Complete:

Of Staff/Total Time:

,

* If a physical hold was necessary, please attach a hold report.

SCHOOL PROPERTIES - INTERNET ACCEPTABLE USE POLICY

I. PURPOSE

The purpose of this policy is to set forth policies and guidelines for access to the school district computer system and acceptable use of the Internet, including electronic communications.

II. GENERAL STATEMENT OF POLICY

In making decisions regarding student and employee access to the school district computer system and to the Internet, the school district considers its own state educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the school district computer system and to the Internet enables students and employees to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The school district expects that faculty will blend thoughtful use of the school district computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

III. LIMITED EDUCATIONAL PURPOSE

The school district is providing students and employees with access to the school district's computer system, which includes Internet access. The purpose of the system is more specific than providing student and employees with general access to the Internet. The school district system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the school district and school policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited purpose network.

IV. USE OF SYSTEM IS A PRIVILEGE

The use of the school district system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the school district system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate school district policies, including suspension, expulsion, exclusion or termination of employment; or civil or criminal liability under other applicable laws.

V. UNACCEPTABLE USES

- A. The following uses of the school district system and Internet resources or accounts are considered unacceptable:

1. Users will not use the school district system to access, review, upload, download store, print, post, receive, transmit, or distribute:
 - a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
 - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
 - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
 - d. information or materials that could cause damage or danger of disruption to the educational process;
 - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
2. Users will not use the school district system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
3. Users will not use the school district system to engage in any illegal act or violate any local, state, or federal statute or law.
4. Users will not use the school district system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the school district system software, hardware, or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.
6. Users will not use the school district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, address, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.

- a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
- b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:
 - (1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with school board policy, or
 - (2) such information is not classified by the school district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with school board policy.

In addition, prior to posting any personal contact or personally identifiable information on a school-related webpage, employees shall obtain written approval of the content of the postings from the building administrator.

- c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or another individual on social networks, including, but not limited to, social networks as “MySpace” and “Facebook.”
- 7. Users must keep all account information and passwords on file with the designated school district official. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person’s account, or use computer accounts, access codes, or network identification other than those assigned to the user. Message and records on the school district system may not be encrypted without the permission of appropriate school authorities.
 - 8. Users will not use the school district system to violate copyright laws or usage licensing agreements, or otherwise to use another person’s property without the person’s prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.

9. Users will not use the school district system for conducting business, for authorized commercial purposes, or for financial gain unrelated to the mission of the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement. Users will not use the school district system to purchase goods or services for personal use without authorization from the appropriate school district official.
 10. Users will not use the school district system to engage in bullying or cyberbullying in violation of the school district's Bullying Prohibition Policy. This prohibition includes using any technology or other electronic communication off school premises to the extent that student learning or the school environment is substantially and materially disrupted.
- B. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations include, but are not limited to, situations where the school district system is compromised or if a school district employee or student is negatively impacted. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.
- C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate discloser shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school district employee, the building administrator.

VI. FILTER

- A. With respect to any of its computers with Internet access, the school district will monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:
1. Obscene;

2. Child pornography; or

3. Harmful to minors.

B. The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:

1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or

2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and

3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

C. An administrator, supervisor, or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.

D. The school district will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

VII. CONSISTENCY WITH OTHER SCHOOL POLICIES

Use of school district computer system and use of the Internet shall be consistent with school district policies and the mission of the school district.

VIII. LIMITED EXPECTATION OF PRIVACY

A. By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect no privacy in the contents of personal files on the school district system.

B. Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.

C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.

D. Parents have the right to investigate or review the contents of their child's files and e-mail files. Parents have the right to request the termination of their child's individual account at any time.

E. School district employees should be aware that the school district retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, school district employees should be aware that data and other material in files, maintained on the school district system may be subject to review, disclosure, or discovery under Minn. Stat. Ch. 13 (the Minnesota Government Data Practices Act).

F. The school district will cooperate fully with local, state, and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.

IX. INTERNET USE AGREEMENT

A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents and employees of the school district.

B. This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.

C. The Internet Use Agreement form for students must be read and signed by the user, and a parent or guardian, and the supervising teacher. The Internet Use Agreement form for employees must be signed by the employee. The form must then be filed at the school office. As supervising teachers change, the agreement signed by the new teacher shall be attached to the original agreement.

