

Regular Board Meeting  
Monday, August 15, 2022 6:30 PM

SPCC-Governor's Room  
600 S. 5th St.  
Saint Peter, MN 56082

## **Agenda**

- I. **Call Meeting to Order**
- II. **Pledge of Allegiance**
- III. **Consideration and Adoption of the Agenda**
- IV. **Consider Requests to Speak on the Agenda**
- V. **Approval of Consent Agenda Items**
- VI. **Action Items**
  - VI.1. Consider Approval of 2022-2023 COVID Protocols
  - VI.2. Consider Approval of Superintendent Goals for 2022-2023
  - VI.3. Consider Adoption of Handbooks for 2022-2023
  - VI.4. Consider Approval of Substitute Rates for 2022-2023
  - VI.5. Consider Approval of a Three-Year Lease with the City of Saint Peter for Saint Peter Community and Family Education
  - VI.6. Consider Approval of Changes to the 2022-2023 Mobile Device Handbook
  - VI.7. Consider Approval of Adult Lunch Price Revision for 2022-2023
  - VI.8. Consider an MOU with the Paraprofessionals Regarding a Newly Created Certified Intervener Position
  - VI.9. Consider Approval of a Three-Year Contract with Superintendent of Schools for 2023-2026
- VII. **Information Items**
  - VII.1. Building & Grounds Update
  - VII.2. Summer Programs Update
- VIII. **Reports**
  - VIII.1. Building Principals
  - VIII.2. Superintendent of Schools
  - VIII.3. Board Members
    - VIII.3.a. Around the Table
- IX. **Upcoming Meetings of the School Board** Policy Committee  
Tuesday, August 30, 2022  
4:00PM  
DO
- X. Study Session with Longview Education  
Monday, September 12, 2022  
6:30PM  
SPMS-Media Center
- XI. Education Committee  
Tuesday, September 13, 2022  
1:00PM  
SPMS-Conference Room A/B

- XII. Business Committee  
Tuesday, September 14, 2022  
4:00PM  
SPMS-Conference Room A/B
- XIII. Regular Board Meeting  
Monday, September 19, 2022  
6:30PM  
SPCC-Governor's Room
- XIV. **Adjournment**



## **ADDENDUM**

### **REGULAR BOARD MEETING Monday, August 15, 2022 SPCC-Governor's Room 6:30PM**

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#### **V. CONSENT AGENDA**

1. Approval of the Study Session minutes of July 18, 2022.
2. Approval of the Regular Board Meeting minutes of July 18, 2022.
3. Approval of Bills (\$2,180,239.35) and Wire Transfers (\$6,380,164.31) for July 2022.
4. Gifts and Donations
5. Personnel
  - a. The approval of the hiring of a Custodian Engineer (Sydnee Jahnke) at Saint Peter Middle school beginning August 1, 2022.
  - b. The acceptance of the resignation of a .50 FTE Title 1 math intervention teacher (Lauren Hagen) at North Elementary.
  - c. The approval of the hiring of an Office Support position (Tasha Timmerman) for the Alternative Schools & Programs beginning August 2, 2022.
  - d. The acceptance of a paraprofessional transfer (Brock Hanson) from Oshawa Learning Academy to Saint Peter High School.
  - e. The approval of the hiring of a head custodian (Jerry Doyle) at Saint Peter Middle School beginning April 11, 2022.
  - f. The acceptance of the resignation of a paraprofessional (Aislinn Hayes) at Oshawa Learning Academy.
  - g. The approval of the hiring of a math teacher (Heidi Niemeyer) at Saint Peter High School/Rock Bend for the 2022-2023 school year.
  - h. The approval of the hiring of a custodial engineer (Justin Hohn) at North Elementary beginning August 1, 2022.

- i. The acceptance of the resignation of a paraprofessional (Samara Perkins) at Saint Peter Middle School.
- j. The approval of the hiring of a TOSA Assignment-Technology Coordinator (Michael Johnson) with Saint Peter Public Schools.
- k. The acceptance of the resignation of a 7<sup>th</sup>/8<sup>th</sup> Grade Social Studies teacher (Andrew Viker) at Saint Peter Middle School.
- l. The approval of a stipend for the Early Childhood Assistant for additional duties due to an open position was set at \$4,603.50.
- m. The acceptance of the resignation of a paraprofessional (Drew Obermiller) at North Elementary. His final day was May 26, 2022.
- n. The approval of a contract with Story North Productions for video production.
- o. The approval of the hiring of a special education & traffic support paraprofessional (Hannah J. Johnson) at South Elementary for the 2022-2023 school year.
- p. The approval of a contract adjustment to cap insurance at \$13,500 for 2022-2023 for the Administrative Assistant to the Superintendent.
- q. The approval of the hiring of a social studies teacher (John Bartholow) at Saint Peter Middle School for 2022-2023. This is a replacement position.
- r. The approval of the hiring of a full-time, long-term 7<sup>th</sup>/8<sup>th</sup> grade PE substitute (Rene Moriarty) at Saint Peter Middle School. This is due to a planned maternity leave.
- s. The acceptance of the resignation of a paraprofessional (Cori Irwin) at Rock Bend ALC effective immediately.
- t. The approval of the hiring of a first grade teacher (Emily Elverum) at South Elementary for 2022-2023. This is a new position created due to enrollment numbers.
- u. The approval of a transfer for a paraprofessional (Cindy Bruce) to a Behavior interventionist at South Elementary. This is a new position created to better support the social, emotional and behavioral needs of South's students.

# **THE MINUTES OF THE MEETING HAVE NOT BEEN APPROVED**

## **Minutes of Study Session**

### **The School Board**

### **Saint Peter Public Schools**

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Members Present: Drew Dixon, Tim Lokensgard, Ben Leonard, Kate Martens, Charlie Potts & Bill Kautt.

Principals: Annette Engeldinger, Jon Graff, Darin Doherty, Doreen Oelke & Ytve Prafke

Administrative Team members: Sharon Petersen, Ayan Musse, Tim Regner & Gus Sorbo

Others present: Superintendent Bill Gronseth, Administrative Assistant Sarah Janovsky

A Study Session of the School Board of Saint Peter Public Schools was held Monday, July 18, 2022, beginning at 5:00 PM in the SPCC- Traverse des Sioux Room #102.

