

Policy Committee Meeting

Tuesday, January 11, 2022 2:00 PM

Tate Hall Conference Room, 615 Olof Hanson Drive, Faribault, MN 55021

1. Call to Order

2. Meeting Minutes Review

3. Policies to Review from MSBA

A. Policy 525 - Violence Prevention

B. Policy 535 - Service Animals in Schools
(Compare with Procedure 6200 - Animals on Campus)

C. Policy 712 - Video Surveillance Other Than On
Buses

4. Policies to Review for a Second Reading - None

5. Policies to Review to be Revised

6. Policies to Review Prior to a First Reading

A. Policy 303 - Academies Administrator
(Superintendent) Selection

7. Policies to Review for Reauthorization

A. Policy 304 - Academies Administrator
(Superintendent) Appointment, Duties and
Evaluation

B. Policy 417 - Chemical Use and Abuse

8. Adjourn

Minutes of the Policy Committee Meeting Minnesota State Academies Board

A Policy Committee Meeting of the Minnesota State Academies Board was held on Tuesday November 16, 2021, beginning at 3:15 PM in the Zoom.

Present: Mary Cashman-Bakken - Board Member, Nicole Halabi - Board Member, Jamers Speier – Board Member, Terry Wilding - Superintendent, Anne Grace Donatucci – MSAD School Director, Bridget Flier – HR Director

Absent: Jody Olson, MSAD Assistant School Director

1. Call to Order
2. Meeting Minutes Review - Approved
3. Policies to Review from MSBA - None
4. Policies to Review for a Second Reading
 - 4.A. 544 Wellness - Nutrition and Physical Activity

There was no feedback from site council for any changes to this policy. Mary asked if the word minimum in the purpose paragraph was needed and if so for what? Terry said he could delete the word minimum in the purpose paragraph as it would not change anything. Mary asked if there was there a link for staff well-being? Terry explained the wellness committee shares tips for staff and they are working on a procedure for staff to use our weight/exercise rooms. We do not track staff wellness. Mary suggested that the language read something like we have a committee for providing resources for our staff or a contact name because it is vague. Terry will add more explanation. Mary asked if a link could be put in place for staff to refer to – section E resources. Terry will do this.

4.B. 903 - Visitors to MSA Buildings and Sites

There was no feedback from the ILT group or from site councils. Mary did not think it was clear where to go when you arrive on campus. Terry agreed and explained how the new corridor will provide direction. Mary asked if there was going to be a sign put up to direct people? Terry said yes, and that the policy is for following the rules while on campus, not where to go, those details are in the procedure. Anne Grace mentioned under D to have a form for parents to fill out and have items in the form i.e., interpreter needs, purpose of coming onto campus. Terry feels these items would be in the procedure. Anne Grace suggested a link in the policy that would take the reader to the procedure. We will add this when the procedure is completed.

Jamers asked about putting in the preferred language while on campus? Terry said Policy 121 talks about communication while on campus and it mentions ASL is used. Jamers would like it to apply to visitors as well. Terry suggested the committee could

review policy 121. Bridget suggested putting a link in this policy that would take the reader to policy 121. This will be added to the policy before board approval.

5. Policies to Review before Revision

5.A. 303- Academies Administration (Superintendent) Selection

Terry informed the members that this policy will go through the personnel committee but wanted it to go through policy committee first and asked if there were any changes – there were none. This is ready to go to personnel committee

5.B. 304 - Academies Administration (Superintendent) Appointment, Duties, and Evaluation

Terry informed the members that this will go through the personnel committee but wanted it to go through policy committee first and asked if there were any changes. Mary said the process and timeline were not clear. Terry explained that this was a MSBA policy and that processes are not the same as a public-school superintendent and how the board evaluates the superintendent. The procedure for the evaluation is in board procedure. Terry stated that the personnel committee is in charge of his evaluation process. This is ready to go to the personnel committee.

6. Policies to Review Prior to a First Reading - None

7. Policies to Review for Reauthorization

7.A. 603 - Curriculum Development

Mary mentioned that the life skills and academic needs in that she needs to see more scope and sequence and wondered if it is this listed somewhere? Anne Grace said there is information regarding how the curriculum needs to follow State standards. Mary mentioned that would be helpful to be put in the policy. Terry mentioned he is working on policy 601 and the standards are in this policy. Mary said it makes sense to put language in it that mentions State standards are followed. Terry will pull this one and bring it to ILT to work on and bring it back to the committee for review

7.B. 614 State Mandated Tests

Mary noticed that there was no mention of teachers administering practice exams and giving feedback. Anne Grace stated that the school accountable report mentions how the students prepare for a State mandated test. Mary would like to see a statement that students need to practice taking the test before taking the actual test, because if it is written in the policy the students will have practice tests before taking the actual test the process will be followed. Jamers thought a better statement might be that students will be offered a practice test rather than the students are required to take practice test. Anne Grace suggested some language reflected that the IEP would direct what the students needs are for the State test. Terry said he will bring this back to ILT for discussion on these changes.