X. LIMIT ON SCHOOL DISTRICT LIABILITY

Use of the school district system is at the user's own risk. The system is provided on an "as is, as available" basis. The school district will not be responsible for any damage users may suffer, including, but not limited to, loss, damage or unavailability of data stored on school district diskettes, tapes, hard drives or servers, or for delays or changes in or interruptions of service or misdeliveries of information or materials, regardless of the cause. The school district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the school district system. The school district will not be responsible for financial obligations arising through unauthorized use of the school district system or the Internet.

XI. USER NOTIFICATION

A. All users shall be notified of the school district policies relating to Internet use.

B. This notification shall include the following:

1. Notification that Internet use is subject to compliance with school district policies.

2. Disclaimers limiting the school district's liability relative to:

a. Information stored on school district diskettes, hard drives or servers.

b. Information retrieved through school district computers, networks or online resources.

c. Personal property used to access school district computers, networks or online resources.

d. Unauthorized financial obligations resulting from use of school district resources/accounts to access the Internet.

3. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.

4. Notification that, even though the school district may use technical means to limit student Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.

5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any finance obligation incurred by a student through the Internet is the sole responsibility of the student and/or student's parents.

6. Notification that the collection, creation, reception, maintenance, and dissemination of data via the Internet, including electronic communications, is governed by school board policy.

7. Notification that, should the user violate the school district's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.

8. Notification that all provisions of the acceptable use policy are subordinate to local, state, and federal laws.

XII.
USE

PARENT RESPONSIBILITY - NOTIFICATION OF STUDENT INTERNET

A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies and other possibly offensive media. Parents are responsible for monitoring their student's use of the school district system and of the Internet if the student is accessing the school district system from home or a remote location.

B. Parents will be notified that their students will be using school district resources/accounts to access the Internet and that the school district will provide parents the option to request alternative activities not requiring Internet access. This notification should include:

1. A copy of the user notification form provided to the student user.

2. A description of parent/guardian responsibilities.

3. A notification that the parents have the option to request alternative educational activities not requiring Internet access and the material to exercise this option.

4. A statement that the Internet Use Agreement must be signed by the user, and the parent or guardian, and the supervising teacher prior to use by the student.

5. A statement that the school district's Acceptable Use Policy is available for parental review.

XIII. IMPLEMENTATION: POLICY REVIEW

A. The school district administration may develop appropriate user notification forms, guidelines and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines, forms, and procedures shall be an addendum to this policy.

B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.

C. The school district's Internet policies and procedures are available for review by all parents, guardians, staff and members of the community.

D. Because of the rapid changes in the development of the Internet, the school board shall conduct an annual review of this policy.

Bemidji Internet Acceptable Use Form

Each school in District #31 now has a building network to allow computer connectivity among classrooms, media centers, and the office. In addition, access to a Wide Area Network (WAN) allows schools to communicate with each other and the world via the Internet. This allows access to an incredible amount of up-to-date research information.

Unfortunately, along with all the wonderful services the Internet provides comes the availability of material that is not educationally valuable. On one hand we know it is not possible to control the quality of the information accessible on the Internet. On the other hand we know that the valuable information and communication possibilities far outweigh the negative aspects of this service. Thus we have developed the following Usage Agreement. Students and Parent/Guardians must sign this agreement to use the Internet at school. Any action by the student that is determined to constitute an inappropriate use of the Internet is a breach of this Acceptable Use Contract. A complete copy of the district's Acceptable Use Policy is available at the district office. If the parent/guardian wishes to request alternative educational activities not requiring Internet access, they should contact the building principal.

STUDENT AGREEMENT

Student Access Contract

I understand that when I am using the Internet, I must adhere to all rules of courtesy in my communication. In order to insure my family's privacy, I will not give my home address nor phone number in messages on the Internet, nor make purchases from school computers. I also understand that: **student use of personal electronic devices is prohibited on school district networks.** The district is responsible for providing adequate access to all resources necessary for students to complete any coursework required by their instructor.

I agree to:

- Use Internet access to do research for assignments and/or interests which are part of my curriculum at school.
- Respect the privacy of other users and not obtain copies, nor modify the files, of other data or passwords belonging to other users.
- Comply with copyright and license agreements to programs, data and documents including media such as pictures and music.
- View or print approved educational/research material only.

I agree NOT to:

- Provide or gain unauthorized or inappropriate access to material or computers or another student/staff member's work nor take part in activities that result in the loss of that student/staff member's work.
- Use school technology resources for a commercial or profit-making enterprise.

- Play games that are not curriculum-related, nor use chat lines, nor use personal e-mail, nor download any programs to school computers, nor use personal disks including USB (Universal Serial Bus) drives, without a teacher's written consent.