**I. Call Meeting to Order**-5:03PM, Leonard

**II. 2022-2023 Strategic Direction Overview**-The Administrative Team presented an overview of what they would like to accomplish in the next 5 years. There are three (3) goals in each of the three (3) areas; High Achievement for All, Safe & Welcoming Environment, Effective & Efficient Systems.

**III. 2022-2023 Strategic Direction Action Plan**-This action plan lays out actionable steps to achieve these goals.

**IV. Upcoming Meetings of the School Board**

Study Session-Longview Education  
Monday, August 8, 2022  
6:30PM  
SPMS-Media Center

Education Committee  
Tuesday, August 9, 2022  
1:00PM  
SPMS-Conference Room A/B

Business Committee  
Wednesday, August 10, 2022  
4:00PM  
SPMS-Conference Room A/B

Regular Board Meeting  
Monday, August 15, 2022

6:30PM  
SPCC-Governor's Room

V. **Adjournment**-6:19PM (Martens/Potts, unanimous)

Dated: August 15, 2022

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Charlie Potts, Board Clerk

# **THE MINUTES OF THE MEETING HAVE NOT BEEN APPROVED**

## **Minutes of Regular Board Meeting**

### **The School Board**

### **Saint Peter Public Schools**

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Members Present: Drew Dixon, Tim Lokensgard, Ben Leonard, Kate Martens, Charlie Potts & Bill Kautt.

Members Absent: Tracy Stuewe

Principals: Annette Engeldinger, Jon Graff, Darin Doherty, Doreen Oelke & Ytive Prafke

Administrative Team members: Sharon Petersen, Ayan Musse & Tim Regner

Others present: Superintendent Bill Gronseth, Administrative Assistant Sarah Janovsky

A Regular Board Meeting of the School Board of Saint Peter Public Schools was held Monday, July 18, 2022, beginning at 6:30 PM in the SPCC-Governor's Room.

**I. Call Meeting to Order-6:34PM, Leonard**

**II. Pledge of Allegiance**

**III. Consideration and Adoption of the Agenda-(Dixon/Lokensgard, unanimous)**

**IV. Consider Requests to Speak on the Agenda**

**V. Approval of Consent Agenda Items-(Lokensgard/Dixon, unanimous)**

1. Approval of Regular Board Meeting minutes of June 20, 2022.
2. Approval of Special Board Meeting minutes of July 11, 2022.
3. Approval of Study Session minutes of July 11, 2022.
4. Approval of Bills (\$2,387,478.02) and Wire Transfers (\$3,726,237.31) for June 2022
5. Gifts and Donations
6. Personnel
  - a. The approval of the hiring of a 7<sup>th</sup>/8<sup>th</sup> grade science teacher (Kinsey Irving) at Saint Peter Middle School for the 2022-2023 school year.
  - b. The approval of the hiring of a sPARK Mobile Arts Studio assistant (Mirella Torres) with Saint Peter Community & Family Education.
  - c. The approval of the hiring of technology department intern (Wesley Yang) for the summer of 2022.
  - d. The approval of the hiring of technology department intern (Luke Borowy) for the summer of 2022.
  - e. The approval of the hiring of a Saints Overtime Assistant (Hana Ahmed) with Saint Peter Community & Family Education.

- f. The approval of the hiring of a physical education teacher (Mary Fixsen) at Saint Peter Middle School for the 2022-2023 school year.
- g. The approval of the hiring of a summer school paraprofessional (Eva Kracht) at Saint Peter Middle School.
- h. The approval to deem items obsolete as they are no longer part of the middle school Family and Consumer Science curriculum.
- i. The approval of the hiring of a summer school paraprofessional (Cassandra Connor) at Saint Peter Early Childhood.
- j. The approval of the renewal of an IT Support Specialist (Dana Owens) with Saint Peter Public Schools.
- k. The acceptance of the resignation of a full-time teaching substitute (Payton Portuguese) with Saint Peter Public Schools.
- l. The approval of the hiring of a long-term health office paraprofessional substitute (Angie Anderson) at North Elementary.
- m. The acceptance of the resignation of a 4<sup>th</sup> grade teacher (Emma Fladager) at North Elementary.
- n. The acceptance of the resignation of a paraprofessional (Lori Gieschen) at North Elementary effective May 26, 2022.
- o. The approval of a Family Medical Leave Request for a health office paraprofessional (Marcia Wenner) at North Elementary for the 2022-2023 school year.
- p. The approval of the hiring of a program paraprofessional (Taylor Perrin) at North Elementary.
- q. The approval of the hiring of a special education & traffic support paraprofessional (Naomi Harris) at South Elementary.
- r. The approval of the hiring of an art teacher (Melise Baumgarn) at Saint Peter Middle School for the 2022-2023 school year.
- s. The approval of the transfer for an Oshawa Learning Academy/Rock Bend ALC teacher (Dave Nixon) to a full-time position at Oshawa Learning Academy.
- t. The approval of the hiring of a math teacher (Stephanie Evans) at Saint Peter Middle School for the 2022-2023 school year.
- u. The approval of the hiring of social worker (Kylie Kuhlman) at Saint Peter Middle School for the 2022-2023 school year.
- v. The approval of the hiring of a summer paraprofessional (Olivia Young) at Saint Peter Early Childhood
- w. The acceptance of the retirement of a food service employee (Mary Kammerdeiner) effective May 26, 2022.
- x. The approval of the hiring of a cook/dishwasher (Paige Claeys) in the Food Service Department.
- y. The approval of the hiring of a cook/dishwasher (Kristen Zeiher) in the Food Service Department.
- z. The acceptance of the resignation of a paraprofessional (Carlaa Wallig) at Saint Peter Middle School effective July 18, 2022.
- aa. The approval to deem items as obsolete due to lack of use and disrepair.