7.C. 827 Naming of Buildings, Sites, and Common Areas - No changes to this policy

8. Adjourn 3:55p.m.

Adopted: _____

MSBA/MASA Model Policy 525

Orig. 1996

Revised: _____

Rev. 2017

525 VIOLENCE PREVENTION [APPLICABLE TO STUDENTS AND STAFF]

I. PURPOSE

The purpose of this policy is to recognize that violence has increased and to identify measures that the school district will take in an attempt to maintain a learning and working environment that is free from violent and disruptive behavior.

The school board is committed to promoting healthy human relationships and learning environments that are physically and psychologically safe for all members of the school community. It further believes that students are the first priority and they should be protected from physical or emotional harm during school activities and on school grounds, buses, or field trips while under school district supervision.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to strictly enforce its weapons policy (Policy 501).
- B. The policy of the school district is to act promptly in investigating all acts, or formal or informal complaints, of violence and take appropriate disciplinary action against any student or staff member who is found to have violated this policy or any related policy.
- C. The administration will periodically review discipline policies and procedures, prepare revisions if necessary, and submit them to the school board for review and adoption.
- D. The school district will implement approved violence prevention strategies to promote safe and secure learning environments, to diminish violence in our schools, and to aid in the protection of children whose health or welfare may be jeopardized through acts of violence.

III. IMPLEMENTATION OF POLICY

- A. The school board will review and approve policies to prevent and address violence in our schools. The superintendent or designee will develop procedures to effectively implement the school weapons and violence prevention policies. It shall be incumbent on all students and staff to observe all policies and report violations to the school administration.
- B. The school board and administration will inform staff and students annually of policies and procedures related to violence prevention and weapons.
- C. The school district will act promptly to investigate all acts and formal and informal complaints of violence and take appropriate disciplinary action against any student or staff member who is found to have violated this policy or any related policy.
- D. The consequences set forth in the school weapons policy (Policy 501) will be imposed upon any student or nonstudent who possesses, uses or distributes a weapon when in a school location.

- E. The consequences set forth in the school hazing policy (Policy 526) will be imposed upon any student or staff member who commits an act against a student or staff member; or coerces a student or staff member into committing an act, that creates a substantial risk of harm to a person in order for the student or staff member to be initiated into or affiliated with an organization, or for any other purpose.
- F. Students who engage in assault or violent behavior will be removed from the classroom immediately and for a period of time deemed appropriate by the principal, in consultation with the teacher, pursuant to the student discipline policy (Policy 506).
- G. Students with disabilities may be expelled for behavior unrelated to their disabilities, subject to the procedural safeguards required by the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and the Pupil Fair Dismissal Act.
- H. Procedures will be developed for the referral of any person in violation of this policy or the weapons policy to the local law enforcement agency in accordance with Minn. Stat. § 121A.05.
- I. Students who wear objectionable emblems, signs, words, objects, or pictures on clothing communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership or that approves, advances, or provokes any form of religious, racial, or sexual harassment or violence against other individuals as defined in the harassment and violence policy (Policy 413) will be subject to the procedures set forth in the student dress and appearance policy (Policy 504). "Gang" as used in this policy means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or whose members engaged in a pattern of criminal gang activity. A "pattern of gang activity" means the commission, attempt to commit, conspiring to commit, or solicitation of two or more criminal acts, provided the criminal acts were committed on separate dates or by two or more persons who are members of or belong to the same criminal street gang.
- J. This policy is not intended to abridge the rights of students to express political, religious, philosophical, or similar opinions by wearing apparel on which such messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, defamatory, profane, denote gang affiliation, advocate harassment or violence against others, are likely to disrupt the education process, or cause others to react in a violent or illegal manner (Policy 504).

IV. PREVENTION STRATEGIES

The school district has adopted and will implement the following prevention strategies to promote safe and secure learning environments, to diminish violence in our schools, and to aid in the protection of children whose health or welfare may be jeopardized through acts of violence.

[Note: The school board can adopt any of the prevention strategies that it intends to implement in its schools, including some or all of the following sample strategies.]

- A. Adopt a district crisis management policy to address potential violent crisis situations in the district.

- B. Provide training in recognition, prevention, and safe responses to violence and development of a positive school climate.
- C. Coordinate a local school security review committee or task force comprised of school officials, law enforcement, parents, students, and other youth service providers to advise on policy implementation.
- D. In-service training for personnel in aspects of reporting, visibility, and supervision as deterrents to violence.
- E. In-service training for personnel and school board members by experts familiar with sexual abuse, domestic violence, and personal safety issues on the following: helping students identify violence in the family and the community so that students may learn to resolve conflicts in effective, nonviolent ways; responding to a disclosure of child sexual abuse in a supportive, appropriate manner; and/or complying with mandatory reporting requirements under the Maltreatment of Minors Reporting Act.
- F. Promote student safety responsibility by encouraging the reporting of suspicious individuals and unusual activities on school grounds.
- G. Establish a curriculum committee that explores ways of teaching students violence prevention strategies, law-related education, and character/values education (universal values, e.g., honesty, personal responsibility, self-discipline, cooperation, and respect for others).
- H. Establish clear school rules that prevent and deter violence.
- I. Develop cross-cultural awareness programs to unify students of all cultures and backgrounds, to develop mutual respect and understanding of shared experiences and values among students, and to promote the message of inclusion.
- J. Establish conflict resolution training, conflict management, or peer mediation programs for staff and students to teach conservative approaches to settling disputes.
- K. Develop curriculum that teaches social skills such as maintaining self-control, building communications skills, forming friendships,