I understand that:

Violating the Acceptable Use Policy may result in any or all of the following:

- Restricted network access
- Loss of network access
- Disciplinary or legal action which may include criminal prosecution under appropriate state and federal laws, as well as District #31 action.

STUDENT:

The signature below means that I have read and agree to follow the guidelines of my school's Internet Acceptable Use Policy, which will allow me to use the Internet for classroom curriculum projects.

Student Signature

Date

For school district use upon return:

School Supervisor Signature

Date

DISTRICT CODE OF CONDUCT

The school district passed the Consequences for Misbehavior Policy (#SBR 700-40-4), which is a district-wide policy for dealing with inappropriate student behavior. Elementary students will be subject to all the provisions under this policy. The policy is lengthy and includes consequences for K-12 students. Because of the length and importance of the document, it is being distributed to parents/guardians/students under a separate cover.

BEHAVIOR EXPECTATIONS

Students are expected to behave in a manner that allows them to learn and teachers to teach. Behavior that distracts other students or teachers is inappropriate. Inappropriate behavior will be dealt with on an individual basis.

WEAPONS

A Minnesota law makes it a felony to have a weapon on school district properties. Please make sure you talk with your children about this law. Failure to do so could result in their expulsion from school for the year and possible placement in a juvenile center. A weapon is defined as follows:

“A dangerous weapon means any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm, or any flammable liquid or other device or instrument that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm.”

WEAPONS POLICY

In accordance with state law and to provide a safe environment for students, staff, and the public. Weapons are not allowed in school buildings or on school grounds. This policy does not apply to licensed peace officers and military personnel. If anyone finds himself or herself by accident to be in possession of a weapon they need to immediately report to the principal's office. (School Board Policy 900-30-1)

STANDARDS OF BEHAVIOR FOR STAFF AND STUDENTS

School Board Regulation 200-90-15 protects all students and staff from discrimination based on race, religion, disability or sex. Regardless of intent, this form of discriminating behavior has the capacity of substantially harming both the individuals to whom slurs are addressed as well as the community at-large. Students and staff who are subjected to this kind of behavior are encourage to file a formal complaint with the site administrator and/or the Office of Human Rights – 759-3112. **This is a summary of the District #31 Standards of Behavior for Students and Staff – SBR 200-90-15. A complete policy is available in the office.**

SEXUAL HARASSMENT/VIOLENCE POLICY

School Board Regulation 200-90-9, Sexual Harassment and Sexual Violence, protects all staff and students from sexual harassment and violence. Sexual harassment is defined as unwelcomed sexual behavior that creates a hostile and intimidating work and/or learning environment. All who interact in the school district should be aware of the following:

1. To maintain learning and working environment that is free from sexual harassment and violence, this school district prohibits any form of sexual harassment and violence.
2. Any student or employee of this district who harasses or commits violence toward another student or employee through conduct or communication of a sexual nature will be subject to the consequences described in the policy handbook.
3. All complaints whether verbal or written will be investigated and appropriate disciplinary action will be taken.
4. The individual reporting a violation is encouraged to use the form available in the office. All verbal and written complaints should be submitted to the principal or the Office of Human Rights (218) 333-3100, ext. 113.
5. Confidentiality of all persons involved will be respected to the fullest extent possible.

This is a summary of the District #31 Sexual Harassment/Violence Policy. A complete copy is available in the office.

STUDENT PERSONNEL BULLYING PROHIBITION POLICY

I. PURPOSE

A safe and civil environment is needed for students to learn and attain high academic standards and to promote healthy human relationships. Bullying, like other violent or disruptive behavior, is conduct that interferes with students' ability to learn and/or teacher's ability to educate students in a safe environment. The school district cannot monitor the activities of students at all times and eliminate all incidents of bullying between students, particularly when students are not under the direct supervision of school personnel. However, to the extent such conduct affects the educational environment of the school district and the rights and welfare of its students and is within the control of the school district in its normal operations, the school district intends to prevent bullying and to take action to investigate, respond to, and remediate, and discipline those acts of bullying which have not been successfully prevented. The purpose of this policy is to assist the school district in its goal of preventing and responding to acts of bullying, intimidation, violence, reprisal, retaliation,

and other similar and disruptive behavior.