## **VI. Action Items**

1. Consider Approval of 10-Year Long-Term Facilities Maintenance Revenue Plan-(Kautt/Lokensgard) YAY: Dixon, Kautt, Martens, Leonard, Lokensgard, Potts; NAY: None; Resolution Passes
2. Consider Approval of District Strategic Direction and Action Plan-(Lokensgard/Martens, unanimous)
3. Consider Membership in the Minnesota School Boards Association (MSBA) for 2022-2023-(Kautt/Potts, unanimous)
4. Consider Approval of a Resolution Calling for a General Election-(Dixon/Lokensgard) YAY: Dixon, Kautt, Martens, Leonard, Lokensgard, Potts; NAY: None; Resolution Passes
5. Consider Approval of Superintendent Evaluation Summary-(Martens/Dixon, unanimous)
6. Consideration of Entering into Negotiations for Subsequent Superintendent Contract-(Lokensgard/Potts, unanimous)
7. Consider Approval of MOU between Saint Peter Food Service Bargaining Unit and Saint Peter Public Schools-(Kautt/Lokensgard, unanimous)
8. Consider Approval of Breakfast/Lunch Prices for 2022-2023-(Dixon/Kautt, unanimous)
9. Consider Second/Final Reading of Revisions to the Policy Manual-(Martens/Potts, unanimous)
10. Consider Policies for a Single Reading Due to Immaterial Changes-(Kautt/Potts, unanimous)

## **VII. Information Items**

1. First Reading of Revisions to the Policy Manual

## **VIII. Reports**

1. Building Principals
  - ESY wraps up next week
  - Read and Feed at North will continue until August 12, 2022
  - SPMS has wrapped up hiring for the 22-23 school year
  - 101 HS Students attended summer school though Rock Bend
  - SPHS-track team won State
  - Hall of Fame Induction was great on July 2, 2022
  - ACT scores for the class of 2022 were up on all areas
2. Superintendent of Schools
  - Free and Reduced Price Lunch is completely confidential- the lunch process is the same for every student whether they are receiving benefits or not.
  - 
  - The parking lot at EC is still in progress, please call ahead if you need to get into the DO 934-5702

- Round-a-bout construction is about to begin at the intersection of of Sunrise and Broadway, please do not use Lincoln Drive

3. Board Members

a. Around the Table

**IX. Upcoming Meetings of the School Board**

HR Committee  
Tuesday, August 2, 2022  
4:00PM  
DO

Education Committee  
Tuesday, August 9, 2022  
1:00PM  
SPMS-Conference Room A/B

Business Committee  
Wednesday, August 10, 2022  
4:00PM  
SPMS-Conference Room A/B

Regular Board Meeting  
Monday, August 15, 2022  
6:30PM  
SPCC-Governor's Room

Policy Committee  
Wednesday, August 31, 2022  
4:00PM  
DO

**X. Adjournment**-(Potts/Dixon, unanimous)

Dated: August 15, 2022

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Charlie Potts, Board Clerk



DISTRICT OFFICE  
100 Lincoln Drive, Suite 229  
Saint Peter, MN 56082-1351  
507-934-5703 (Office)  
507-934-2805 (Fax)  
[www.stpeterschools.org](http://www.stpeterschools.org)

Date: 8/5/2022  
To: Dr. Bill Gronseth - Superintendent  
From: Bee Ong - Finance Accountant  
Re: **Monthly Construction Bills, Board Bills,  
Payroll & Student Activity Amounts:**

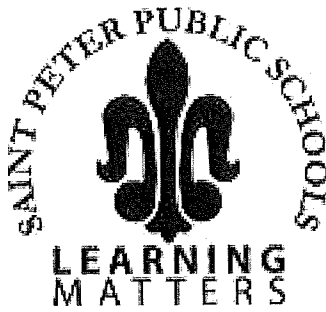
July 2022 - Construction Account	\$0.00
July 2022 - Board Bills	\$1,151,733.40
July 2022 - Payroll Account	\$1,028,505.95
July 2022 - Student Activity	\$0.00
	<hr/>
	<u>\$2,180,239.35</u>

St. Peter Public Schools  
Wire Transfer Report

Jul-22

MSDLAF to USBank	8/1/2022	1,072,300.00 (Feb/Aug bond pymt)
MSDLAF to FNB payroll account ACH	7/15/2022	475,000.00
MSDLAF to FNB payroll account ACH	7/29/2022	450,000.00
MSDLAF-Max to FNB BO	7/1/2022	200,000.00
MSDLAF-Max to FNB BO	7/6/2022	250,000.00
MSDLAF-Max to FNB BO	7/8/2022	510,000.00
MSDLAF-Max to FNB BO	7/15/2022	250,000.00
MSDLAF-Max to FNB BO	7/15/2022	225,000.00
MSDLAF-Max to FNB BO	7/18/2022	250,000.00
MSDLAF-Max to FNB BO	7/21/2022	475,000.00
MSDLAF-Max to FNB BO	7/22/2022	250,000.00
MSDLAF-Max to CCF	7/13/2022	400,000.00
FNB-BO to BCBS - medicare health	7/21/22	17,102.00
Wire of federal payroll taxes	7/6/2022	122.61
Wire of federal payroll taxes	7/15/2022	167,513.58
Wire of federal payroll taxes	7/21/2022	117.56
Wire of federal payroll taxes	7/25/2022	580.71
Wire of federal payroll taxes	7/29/2022	157,790.37
Wire of state payroll taxes	7/1/2022	40,521.72
Wire of state payroll taxes	7/7/2022	26.91
Wire of state payroll taxes	7/18/2022	27,940.16
Wire of state payroll taxes	7/22/2022	7.52
Wire of state payroll taxes	7/26/2022	72.76
PERA payments	7/7/2022	100.28
PERA payments	7/22/2022	21,062.17
PERA payments	7/25/2022	303.45
PERA payments	7/29/2022	21,607.19
TRA payments	7/22/2022	120.38
TRA payments	7/22/2022	94,064.32
TRA payments	7/25/2022	90.04
TRA payments	7/29/2022	88,158.74
Further	7/6/2022	740.00
Further	7/12/2022	1,910.09
Further	7/19/2022	7,983.64
Further	7/22/2022	419.00
Further	7/22/2022	442.50
Further	7/26/2022	5,000.16
Horace Mann	7/12/2022	2,064.00
Horace Mann	7/22/2022	2,114.00
Ameriprise/NBSGroup Bill	7/1/2022	1,600.00
Ameriprise/NBSGroup Bill	7/22/2022	1,600.00
Medsurety	7/7/2022	882.00
Medsurety	7/14/2022	8.49
Medsurety	7/18/2022	567.00
Medsurety	7/18/2022	2,719.76
Medsurety	7/20/2022	2,878.13
Medsurety	7/20/2022	511,322.47
Medsurety	7/21/2022	360.72