resisting peer pressure, being appropriately assertive, forming positive relationships with adults, and resolving conflict in nonviolent ways.
- L. Develop curriculum that teaches critical viewing and listening skills in analyzing mass media to recognize stereotypes, distinguish fact from fantasy, and identify differences in behavior and values that conflict with their own.
- M. Develop student safety forums that both inform and elicit students' ideas about particular safety problems in the building.
- N. Develop a student photo or name identification system for quick identification of the student in case of emergency.
- O. Develop a staff photo or name identification system using identification badges for quick identification of unauthorized people on campus.

- P. Require all visitors to check-in the main office upon their arrival and state their business at the school. A visitor badge may be issued for easy identification that the visitor is authorized to be present in the school building.
- Q. Develop curriculum 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.
- R. Develop curriculum on child sexual abuse prevention for students, including age-appropriate instruction on recognizing sexual abuse and assault, boundary violations, and ways offenders groom or desensitize victims, as well as strategies to promote disclosure, reduce self-blame, and mobilize bystanders. The curriculum may be created in consultation with federal, state, and local agencies and community-based organizations, including the Child Information Gateway website maintained by the United States Department of Health and Human Services, to identify research-based tools, curricula, and programs to prevent child sexual abuse.
- S. Provide training to all school personnel on recognizing and preventing sexual abuse and sexual violence which may include training on mandatory reporting requirements provided on the Department of Education's website and reviewing the Code of Ethics for Minnesota Teachers.

V. STUDENT SUPPORT

- A. Students will have access to school-based student service professionals, when available, including counselors, nurses, social workers, and psychologists who are knowledgeable in methods to assist students with violence prevention and intervention.
- B. Students will be apprised of school board policies designed to protect their personal safety.
- C. Students will be provided with information as to school district and building rules regarding weapons and violence.
- D. Students will be informed of resources for violence prevention and proper reporting.

VI. PERSONNEL

- A. School district personnel shall comply with the school weapons policy (Policy 501) and the school hazing policy (Policy 526).
- B. School district personnel shall be knowledgeable of violence prevention policies and report any violation to school administration immediately. School district personnel will be informed annually as to school district and building rules regarding weapons and violence prevention.
- C. School district personnel or agents of the school district shall not engage in emotionally abusive acts including malicious shouting, ridicule, and/or threats or other forms of corporal punishment (Policy 507).

Legal References: Minn. Stat. § 13.43, Subd. 16 (School District or Charter School Disclosure of Violence or Inappropriate Sexual Contact)
Minn. Stat. § 120B.22 (Violence Prevention Education)

Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)
Minn. Stat. § 121A.035 (Crisis Management Policy)
Minn. Stat. § 121A.05 (Policy to Refer Firearms Possessor)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)
Minn. Stat. § 121A.64 (Notification)
Minn. Stat. § 121A.69 (Hazing Policy)
Minn. Stat. § 181.967, Subd. 5 (School District Disclosure of Violence or Inappropriate Sexual Contact)
18 U.S.C. § 921 (Definition of Firearm)
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
Stephenson v. Davenport Cmty. Sch. Dist., 110 F.3d 1303 (8th Cir. 1997)
McIntire v. Bethel School, 804 F.Supp. 1415, 78 Educ. L.Rep. 828 (W.D. Okla. 1992)
Olesen v. Board of Educ. of Sch. Dist. No. 228, 676 F.Supp. 820, 44 Educ. L.Rep. 205 (N.D. Ill. 1987)

Cross References:

MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 501 (School Weapons Policy)
MSBA/MASA Model Policy 504 (Student Dress and Appearance)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 507 (Corporal Punishment)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 529 (Staff Notification of Violent Behavior by Students)

Adopted: _____

MSBA/MASA Model Policy 535
Orig. 2019

Revised: _____

535 SERVICE ANIMALS IN SCHOOLS

I. PURPOSE

The purpose of this policy is to establish parameters for the use of service animals by students, employees, and visitors within school buildings and on school grounds.

II. GENERAL STATEMENT OF POLICY

Individuals with disabilities shall be permitted to bring their service animals into school buildings or on school grounds in accordance with, and subject to, this policy.

III. DEFINITIONS

A. Service Animal

A "service animal" is a dog (regardless of breed or size) or miniature horse that is individually trained to perform "work or tasks" for the benefit of an individual with a disability, including an individual with a physical, sensory, psychiatric, intellectual, or mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals. Service animals are working animals that perform valuable functions; they are not pets. The work or tasks performed by the service animal must be directly related to the individual's disability. An animal accompanying an individual for the sole purpose of providing emotional support, therapy, comfort, or companionship is not a service animal.