II. GENERAL STATEMENT OF POLICY

- A. An act of bullying, by either an individual student or a group of students, is expressly prohibited on school premises, on district property or at school-related functions, or on school transportation. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, of other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources.
- B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.
- C. Apparent permission or consent by a student being bullied does not lessen the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
- E. False accusations or reports of bullying against another student are prohibited.
- F. A person who engages in an act of bullying, reprisal, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with school district's policies and procedures, including the school district's discipline policy. The school district may take into account the following factors:
 - 1. The developmental ages and maturity levels of the parties involved;
 - 2. The levels of harm, surrounding circumstances, and nature of the behavior;

3. Past incidences or past or continuing patterns of behavior;
4. The relationship between the parties involved; and
5. The context in which the alleged incidents occurred.

Consequences for students who commit prohibited acts of bullying may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion. The school district shall employ researched-based developmentally appropriate best practices that include preventative and remedial measures and effective discipline for deterring violations of this policy, apply throughout the school district, and foster student, parent, and community participation.

Consequences for employees who permit, condone, or tolerate bullying or engage in an act of reprisal or intentional false reporting of bullying may result in disciplinary action up to and including termination or discharge.

Consequences for other individuals engaging in prohibited acts of bullying may include, but not be limited to, exclusion from school district property and events and/or termination of services and/or contracts.

- G. The school district will act to investigate all complaints of bullying reported to the school district and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.

III. DEFINITIONS

For purposes of this policy, the definitions included in this section apply.

- A. "Bullying" means intimidating, threatening, abusive, or harmful conduct that is objectively offensive and:
 1. An actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or
 2. Materially and substantially interferes with a student's

educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

The term, "bullying" specifically includes cyberbullying as defined in this policy.

- B. "Cyberbullying" means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on school district property, at school functions or activities, on school transportation, or on school computers, networks, forums, and mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. "Intimidating, threatening, abusive, or harmful conduct" means, but is not limited to, conduct that does the following:
 - 1. causes physical harm to a student or a student's property or causes a student to be in reasonable fear of harm to person or property;
 - 2. under Minnesota common law, violates a student's reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or
 - 3. is directed at any student or students, including those based on a person's actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age, or any additional characteristic defines in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.

- E. "On school premises, on school district property, at school functions or activities, or on school transportation" means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.
- F. "Prohibited conduct" means bullying or cyberbullying as defined in this policy or retaliation or reprisal for asserting alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying.
- G. "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.
- H. "Student" means a student enrolled in a public school or a charter school.

IV. REPORTING PROCEDURE

- A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A student may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.
- C. The building principal, the principal's designee, or the building

supervisor (hereinafter the “building report taker”) is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as the primary contact on policy and procedural matters. The building report taker or a third party designated by the school district shall be responsible for the investigation. The building report taker shall provide information about available community resources to the target or victim of the bullying or other prohibited conduct, the perpetrator, and other affected individuals as appropriate.

- D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.
- E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the reasonable authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.
- F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, or work assignments, or educational or work environment.
- G. The school district will respect the privacy of the complainant(s), the

individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

V. SCHOOL DISTRICT ACTION

- A. Within three days of the receipt of a complaint or report of bullying or other prohibited conduct, the school district shall undertake or authorize an investigation by the building report taker or a third party designated by the school district.
- B. The building report taker or other appropriate school district official may take immediate steps, at its discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, reporter, students, or others pending completion of an investigation of bullying or other prohibited conduct, consistent with applicable law.
- C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of the investigation that determines that bullying or other prohibited conduct has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act, and other school district policies; and regulations.
- E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets of bullying or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying or other prohibited

conduct who have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law.

- F. In order to prevent or respond to bullying or other prohibited conduct committed by or directed against a child with a disability, the school district shall, when determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not engage in bullying or other prohibited conduct.

VI. RETALIATION OR REPRISAL

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged bullying or prohibited conduct, who provides information about bullying or prohibited conduct, who testifies, assists, or participates in an investigation of alleged bullying or prohibited conduct, or who testifies, assists, or participates in a proceeding or hearing relating to such bullying or prohibited conduct. Retaliation includes, but is not limited to, any form of intimidation, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy.

VII. TRAINING AND EDUCATION

- A. The school district shall discuss this policy with school personnel and volunteers and provide appropriate training to school district personnel regarding this policy. The school district shall establish a training cycle for school personnel to occur during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school district. The school district or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in employee handbooks, training materials, and publications on school rules, procedures, and standards of conduct, which materials shall also be used to

publicize this policy.