Medsurety	7/28/2022	2,483.22
Matrix Trust Co	7/20/2022	2,400.00
Matrix Trust Co	7/20/2022	77,524.34
Matrix Trust Co	7/20/2022	329,222.00
Medsurety	7/28/2022	-326,822.00
Pioneer - Dental direct debits	7/6/2022	4,928.07
Pioneer - Dental direct debits	7/11/2022	280.36
Pioneer - Dental direct debits	7/11/2022	3,249.24
Pioneer - Dental direct debits	7/18/2022	3,370.29
Pioneer - Dental direct debits	7/21/2022	1,523.50
Pioneer - Dental direct debits	7/25/2022	4,968.07
CCF - BCBS debits	7/7/2022	151,578.26
CCF - BCBS debits	7/14/2022	23,326.38
CCF - BCBS debits	7/21/2022	90,086.43
CCF - BCBS debits	7/28/2022	24,771.77
Electronic Deposit Fees - Gateway	7/6/2022	20.00
Electronic Deposit Fees - Merch Billing	7/6/2022	39.95
	Total Wires	6,380,164.31



**MEMO TO:** Bill Gronseth, Superintendent  
School Board

**FROM:** Marc Bachman

**DATE:** July 19, 2022

**SUBJECT:** Recommendation for hire

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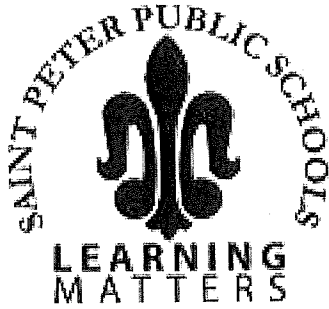
The Operations and Maintenance Department has a full-time custodial engineer position open at Saint Peter High School as a result of a transfer. The position was posted internally and via the district website.

I recommend the hiring of Sydnee Jahnke to serve as a Custodial Engineer at Saint Peter Middle School. Sydnee is a 2020 graduate of Saint Peter High School. She is coming to us after serving in several positions including Service Manager at Hy-Vee of Saint Peter. Sydnee will bring a friendly smile and energy to SPHS.

**EMPLOYMENT HIRING SUMMARY**

- **Sydnee Jahnke**
  - Custodian: \$16.58/hour (Custodian)
  - Shift differential: \$1.05/hour for 1,566 hours
  - Start Date: August 1, 2022
  - 9 month probationary period ending May 1, 2023
    - Attainment of a special boiler license is required during this probationary time.

Cc: Sydnee Jahnke  
Drew Brodeen  
Mike Keller  
Annette Engeldinger  
Bob Ploog



**MEMO TO:** Mr. Bill Gronseth  
District 58 School Board

**FROM:** Darin Doherty, Principal  
North Elementary School

**DATE:** July 20, 2022

**SUBJECT:** Title I Math Intervention Teacher  
Resignation

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I recommend that you accept the resignation of **Lauren Hagen** as a 0.5 FTE Title 1 math intervention teacher at North Elementary School. Lauren is also resigning as a 3-hour/student contact day Title 1 paraprofessional. Ms. Hagen has accepted a full-time 4th-grade teaching position in New Ulm.

Lauren did a wonderful job supporting students with her impactful math instruction. She will be missed. We wish her the best of luck!

Please contact me with questions.

CC: grp\_hire\_certified@stpeterschools.org  
Lauren Hagen <lhagen2@stpeterschools.org>



Darin Doherty <ddoherty@stpeterschools.org>

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## Resignation

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Lauren Hagen <lhagen2@stpeterschools.org>  
To: Darin Doherty <ddoherty@stpeterschools.org>

Wed, Jul 20, 2022 at 12:20 PM

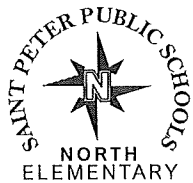
Hello Darin,

I regret to inform you that I will be resigning from my position as Math Intervention Teacher at North Elementary. I have accepted a 4th grade teaching position in New Ulm, MN at Jefferson Elementary. My resignation will be effective at the end of the day on July 28th, 2022.

I wanted to thank you so much for the amazing opportunity this last year has given me. I have learned so much and made some amazing connections! If there is anything I can do to help, such as questions or concerns that the future teacher in this position may have, please let me know! I would be happy to help in any way I can. Thank you again for a wonderful year of growth and new experiences!

Best,

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### Lauren Hagen

*Math Interventionist*

North Elementary

815 N. 9th Street

St Peter, MN 56082

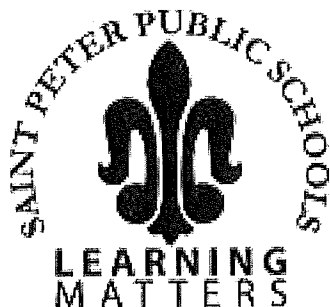
507-934-3260 ext: 4015

507-934-1865 (fax)

[www.stpeterschools.org](http://www.stpeterschools.org)

*Saints Nation - Saints Strong, Everyone Belongs*





**TO:** Bill Gronseth, Superintendent,  
School Board Members

**FROM:** Jana Sykora,  
Alternative Schools & Programs Administrator

**SUBJECT:** Office Support Staff Hire

**DATE:** July 22, 2022

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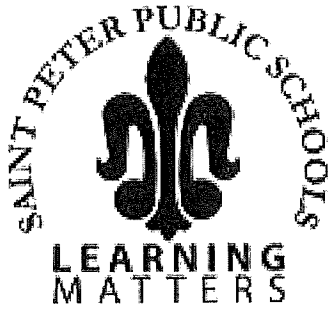
We are pleased to recommend the hiring of Tasha Timmerman for the Alternative Schools & Programs Office Support position. This position is replacing a previous MVED position that has been open for approximately one year.

**NEW EMPLOYEE SUMMARY**

- **Tasha Timmerman**
  - Clerical Level III, step 1, \$16.74/hr
  - Hours: 4 hours a day Monday - Friday / 201 contract days plus holidays
  - Tasha will begin submitting hours on a timesheet after August 8 for training and will begin regular hours August 22, 2022.