B. Handler

A "handler" is an individual with a disability who uses a service animal. In the case of an individual who is unable to care for and supervise the service animal for reasons such as age or disability, "handler" means the person who cares for and supervises the animal on that individual's behalf. School district personnel are not responsible for the care, supervision, or handling responsibilities of a service animal.

C. Work or Tasks

1. "Work or tasks" are those functions performed by a service animal.
2. Examples of "work or tasks" include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

3. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship are not "work or tasks" for the purposes of this policy.

D. Trainer

A "trainer" is a person who is training a service animal and is affiliated with a recognized training program for service animals.

IV. ACCESS TO PROGRAMS AND ACTIVITIES; PERMITTED INQUIRIES

- A. In general, handlers (i.e., individuals with disabilities or trainers) are permitted to be accompanied by their service animals in all areas of school district properties where members of the public, students, and employees are allowed to go. A handler has the right to be accompanied by a service animal whenever and to the same extent that the handler has the right: (a) to be present on school district property or in school district facilities; (b) to attend or participate in a school- sponsored event, activity, or program; or (c) to be transported in a vehicle that is operated by or on behalf of the school district.
- B. When an individual with a disability brings a service animal to a school district property, school district employees shall not ask about the nature or extent of a person's disability, but may make the following two inquiries to determine whether the animal qualifies as a service animal:
 1. Is the service animal required because of a disability; and
 2. What work or tasks is the service animal trained to perform.
- C. School district employees shall not make these inquiries of an individual with a disability bringing a service animal to school district property when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability. However, school district employees may inquire whether the individual with a disability has completed and submitted the request form described in Part VI., below.
- D. An individual with a disability may not be required to provide documentation such as proof that the animal has been certified, trained, or licensed as a service animal.

V. REQUIREMENTS FOR ALL SERVICE ANIMALS

- A. The service animal must be required for the individual with a disability.
- B. The service animal must be individually trained to do work or tasks for the benefit of the individual with a disability.
- C. A service animal must have a harness, leash, or other tether, unless either the handler is unable, because of a disability, to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case, the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).
- D. The service animal must be housebroken.

- E. The service animal must be under the control of its handler at all times. The handler is responsible for the care and supervision of a service animal, including walking the service animal, feeding the service animal, grooming the service animal, providing veterinary care to the service animal, and responding to the service animal's need to relieve itself, including the proper disposal of the service animal's waste.
- F. The school district is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal.
- G. In the case of a student who is unable to care for and/or supervise his or her service animal, the student's parent/guardian is responsible for arranging for such care and supervision. In the case of an employee or other individual who is unable to care for and/or supervise his or her service animal, the employee or other individual's authorized representative is responsible for arranging for a service animal's care and supervision.
- H. The service animal must be properly licensed and vaccinated in accordance with applicable state laws and local ordinances.

VI. REQUESTING THE USE OF A SERVICE ANIMAL AT SCHOOL

- A. Students with a disability seeking to be accompanied by a service animal are requested to submit the Approval Request Form to the building principal of the school the student attends. The principal will notify the superintendent or the administrator designated with responsibility to address such requests. School district employees seeking to be accompanied by a service animal are requested to submit the Approval Request Form to the superintendent or the administrator designated with responsibility to address such requests.
- B. Students or employees seeking to bring a service animal onto district premises are requested to identify whether the need for the service animal is required because of a disability and to describe the work or tasks that the service animal is trained to perform.
- C. The owner of the service animal shall provide written evidence that the service animal has received all vaccinations required by state law or local ordinance.

VII. REMOVAL OR EXCLUSION OF A SERVICE ANIMAL

- A. A school official may require a handler to remove a service animal from school district property, a school building, or a school-sponsored program or activity, if:
 - 1. Any of the requirements described in Part V., above, are not met.
 - 2. The service animal is out of control and/or the handler does not effectively control the animal's behavior;
 - 3. The presence of the service animal would fundamentally alter the nature of a service, program or activity; or
 - 4. The service animal behaves in a way that poses a direct threat to the health or safety of others, has a history of such behavior, or otherwise poses a significant health or safety risk to others that cannot be eliminated by reasonable accommodations.

- B. If the service animal is properly excluded, the school district shall give the individual with a disability the opportunity to participate in the service, program, or activity without the service animal, unless such individual has violated a law or school rule or regulation that would warrant the removal of the individual.

VIII. ADDITIONAL LIMITATIONS FOR MINIATURE HORSES

In assessing whether a miniature horse may be permitted in a school building or on school grounds as a service animal, the following factors shall be considered:

- A. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
- B. Whether the handler has sufficient control of the miniature horse;
- C. Whether the miniature horse is housebroken; and
- D. Whether the miniature horse's presence in a specific building or on school grounds compromises legitimate health and safety requirements.

IX. ALLERGIES; FEAR OF ANIMALS

If a student or employee notifies the school district that he or she is allergic to a service animal, the school district will balance the rights of the individuals involved. In general, allergies that are not life threatening are not a valid reason for prohibiting the presence of a service animal. Fear of animals is generally not a valid reason for prohibiting the presence of a service animal.