- B. The school district shall require ongoing professional development, consistent with Minn. Stat. §122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:
 - 1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
 - 2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
 - 3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;
 - 4. The incidence and nature of cyberbullying; and
 - 5. Internet safety and cyberbullying.
- C. The school district annually will provide education and information to students regarding bullying, including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.
- D. The administration of the school district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the victim, and to make resources or referrals to resources available to victims of bullying.
- E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other

prohibited conduct, and to make effective prevention and intervention programs available to students.

The administration must establish strategies for creating a positive school climate and use evidence-based social-emotional learning to prevent and reduce discrimination and other improper conduct.

The administration is encouraged, to the extent practicable, to take such actions as it may deem appropriate to accomplish the following:

1. Engage all students in creating a safe and supportive school environment;
 2. Partner with parents and other community members to develop and implement prevention and intervention programs;
 3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;
 4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;
 5. Teach students to advocate for themselves and others;
 6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and
 7. Foster student collaborations that, in turn, foster a safe and supportive school climate.
- F. The school district may implement violence prevention and character development education programs to prevent or reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.
- G. The school district shall inform affected students and their parents of rights they may have under state and federal data practices laws

to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The school district may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy in the student handbook.

VIII. NOTICE

- A. The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.
- B. This policy or a summary thereof must be conspicuously posted in the administrative offices of the school district and the office of each school.
- C. This policy must be given to each school employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy (See MSBA/MASA Model Policy 506) distributed to parents at the beginning of each school year.
- E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the school district's or a school's website.
- F. The school district shall provide an electronic copy of its most recently amended policy to the Commissioner of Education.

IX. POLICY REVIEW

To the extent practicable, the school board shall, on a cycle consistent with other school district policies, review and revise this policy. The policy shall be made consistent with Minn. Stat. § 121A.031 and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definition of Public School)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.03 (Sexual, Religious and Racial Harassment and Violence)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.0311 (Notice of Rights and Responsibilities of Students and Parents under the Safe and

Supportive Minnesota Schools Act)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.69 (Hazing Policy)
Minn. Stat. § 124D.10 (Charter School)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)
Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
MSBA/MASA Model Policy 423 (Employee-Student Relationships)
MSBA/MASA Model Policy 501 (School Weapons Policy)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 507 (Corporal Punishment)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 529 (Staff Notification of Violent Behavior by Students)
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

HAZING PROHIBITION POLICY

I. PURPOSE STUDENT PERSONNEL HAZING PROHIBITION

The purpose of this policy is to maintain a safe learning environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the school district and are prohibited at all times.

II. GENERAL STATEMENT OF POLICY

- A. No student, teacher, administrator, volunteer, contractor or other employee of the school district shall plan, direct, encourage, aid or engage in hazing.
- B. No teacher, administrator, volunteer, contractor or other employee of the school district shall permit, condone or tolerate hazing.
- C. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.
- D. This policy applies to behavior that occurs on or off school property and during and after school hours.
- E. A person who engages in an act that violates school policy or law in order to

be initiated into or affiliated with a student organization shall be subject to discipline for that act.

- F. The school district will act to investigate all complaints of hazing and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor or other employee of the school district who is found to have violated this policy.

III. DEFINITIONS

- A. "Hazing" means committing an act against a student, or coercing a Student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term hazing includes, but is not limited to:
 - 1. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking or placing a harmful substance on the body.
 - 2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics, or other activity that subjects the students to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
ISD NO. 31 SBR 700-90-1 ORIGINAL: 19 JANUARY 1999 REVISED: 24 JANUARY 2011 PAGE 1 OF 4
 - 3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the students to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 - 4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame or humiliation, which adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
 - 5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school district policies or regulations.
- B. "Student organization" means a group, club or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities or particular school events. A student organization

does not have to be an official school organization to come within the terms of this definition.

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the victim of hazing or any person with knowledge or belief of conduct, which may constitute hazing, shall report the alleged acts immediately to an appropriate school district official designated by this policy.
- B. The building principal, the principal's designee, or the building supervisor (hereinafter building report taker) is the person responsible for receiving reports of hazing at the building level. Any person may report hazing directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or school district human rights officer by the reporting party or complainant.
- C. Teachers, administrators, volunteers, contractors and other employees of the school district shall be particularly alert to possible situations, circumstances or events, which might include hazing. Any such person who receives a report of, observes, or has other knowledge or belief of conduct, which may constitute hazing, shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute hazing in a timely manner may be subject to disciplinary action.
- D. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future employment, grades, or work assignments.
ISD NO. 31 SBR 700-90-1 ORIGINAL: 19 JANUARY 1999 REVISED: 24 JANUARY 2011 PAGE 2 OF 4
- D. Reports of hazing are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

V. SCHOOL DISTRICT ACTION

- A. Upon receipt of a complaint or report of hazing, the school district shall undertake or authorize an investigation by school district officials or a third party designated by the school district.