CC: Tasha Timmerman

grp\_hire\_office@stpeterschools.org



**MEMO TO:** Mr. Bill Gronseth  
ISD 508 School Board

**FROM:** Jana Sykora  
Alternative Schools & Programs Admin

**DATE:** July 8, 2022

**SUBJECT:** Paraprofessional Transfer

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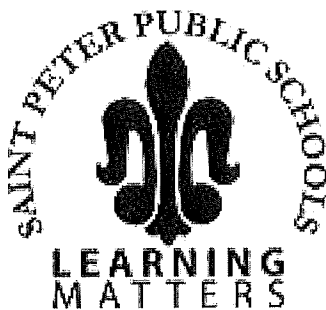
I would like to recommend that you accept the transfer of Brock Hanson from a special education paraprofessional in the Oshawa Learning Academy at Hoffmann Learning Center to a special education paraprofessional at Saint Peter High School.

I have been in contact with Mrs. Engeldinger at the high school and she approves of this transfer. Brock will begin his assignment with the start of the 2022-2023 school year.

We will work to hire a replacement at Oshawa Learning Academy for the 2022-2023 school year.

Please contact me with questions.

CC: Brock Hanson  
grp\_hire\_para@stpeterschools.org



**MEMO TO:** Bill Gronseth, Superintendent  
School Board

**FROM:** Marc Bachman

**DATE:** April 6, 2022

**SUBJECT:** Recommendation for hire

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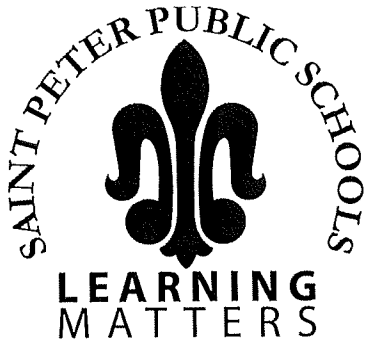
The Operations and Maintenance Department has a Head Custodial engineer position open at Saint Peter Middle School. The position was posted internally and via the district website.

I recommend the hiring of Jerry Doyle to serve as Head Custodial Engineer at Saint Peter Middle School. Jerry spent several years as the day custodian at the Middle School. His past experience leading cleaning crews in high visibility venues will serve the staff of the Middle School well.

**EMPLOYMENT HIRING SUMMARY**

- **Jerry Doyle**
  - Head Custodian: \$23.96/hour
  - Start Date: April 11, 2022
  - 9 month probationary period ending January 11, 2023

Cc: Jerry Doyle  
Drew Brodeen  
Mike Keller  
Jon Graff  
Ytive Prafke



**MEMO TO:** Bill Gronseth, Superintendent  
Saint Peter School Board

**FROM:** Jana Sykora, Alternative Schools &  
Programs Administrator

**DATE:** July 28, 2022

**SUBJECT:** Paraprofessional Resignation

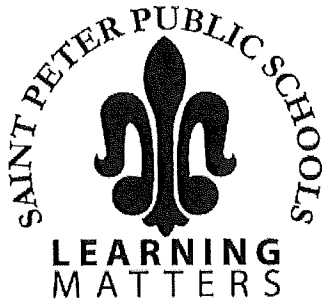
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I am writing to recommend that you accept the resignation of Aislinn Hays, paraprofessional at the Oshawa Learning Academy, effective immediately.

We thank Aislinn for her service and wish her the best of luck in her future endeavors.

Please let me know if you have any questions.

Cc: Aislinn Hays  
grp\_hire\_para



**MEMO TO:** Members of the School Board  
Bill Gronseth

**FROM:** Annette Engeldinger

**DATE:** August 5, 2022

**SUBJECT:** Math Teacher Hire

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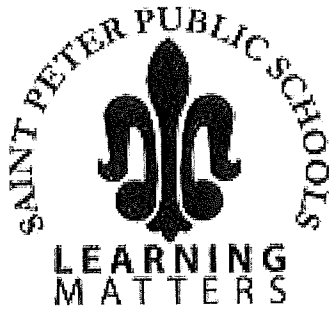
Applications were received and interviews took place for the 1.0 Saint Peter High School/Rockbend math teaching position. This position is a replacement position created by a resignation.

I am pleased to recommend Heidi Niemeyer for the position. Heidi has most recently been a highly regarded substitute teacher for the district as well as our girls' varsity softball coach. We are thrilled to have her on our team as a full-time math teacher!

**NEW EMPLOYEE SUMMARY**

- **Heidi Niemeyer**
  - 1.0 FTE
  - Step 5/Lane BA
    - \$51,528
  - Start Date: 2022-2023 school year

CC: Heidi Niemeyer  
grp\_hire\_certified



**MEMO TO:** Bill Gronseth, Superintendent  
School Board

**FROM:** Sharon Petersen

**DATE:** July 26, 2022

**SUBJECT:** Recommendation for hire

---

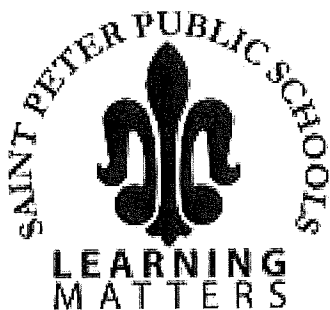
The Operations and Maintenance Department has a full-time Custodial Engineer position open at North Elementary School. The position was posted internally and via the district website.

I recommend the hiring of Justin Hohn to serve as a Custodian Engineer at North Elementary School. Justin has previous experience with HVAC systems and has some knowledge of boiler operations. We welcome Justin to our team.

#### **EMPLOYMENT HIRING SUMMARY**

- **Justin Hohn**
  - Custodian: \$16.58/hour (Custodian)
  - Shift differential: \$1.05/hour for 1,566 hours
  - August 1, 2022
  - 9 month probationary period ending May 1, 2023
    - Attainment of a special boiler license is required during this probationary time.

Cc: Justin Hohn  
Drew Brodeen  
Mike Keller  
Darin Doherty



**MEMO TO:** Bill Gronseth, Superintendent  
School Board

**FROM:** Jon Graff

**DATE:** August 2, 2022

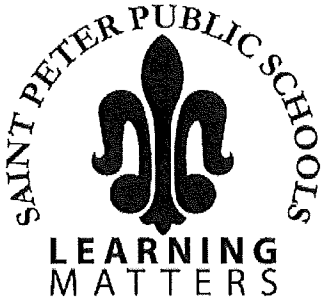
**SUBJECT:** End of Employment  
Paraprofessional

---

Samara Perkins's final date of employment was May 26, 2022 (the last day of the 2021-2022 school year).