X. NON-SERVICE ANIMALS FOR STUDENTS WITH INDIVIDUALIZED EDUCATION PROGRAMS (IEPS) OR SECTION 504 PLANS

If a special education student or a student with a Section 504 plan seeks to bring an animal onto school property that is not a service animal, the request shall be referred to the student's IEP team or Section 504 team, as appropriate, to determine whether the animal is necessary for the student to receive a free appropriate public education (FAPE) or, in the case of a Section 504 student, to reasonably accommodate the student's access to the school district's programs and activities.

XI. NON-SERVICE ANIMAL AS AN ACCOMMODATION FOR EMPLOYEES

If an employee seeks to bring an animal onto school property that is not a service animal, the request shall be referred to the superintendent or the administrator designated to handle such requests. A school district employee who is a qualified individual with a disability will be allowed to bring such animal onto school property when it is determined that such use is required to enable the employee to perform the essential functions of his or her position or to enjoy the benefits of employment in a manner comparable to those similarly situated non-disabled employees.

XII. LIABILITY

- A. The owner of the service animal or non-service animal is responsible for any harm or injury to an individual and for any property damage caused by the service animal while on school district property.

- B. An individual who, directly or indirectly through statements or conduct, intentionally misrepresents an animal in that person's possession as a service animal may be subject to criminal liability.

Legal References: Section 504 of the Rehabilitation Act of 1973
28 C.F.R. § 35.104, 28 C.F.R. § 35.130(b)(7), and 28 C.F.R. § 35.136 (ADA Regulations)
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Act)
Minn. Stat. § 256C.02 (Public Accommodations for Persons with Disabilities)
Minn. Stat. § 363A.19 (Discrimination Against Blind, Deaf, or Other Persons with Physical or Sensory Disabilities Prohibited)
Minn. Stat. § 609.226 (Harm Caused by Dog)
Minn. Stat. § 609.833 (Misrepresentation of Service Animal)

Cross References: MSBA/MASA Policy 402 (Disability Nondiscrimination Policy)
MSBA/MASA Policy 521 (Student Disability Nondiscrimination)

Procedure #6200
Title: ANIMALS ON CAMPUS
Category: Academy Programs
Date of Initial Approval: 04-01-1997 (#1300)
Revision/Reauthorization Dates: 01-24-200; 08-12-2012; 01-10-2020
Reviewers: MSA Department Heads

I. PURPOSE

This procedure is to establish a clear and consistent procedure for animals on campus at the Minnesota State Academies (MSA).

II. OVERVIEW

MSA wants to ensure that animals are treated appropriately when on campus for educational activities as well as situated properly for safety and sanitation. MSA also wants to ensure that students and staff are safe.

III. ANIMALS IN CAMPUS BUILDINGS

1. Animals must be authorized by the campus director/dorm director and will only be allowed in buildings #or the purposes of supporting instruction and curriculum activities. Permission must be requested (by parents, staff, students, or visitors) and granted prior to bringing the animal to campus. The requester must develop a plan for approval that includes the following:
 - a. Date(s) of the stay
 - b. Length of time that the animal will be in the building
 - c. Containment of the animal
 - d. Any safety concerns and how they will be addressed
 - e. Current vaccinations of the animal#
2. Animals must be kept in control and safe for all students and staff. Animals that may pose a danger to students (i.e. venomous snakes, wild animals, etc.) must be caged or contained in a manner that they cannot harm students or staff. No animals are allowed to roam freely on campus and must be either on a leash or physically contained.
3. Animals are the responsibility of the person obtaining permission to bring the animal into campus buildings. This includes cleaning up after an animal that vomits, urinates, or defecates in the building or on school grounds. If MSA employees are required to clean up after the animal, the person bringing the animal may be billed to cover the costs of labor and cleaning supplies.
4. Except for service animals as defined below, animals are not permitted in food preparation, handling, or serving areas; health clinics, medication storage, and medical administration areas; or in clean/sterile supply storage

areas.

5. No animal shall jeopardize the health, safety, comfort, treatment, or well-being of students or staff. Animals who do not behave appropriately must be removed from the building promptly.
6. All animals are to be treated and cared for humanely. Students and staff must be instructed on how to interact appropriately with the animal to ensure optimal learning experiences for everyone involved. Staff members in charge of school-owned animals will provide an annual inventory of those animals to the campus director and ensure that proper care is provided, including cleanliness, food, water, vaccinations/medical treatment, and grooming.

IV. ANIMALS ON CAMPUS

1. All animals brought onto MSA campuses must be leashed and safe for students and staff. People bringing animals to MSA campuses must ensure that they pick up and dispose of their animal's waste appropriately. Signs will be posted on campus informing visitors to campus of this regulation.
2. People who bring dangerous or aggressive animals onto campus will be requested to leave. Uncooperative individuals who do not follow campus regulations regarding animals may be removed from campus by police officers and/or banned from MSA properties.
3. Animals cannot be left for prolonged periods of time, especially during extreme cold or heat, in vehicles parked on campus and appropriate authorities will be contacted if animals seem to be in distress.