- B. The school district may take immediate steps, at its discretion, to protect the complainant, reporter, students, or others pending completion of an investigation of hazing.
- C. Upon completion of the investigation, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements, applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act, school district policies and regulations.
- D. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students involved in a hazing incident and the remedial action taken, to the extent permitted by law, based on a confirmed report.

VI. REPRISAL

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor or other employee of the school district who retaliates against any person who makes a good faith report of alleged hazing or against any person who testifies, assists, or participates in an investigation, or against any person who testifies, assists or participates in a proceeding or hearing relating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

*ISD NO. 31 SBR 700-90-1 ORIGINAL: 19 JANUARY 1999 REVISED: 24 JANUARY 2011
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Emergency Closings

The superintendent or designee, after consultation with the Coordinator of Transportation, will make the decision about school closings. The Coordinator of Transportation consults with designated “spotters” in various parts of the school district to ascertain conditions district-wide. Parents and students are encouraged to listen to the local media because schools can close for various reasons. (The most common reasons for school closings are: no heat, water, or electricity at a school; road conditions; storms; weather so cold diesel busses do not operate; conditions deemed unsafe for parents, students, and staff; or acts of violence.)

As part of ISD #31, BYLaW is included in all district-wide emergency closings.

SBR 400-90-3
 ISD #31
 DATE: 21 MARCH 2016

Bemidji Area Schools 2016-2017 School Calendar

AUGUST 2016							SEPTEMBER 2016						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29	30	
<i>0 Student/3 Teacher</i>							<i>19 Student/19.5 Teacher</i>						
OCTOBER 2016							NOVEMBER 2016						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1						3	4
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30			
30	31												
<i>18 Student/19 Teacher</i>							<i>17.75 Student/20 Teacher</i>						
DECEMBER 2016							JANUARY 2017						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
						3	1	2	3	4	5	6	7
4	5	6	7	8	9	10	8	9	10	11	12	13	14
11	12	13	14	15	16	17	15	16	17	18	19	20	21
18	19	20	21	22	23	24	22	23	24	25	26	27	28
25	26	27	28	29	30	31	29	30	31				
<i>16 Student/16 Teacher</i>							<i>19.75 Student/20 Teacher</i>						
FEBRUARY 2017							MARCH 2017						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
						4							
5	6	7	8	9	10	11	5	6	7	8	9	10	11
12	13	14	15	16	17	18	12	13	14	15	16	17	18
19	20	21	22	23	24	25	19	20	21	22	23	24	25
26	27	28					26	27	28	29	30	31	
<i>18.75 Student/19 Teacher</i>							<i>20.75 Student/23 Teacher</i>						
APRIL 2017							MAY 2017						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1							
2	3	4	5	6	7	8	7	8	9	10	11	12	13
9	10	11	12	13	14	15	14	15	16	17	18	19	20
16	17	18	19	20	21	22	21	22	23	24	25	26	27
23	24	25	26	27	28	29	28	29	30	31			
30													
<i>19 Student/19 Teacher</i>							<i>22 Student/22 Teacher</i>						
JUNE 2017													
S	M	T	W	T	F	S							
						3							
4	5	6	7	8	9	10							
11	12	13	14	15	16	17							
18	19	20	21	22	23	24							
25	26	27	28	29	30								
<i>2 Student/ 2.5 Teacher</i>													

August 29-31.....Teacher Day
 September 1.....Teacher Half-Day
 September 5.....Labor Day
 September 6.....Students' First Day

October 3.....Staff Development
 October 20-21.....Education Minnesota
 November 3-4.....Conferences
 November 23.....Student Early Release
 November 24-25.....Thanksgiving

December 23 – January 2.....Winter Break
 January 16.....Martin Luther King Jr Day
(or Snow Make-up Day if Needed)
 January 25.....Student Early Release

February 15.....Student Early Release
 February 20.....Presidents' Day
(or Snow Make-up Day if Needed)
 March 9-10.....Conferences
 March 15.....Student Early Release

April 14.....Spring Break
 May 27.....BHS Graduation
 May 29.....Memorial Day

June 2.....Students' Last Day
 June 5.....Teachers' Last Half-Day

End of 1st Term.....November 11
 End of 2nd Term.....January 27
 End of 3rd Term.....March 31
 End of 4th Term.....June 2