Samara has moved to New York to pursue a career in teaching, so will not be returning to her paraprofessional position with Saint Peter Middle School next year. We thank Samara for her service and wish Samara the best of luck.

CC: Grp\_hire\_para



TO: Bill Gronseth  
FROM: Gus Sorbo  
DATE: 02-August-2022  
RE: TOSA - Technology Coordinator  
CC: Michael Johnson

---

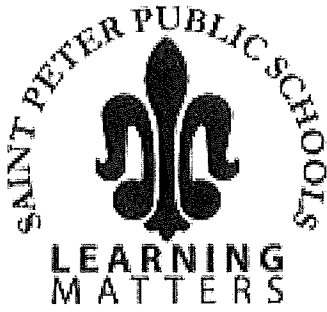
Applications were received and interviews took place for the Teacher on Special Assignment - Technology Coordinator position. This is a replacement position created by an internal promotion.

I am pleased to recommend Michael Johnson for the position.

#### NEW EMPLOYEE SUMMARY

- Michael Johnson
  - 1.0 FTE
  - Step 11/Lane MA +30
    - \$80,395
  - 25 Extended Days
  - Start Date: 2022-2023 school year

CC: Michael Johnson  
grp\_hire\_certified



**MEMO TO:** Bill Gronseth, Superintendent  
Saint Peter School Board

**FROM:** Jon Graff, Principal

**DATE:** August 18, 2022

**SUBJECT:** Middle School Social Studies  
teacher Resignation

---

Please accept the resignation of Andrew Viker, 7th/8th Grade Social Studies teacher at Saint Peter Middle School.

We would like to thank Andrew for his vast contributions to the district and wish him the best of luck with his future endeavors.

CC: Andrew Viker  
Grp\_hire\_certified

Andrew Viker  
120 Marion Lane  
Mankato, MN 56001

---

July 27, 2022

St. Peter Public Schools  
100 Lincoln Drive  
St. Peter, MN 56082

Dear Mr. Gronseth,

I am writing to inform you of my intention to resign from my job as a Middle School Social Studies and positions of MS Football and Baseball coaching, effective two weeks from today..

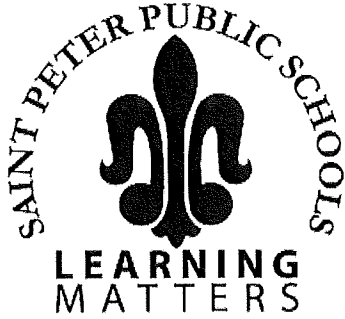
I have been fortunate during my time at St. Peter for the opportunity to grow and learn as an educator and a colleague. Your guidance and support have equipped me with valuable skills and experience.

Please let me know how I can be of help during the transition period. I wish you and St. Peter Middle School the very best going forward.

Thank you,

A handwritten signature in black ink, appearing to read "Andrew D. Viker". The signature is stylized and cursive.

Andrew D. Viker



**MEMO TO:** Tim Regner/Lisa Pierson  
**FROM:** Ytive Prafke  
**DATE:** July 13, 2022  
**SUBJECT:** Additional Duties Stipend Memo-  
Gina Evenson

---

The Early Childhood Office Support position has been posted and vacant since October 14, 2022. Early Childhood/Targeted Services Program Assistant, Gina Evenson has taken on additional responsibilities to cover the position vacancy from October 14-June 30, 2022.

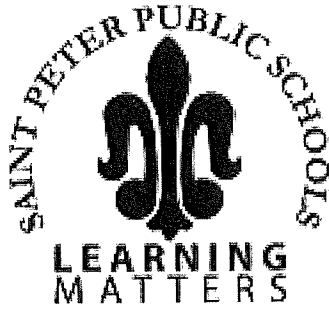
Upon discussion with Superintendent Gronseth and members of the Human Resources Committee it was decided that a stipend would be provided to Ms. Evenson to compensate her for these additional responsibilities.

Stipend Rate: \$4603.50

This stipend rate is based upon 7.5 hours per week x \$17.05 per hour x 36 weeks= \$4603.50

Thank you so much and please let me know if you have any questions.

Cc: Superintendent Gronseth



**MEMO TO:** Mr. Bill Gronseth  
District 508 School Board

**FROM:** Darin Doherty, Principal  
North Elementary School

**DATE:** August 9, 2022

**SUBJECT:** Special Education  
Paraprofessional Resignation

---

I recommend that you accept the resignation of **Drew Obermiller** as a special education paraprofessional at North Elementary School. His last workday at North was May 26, 2022.

We thank him for his year of service to the students at North Elementary School and wish him good luck in his new career field.

Please contact me with questions.

CC: Drew Obermiller <dobermiller@stpetersschools.org>  
grp\_hire\_para <grp\_hire\_para@stpetersschools.org>

I, Drew Benjamin Obermiller hereby resign  
from my position as a Paraprofessional at  
Saint Peter Public Schools, Effective 8/9/22.

# **Independent Producer Agreement**

**BY AND BETWEEN**

**STORY NORTH PRODUCTIONS, LLC**

**AND**

**SAINT PETER PUBLIC SCHOOLS**

**THIS AGREEMENT**, by and between Story North Productions, LLC, 705 High St., Duluth, MN, 55805 (“Producer”), and Saint Peter Public Schools, 100 Lincoln Drive, Saint Peter, MN 56082 (“Client”), collectively referred to herein as “the Parties,” is made effective as of the date of all Parties’ signatures and execution as provided below.

WHEREAS, Producer is a creative video production company specializing in story-driven content for companies and individuals; and

WHEREAS, Client desires to retain Producer to provide video production services in accordance with the terms and conditions set forth below;

NOW THEREFORE, based on the consideration, mutual covenants and conditions contained herein (the receipt, adequacy and sufficiency of which being mutually acknowledged and agreed upon by each party), and subject to all terms and conditions set forth herein, the parties now covenant and agree as follows:

## **1. Term**

1.1 The term of this Agreement shall commence on August 11, 2022 and shall continue until completion of Services (the “Termination Date”), unless terminated earlier in accordance with Section 10 (the “Term”).