V. SERVICE ANIMALS

As defined by the Americans with Disabilities Act (ADA), service animals are narrowly defined as any dog (or in some situations, a miniature horse) that is individually trained to do work or perform tasks for the benefit of an individual with a disability. As of August 1, 2018, it is illegal in the state of Minnesota for someone to intentionally misrepresent an animal as a service animal (Minn. Stat 609.833). However, under the ADA, it is not acceptable for MSA to inquire about the animal's certification, training, or licensure as a service animal. MSA may only inquire as to whether the animal is required because of a disability and what work or task the animal has been trained to do. It is also important that if a student brings a service animal to school, this must be addressed in the student's IEP in relation to the necessity of the animal for providing the student with a Free and Appropriate Education (FAPE).

1. Directors/Dorm Directors must have a conversation with individuals wishing to bring a service animal to school to find out how to accommodate the individual and the animal (set-up of the space, care of the animal, other

- necessary accommodations and supports).
2. Directors/Supervisors and employees will stay up to date on ADA requirements and expectations and adhere to the law in respect to service animals on campus.
 3. Individuals with service animals must be responsible for the safety and care of their animals. If assistance is needed, the individual should communicate with directors/supervisors for support.
 4. Animals that are aggressive or otherwise displays signs of not being trained as service animals will be asked to leave the campus.

Adopted: _____

MSBA/MASA Model Policy 712

Orig. 1996

Revised: _____

Rev. 2012

712 VIDEO SURVEILLANCE OTHER THAN ON BUSES

[Note: See MSBA/MASA Model Policy 711 for Video Recording on School Buses.]

I. PURPOSE

Maintaining the health, welfare, and safety of students, staff, and visitors while on school district property and the protection of school district property are important functions of the school district. The behavior of individuals who come on to school property is a significant factor in maintaining order and discipline and protecting students, staff, visitors, and school district property. The school board recognizes the value of video/electronic surveillance systems in monitoring activity on school property in furtherance of protecting the health, welfare, and safety of students, staff, visitors, and school district property.

II. GENERAL STATEMENT OF POLICY

A. Placement

1. School district buildings and grounds may be equipped with video cameras.
2. Video surveillance may occur in any school district building or on any school district property.
3. Video surveillance will normally not be used in bathrooms or locker rooms, although these areas may be placed under surveillance by individuals of the same sex as the occupants of the bathrooms or locker rooms. Video surveillance in bathrooms or locker rooms will only be utilized in extreme situations, with extraordinary controls, and only as expressly approved by the superintendent.

B. Use of Video Recordings

1. Video recordings will be viewed by school district personnel on a random basis and/or when problems have been brought to the attention of the school district.
2. A video recording of the actions of students and/or employees may be used by the school district as evidence in any disciplinary action brought against any student or employee arising out of the student's or employee's conduct in school district buildings or on school grounds.
3. A video recording will be released only in conformance with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and the rules and/or regulations promulgated thereunder.

C. Security and Maintenance

1. The school district shall establish appropriate security safeguards to ensure that video recordings are maintained and stored in conformance with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and the Family

Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and the rules and/or regulations promulgated thereunder.

2. The school district shall ensure that video recordings are retained in accordance with the school district's records retention schedule.

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 121A.585 (Notice of Recording Device)
Minn. Stat. § 138.17 (Government Records; Administration)
Minn. Stat. § 609.746 (Interference with Privacy)
20 U.S.C. § 1232g (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 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA Service Manual, Chapter 2, Transportation

Policy #: 303
Title: ACADEMIES ADMINISTRATOR (SUPERINTENDENT) SELECTION
Date of Initial Approval: NEW
Revision/Re-authorization Dates:
Reviewers: MSA Human Resources; MSA Board Personnel Committee

I. PURPOSE

The purpose of this policy is to convey to the Minnesota State Academies (MSA) community that the authority to select and employ an academies administrator (superintendent) is vested in the MSA board.

II. GENERAL STATEMENT OF POLICY

The MSA board shall employ a superintendent to serve as the chief executive officer of the MSA board and to conduct the daily operations of the Minnesota State Academies for the Deaf and the Blind.

III. QUALIFICATIONS

A. The MSA board shall consider applicants who meet or exceed the licensing standards set by the Minnesota Board of School Administrators and qualifications established in the job description for the superintendent position. State and federal equal employment and nondiscrimination requirements shall be observed throughout the recruitment and selection process.

B. The MSA board will consider professional preparation, experience, skill and demonstrated competence of qualified applicants in making a final decision.

IV. SELECTION

A. A process for recruitment, screening, and interviewing of candidates shall be developed by the MSA board. Whenever possible, this process should include the input of the MSA community and stakeholders.

B. The MSA board may contract for assistance in the search for a superintendent.

C. The MSA board shall work with the MSA Human Resources Director to specifically identify all conditions of employment mutually agreed upon with the superintendent. In so doing, the MSA board shall observe all requirements of state and federal law, MMB regulations, and MSA policy.