## **2. Services**

2.1 Producer shall provide Services to Client and its duly authorized representatives, personally or through Producer’s own employees or subcontractors, as set forth in **Schedule A** attached hereto (the “Services”)

2.2 Producer shall determine the manner or means by which it performs the Services for the Client, including, without limitation, optimal time and place for performance of Services, except as agreed to between the parties or set forth in **Schedule A**.

2.3 Except as otherwise specified in **Schedule A**, Producer shall furnish, at its own expense, the equipment, supplies, tools or other materials used to perform the Services.

2.4 Client shall provide Producer with access to its premises and equipment to the extent necessary for Producer's performance of the Services. Producer shall comply with all applicable Client policies and procedures relating to Client's business, including those related to occupational health and safety and use of Client's facilities, supplies, information technology, equipment, networks or other resources.

2.5 Producer shall make itself available for consultation with Client at such times and places as mutually agreed upon between the parties. Upon request, Producer agrees to prepare and submit to Client periodic reports regarding performance of the Services.

### **3. Independent Contractor Relationship**

3.1 Producer is and shall remain at all times an independent contractor and not an employee or dependent contractor of Client. Nothing in this Agreement shall be construed to create any association, partnership, joint venture, agency, fiduciary or employment relationship between Producer and Client, for any purpose, and neither party has the authority to contract for or bind the other party in any manner whatsoever.

3.2 Producer shall provide the Services to Client on a non-exclusive basis, and shall be free to provide its services to third parties during the Term of this Agreement provided that Producer shall not provide such services in a way that is inconsistent with any of the provisions of this Agreement.

3.3 Without limiting Section 3.1, Producer and Producer's employees shall not be eligible to participate in any benefit or compensation plans offered by Client to its own employees, including, without limitation, any payments under any public or private employment standards regulations or agreements.

3.4 Client shall have no liability or responsibility for withholding or remitting any income, payroll, or other federal or state taxes, including state or federal health care or pension contributions or worker's compensation, for Producer or Producer's employees. Producer is responsible for any and all of these withholding or remittance obligations, and shall indemnify Client from and against any order, penalty, interest, taxes or contributions that may be assessed against Client due to the failure or delay of Producer in making any such withholdings or remittances on behalf of Producer's employees, or to file such other information as may be required by law.

### **4. Payment Terms; Expenses**

4.1 Client agrees to pay Producer \$14,500 in consideration for provision of the Services set forth herein and the attached **Schedule A**.

4.2 At the time of execution of this Agreement, Client shall pay Producer a non-refundable deposit equal to 50% of the total consideration to be paid for Producer's Services. The deposit will be subtracted from the final total amount due and owing to Producer upon completion of Services.

- 4.3 Client shall reimburse Producer for reasonable expenses incurred in the provision of Services under this Agreement, as may be modified or set out with greater detail in the attached **Schedule A**, or as the parties may otherwise agree in writing.
- 4.4 Producer shall issue invoice Client upon completion of agreed-upon project milestones or completion of Services under this Agreement, in accordance with the payment plan set forth in **Schedule A**.
- 4.5 Client shall pay invoices within ten (10) days of receipt, except as otherwise modified or agreed upon in writing by the parties. At the discretion of Producer, failure to remit timely payment of invoices may result in suspension or termination of the project.

## 5. Intellectual Property

- 5.1 Producer, as original creator, retains all copyrights or other intellectual property rights associated with the project files, raw video or other content created as part of Producer's Services rendered under this Agreement (collectively, the "Project Files"), including any of Producer's pre-existing, copyrighted material used in the project. Producer retains all ownership, license, title and right to use excerpts or portions of Project Files for its own advertising, promotional or commercial requirements, subject to the Confidentiality provisions set forth in Section 6 herein.
- 5.2 Upon full payment of all final amounts due and owing under this Agreement, Producer shall grant Client an exclusive license to the final product or products, as delivered, that are the subject of this Agreement, further described in **Schedule A** as the final "Deliverable[s]," including all copyrights or other intellectual property associated therewith.
- 5.3 Upon request, Client may purchase, for additional fee to be negotiated between the parties, all license, right, title, interest in, and possession of, all Project Files created, stored and retained by Producer as part of its performance of the Services under this Agreement, in which event, Producer will further assign to Client all license, right, title and interest throughout the world in and to all Project Files, including all copyrights or other intellectual property associated therewith.

## 6. Confidential Information

- 6.1 Producer acknowledges that in the course of providing the Services, Producer may create or have access to information that is treated as confidential and proprietary by Client, including, without limitation, information pertaining to any Deliverables, and in each case whether spoken, written, printed, electronic or in any other form or medium (collectively, "Confidential Information").
- 6.2 Producer shall treat all Confidential Information as strictly confidential and only use Confidential Information for purposes of providing Services. Producer shall not,

without prior written authorization of Client, either during the Term or after termination of this Agreement, use or disclose any Confidential Information for the benefit or purposes of Producer or any other person, company or organization.

6.3 Confidential Information shall not include information that is or subsequently becomes generally available to the public.

## **7. Representations & Warranties**

7.1 Producer represents and warrants that it:

- (a) has the required skill, experience and qualifications to perform the Services; and
- (b) shall perform the Services in a professional and workmanlike manner in accordance with generally recognized industry standards for similar services, and in compliance with all applicable federal, state, and local laws and regulations.

7.2 Client represents and warrants that:

- (a) Client has the full right, power and authority to enter into this Agreement and to perform its obligations hereunder; and
- (b) the execution of this Agreement by its representatives, whose signature or signatures are set forth below, has been duly authorized by all necessary individual, corporate, nonprofit or governmental action.

## **8. Mutual Indemnification**

8.1 Each Party agrees to indemnify and hold harmless the other, including the other Party's officers, agents, employees or assigns, from any and all claims, causes of action, losses or damages that the indemnified Party may incur as a result of the negligence, errors, omissions, willful or intentional acts of the indemnifying Party arising out of the performance of the indemnifying Party's duties, obligations or Services set forth in this Agreement.