Legal References:

Minn. Stat. § 123B.143 (Superintendent)

Minn. Rules, Chapter 3512

Policy #: 304
Title: Academies Administrator (Superintendent) Appointment, Duties, and Evaluation
Date of Initial Approval: 03-27-2014
Revision/Re-authorization Dates: 03-24-2016; 01-24-2019
Reviewers: MSA Human Resources; MSA Superintendent; MSA Board Personnel Committee

I. PURPOSE

The purpose of this policy is to provide for the use of an appointment letter with the Minnesota State Academies (MSA) Academies Administrator (working title – Superintendent), a position description, and the use of an approved instrument to evaluate performance.

II. GENERAL STATEMENT OF POLICY

- A.** The superintendent's appointment letter shall be used to formalize the employment relationship and to identify all conditions of employment with the superintendent.
- B.** The duties for which the superintendent is accountable shall be set forth in a position description for the superintendent and shall be measured by a performance appraisal instrument approved by the governing board in consultation with the superintendent. The governing board shall use an instrument to periodically evaluate the performance of the superintendent.
- C.** The Academies Administrator (Superintendent) position is identified by the Commissioner of Minnesota Management and Budget as managerial and therefore covered by the Managerial Plan. The Academies Administrator (Superintendent) position is in the unclassified service (M.S. 125A.67, Subd.1). "Unclassified Service" defined by the Managerial Plan means all positions specifically designated as not being classified pursuant to M.S. 43A.08 and other enabling legislation. Unclassified employees do not accrue seniority; do not serve a probationary period; are not subject to the layoff provisions of this plan; and may be terminated at will.

Legal References:

Minn. Stat. § 125A.67, Subd. 1 (Academies' Administrator)

Policy #: 417
Title: CHEMICAL USE AND ABUSE
Date of Initial Approval: 12-22-2015
Revision/Re-authorization Dates: 02-18-2016; 02-28-2019
Reviewers: MSA Human Resources Office; MSAB/MSAD Directors; MSA Director of Student Support Services.

I. PURPOSE

The Minnesota State Academies (MSA) board recognizes that chemical use and abuse constitutes a grave threat to the physical and mental well-being of students and employees and significantly impedes the learning process. Chemical use and abuse also creates significant problems for society in general. The MSA board believes that MSA has a role in education, intervention, and prevention of chemical use and abuse. The purpose of this policy is to assist the school district in its goal to prevent chemical use and abuse by providing procedures for education and intervention.

II. GENERAL STATEMENT OF POLICY

- A. Use of controlled substances, toxic substances, and alcohol is prohibited in the school setting in accordance with MSA policies with respect to a Drug-Free Workplace/Drug-Free School.
- B. MSA will provide an instructional program about chemical abuse and the prevention of chemical dependency on both campuses. This program shall include access to mental health and other community resources to support responses to individual needs.
- C. MSA shall establish and maintain a program to educate and assist employees, students, and others in understanding this policy and the goals of achieving drug-free schools and workplaces

III. DEFINITIONS

- A. **“Chemical Abuse”** means use of any psychoactive or mood-altering chemical substance, without compelling medical reason, in a manner that induces mental, emotional, or physical impairment and causes socially dysfunctional or socially disordering behavior, to the extent that the student’s normal function in academic, school, or social activities is chronically impaired.
- B. **“Chemicals”** includes but is not limited to alcohol, toxic substances, and controlled substances as defined in MSA’s Drug-Free Workplace/Drug-Free School policy (MSA Policy #418).
 - a. **“Alcohol”** includes any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor.
 - b. **“Controlled substances”** include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 U.S.C. § 812, including analogues and look-alike drugs.
 - c. **“Toxic substances”** includes glue, cement, aerosol paint, or other substances used or possessed with the intent of inducing intoxication or excitement of the central nervous system.

- C. **“Use”** includes to sell, buy, manufacture, distribute, dispense, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration.
- D. **“School location”** includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of MSA or otherwise engaged in MSA business.

IV. STUDENTS

A. Instruction

Students at MSA shall participate in an instructional program about chemical abuse and the prevention of chemical dependency. MSA may involve parents, students, health care professionals, mental health staff, instructional staff, and members of the community in developing the curriculum. The curriculum shall have age- and development-appropriate activities that:

- a. address the consequences of the use of illegal use of drugs, as appropriate;
- b. promote a sense of individual responsibility;
- c. teach students that most people do not illegally use drugs;
- d. teach students to recognize social and peer pressure to use drugs illegally and the skills for resisting illegal drug use;
- e. teach students about the dangers of emerging drugs;
- f. engage students in the learning process;
- g. incorporate activities in secondary schools that reinforce prevention activities implemented in elementary schools;
- h. involve families, community partners (which may include appropriately trained seniors), and a variety of drug and violence prevention providers in setting clear expectations against violence and illegal use of drugs and appropriate consequences for violence and illegal use of drugs

MSA shall have drug and violence prevention activities on each campus that may include the following:

- a. Community-wide planning and organizing activities to reduce violence and illegal drug use, which may include gang activity prevention.
- b. Conflict resolution programs, including peer mediation programs that educate and train peer mediators
- c. Youth anti-crime and anti-drug councils and activities.
- d. Counseling, mentoring, referral services, and other student assistance practices and programs, including assistance provided by qualified school-based mental health services providers and the training of teachers by school-

based mental health services providers in appropriate identification and intervention techniques for students at risk of violent behavior and illegal use of drugs.

- e. Programs that encourage students to seek advice from, and to confide in, a trusted adult regarding concerns about violence and illegal drug use.

B. Reports of Chemical Use and Abuse

In the event that a MSA employee knows that a student is abusing, possessing, transferring, distributing, or selling chemicals in a school location:

- a. The employee shall immediately either take the student to an administrator or notify an appropriate administrator of the observation and continue to observe the student until the administrator arrives.
- b. The administrator will notify the student's parents. If there is a medical emergency, the administrator will notify the school nurse and/or outside medical personnel as appropriate.
- c. The administrator will notify law enforcement officials, and if appropriate, the student's counselor. Any investigations into possible criminal violations will be conducted by law enforcement officials.
- d. The administrator and/or law enforcement officials will confiscate the chemicals and/or conduct a search of the student's person, effects, locker, vehicle, or areas within the student's control. Searches by school district officials shall be in accordance with MSA Policy #502 – Search of Student Lockers, Dorm Rooms, Other Spaces, Desks, Personal Possessions, and Student's Person.
- e. MSA will take appropriate disciplinary action in compliance with the student code of conduct. Such discipline may include immediate suspension, initiation of expulsion proceedings, and/or referral to a detoxification center or medical center.

If a MSA employee has reason to believe that a student is abusing, possessing, transferring, distributing, or selling chemicals:

- a. The employee shall notify an administrator and describe the basis for the suspicion. The administrator will determine what action should be taken. Action may include conducting an investigation, gathering data, scheduling a conference with the student or parents, or meeting with the student to discuss the behaviors that have been reported and attempting to ascertain facts regarding chemical abuse.
- b. The administrator/investigator may determine there is no chemical abuse. If there is evidence of chemical abuse, the administrator will select an appropriate course of action, which may include referral to a school counselor; referral to a treatment program; referral for screening, assessment, and treatment planning; participation in support groups; or other appropriate measures.
- c. Students involved in the abuse, possession, transfer, distribution, or sale of chemicals shall be suspended in compliance with the student code of conduct and the Pupil Fair Dismissal Act, Minn. Stat. § 121A.40-121A.56. Law enforcement shall be contacted and requested to begin investigations into possible criminal violations.

- d. Searches by school district officials in connection with the abuse, possession, transfer, distribution, or sale of chemicals will be conducted in accordance with school board policies related to search and seizure.

V. MSA MENTAL HEALTH TEAM

- a. MSA shall designate members of the MSA Mental Health Team to address reports of chemical abuse problems, make recommendations for appropriate responses, and coordinate support services with school nurses, chemical abuse treatment programs, or others.
- b. The team is responsible for providing information and educational activities to students to help prevent the abuse of chemicals.
- c. Within seven (7) days after receiving a report of chemical abuse, the team shall make a determination whether to provide the student and, in the case of a minor, the student's parents with information about school and community services in connection with chemical abuse.

VI. DATA PRACTICES

Student data may be disclosed without consent in health and safety emergencies pursuant to Minn. Stat. § 13.32 and applicable federal law and regulations.

A. Destruction of Records

- a. If the MSA Mental Health team decides not to provide a student and, in the case of a minor, the student's parents with information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the determination is made.
- b. If the team decides to provide the student and, in the case of a minor or a dependent student, the student's parents with such information, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the student is no longer enrolled at MSA.
- c. This section shall govern destruction of records notwithstanding provisions of the Records Management Act, Minn. Stat. § 138.163.

B. Consent

Any minor may give effective consent for medical, mental, and other health services to determine the presence of or to treat conditions associated with alcohol and other drug abuse, and the consent of no other person is required.

VII. EMPLOYEES

MMB Policy Reference - MSA is a State agency and is part of the executive branch of government in Minnesota. MSA follows the MMB HR/LR Policy #1418 - Alcohol and Other Drug Use by State Employees and MSA Policy 418.1 – Prohibition of Alcohol and Drug Use by State Employees. The purpose of these policies is to assist MSA in its goal of preventing chemical use and abuse by providing education and intervention.

- A. Each campus shall disseminate drug and violence prevention information within the school and to the community.

- B. Each campus shall have professional development and training for, and involvement of, school personnel, student services personnel, parents, and interested community members in prevention, education, early identification and intervention, mentoring, or rehabilitation referral, as related to drug and violence prevention.

Legal References:

Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.25-121A.29 (Chemical Abuse)
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 138.163 (Records Management Act)
Minn. Stat. § 144.343 (Pregnancy, Venereal Disease, Alcohol or Drug Abuse, Abortion)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
20 U.S.C. §§ 7101-7165 (Safe and Drug-Free Schools and Communities Act)
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)
34 C.F.R. Part 84 (Government-wide Requirements for Drug-Free Workplace)

Cross References:

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug Free School)
#MSA Policy 418.1 (Prohibition of Alcohol and Drug Use by State Employees)
MMB HR/LR Policy 1418 (Prohibition of Alcohol and Drug Use by State Employees)#
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)