## **9. Insurance**

9.1 During the Term, Producer shall have and maintain in force commercial general liability ("CGL") insurance with policy limits appropriate to protect and indemnify Client from foreseeable losses arising from the Producer or Producer employees' conduct, acts, or omissions, which policy will include contractual liability coverage insuring the activities of Producer under this Agreement. Producer does not guarantee that its CGL policy will be adequate to protect Client from all losses that may arise in every foreseeable instance. Upon written request, Producer shall forward to Client a certificate verifying such insurance. Producer shall not do anything to invalidate such

insurance and shall notify Client immediately in writing of notice of termination of such insurance.

## **10. Termination**

10.1 During the Term, either Party may terminate this Agreement, with or without cause, upon ten (10) days' written advance notice to the other Party.

10.2 In the event of termination by Client pursuant to this clause, Client shall pay the Contractor for any Services completed up to and including the effective date of such termination.

## **11. Alternative Dispute Resolution**

11.1 If a dispute arises from or relates to this Agreement or alleged breach thereof, and if the dispute cannot be settled through direct, good-faith communication, negotiation and discussion between the Parties, before resorting to arbitration, the Parties agree to first endeavor to settle the dispute by mediation administered by a mediator or mediation service of the Parties' choice.

11.2 If both negotiation and mediation prove unsuccessful, in whole or in part, the Parties agree that any unresolved controversy or claim arising out of or relating to this Agreement, or alleged breach thereof, shall be settled by arbitration administered by the American Arbitration Association in accordance with its Commercial Arbitration Rules, and further that judgment on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.

11.3 Claims shall be heard by a single arbitrator, unless the claim amount exceeds \$100,000, in which case the dispute shall be heard by a panel of three arbitrators. The place of arbitration shall be Duluth, Minnesota, except as may be modified by agreement of both Parties. The arbitration shall be governed by the laws of the State of Minnesota. Each Party will, upon written request of the other, promptly provide the other with copies of all relevant documents. There shall be no other discovery allowed.

11.4 Time is of the essence for any arbitration under this agreement and arbitration hearings shall therefore take place within 90 days of filing, with awards rendered within 120 days. Arbitrator(s) shall agree to these limits prior to accepting appointment. Each Party shall bear its own costs and expenses and an equal share of the arbitrators' and administrative fees of arbitration. The award of the arbitrators shall be accompanied by a reasoned opinion. Except as may be required by law, neither a Party nor an arbitrator may disclose the existence, content, or results of any arbitration hereunder without the prior written consent of both Parties.

## **12. General Terms & Conditions**

- 12.1 Any alterations, variations, modifications or waivers of terms of this Agreement shall be binding on Producer and Client only upon reduction to writing and signature by all Parties.
- 12.2 Producer agrees not to assign any rights under this Agreement without the prior and express written authorization of Client.
- 12.3 This Agreement, together with all attachments, addendums, schedules, paragraphs, terms, provisions, modifications, and amendments, is made in the State of Minnesota and shall be construed and interpreted in accordance with the laws of the State of Minnesota.
- 12.4 Producer shall not be liable for any failure of, or delay in, performance of its obligations under this Agreement to the extent such failure or delay is due to circumstances beyond its reasonable control, including, without limitation, acts of God, viral pandemic, acts of a public enemy, fires, floods, wars, civil disturbances, sabotage, accidents, insurrections, blockades, embargoes, storms, explosions, labor disputes, acts of any governmental body (whether civil or military, foreign or domestic), failure or delay of third parties or governmental bodies from whom a party is obtaining or must obtain approvals, franchises or permits, or inability to obtain labor, materials, equipment, or transportation.
- 12.5 In the event any provision herein shall be deemed invalid or unenforceable, the remaining provision shall continue in full force and effect and shall be binding upon the Parties to this Agreement.
- 12.6 It is understood and agreed that the entire agreement of the Parties is contained herein and that this Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof. Any amendment to this Agreement shall be in writing and shall be executed by the same Parties who executed the original agreement or their successors in office.
- 12.7 The Parties acknowledge and agree that each of them has been advised to seek, had the opportunity to seek, or was otherwise not prevented from seeking independent legal counsel prior to execution and delivery of this Agreement and that, to the extent any Party did not avail itself of such counsel prior to executing the Agreement, said Party did so voluntarily without any pressure or influence by any other.
- 12.8 This Agreement may be executed in two or more counterparts, each of which shall be deemed to be an original as against any Party whose signature appears thereon, but all of which together shall constitute but one and the same instrument. Signatures to this Agreement transmitted by facsimile, by electronic mail in "portable document format" (".pdf"), or by any other electronic means which preserves the original graphic and pictorial appearance of the Agreement, shall have the same effect as physical delivery of the paper document bearing the original signature.

IN WITNESS WHEREOF, the undersigned Parties hereby execute this Agreement, including associated Schedule A addendum, as follows:

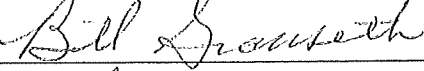
STORY NORTH PRODUCTIONS, LLC

By: 

Its: Creative Dir. & Co-owner

Date: 8/11/22

SAINT PETER PUBLIC SCHOOLS

By: 

Its: Supt.

Date: 08.11.22

## SCHEDULE A

### **By and Between Story North Productions, LLC, and Saint Peter Public Schools**

**THIS ADDENDUM (“Schedule A”)**, by and between Story North Productions, LLC, 705 High St., Duluth, MN, 55805 (“Producer”), and Saint Peter Public Schools, 100 Lincoln Drive, Saint Peter, MN 56082 (“Client”), collectively referred to herein as “the Parties,” is attached to, and fully incorporated in, the Parties’ related Independent Producer Agreement effective August 11, 2022.

#### **1. Services**

- 1.1 Produce multiple documentary-style video for Saint Peter Public Schools ahead of the 2023-2024 enrollment year.

#### **2. Deliverables**

- 2.1 1x 3-to-5-minute scripted & interview driven documentary-style School District Overview
- 2.2 6x up to 2-minute interview driven documentary-style videos focusing on each school

#### **3. Timeline**

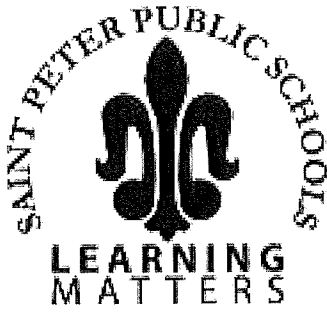
- 3.1 Pre-production: Mid-September – Early October
- 3.2 Production: October + November
- 3.3 Post-Production: December + January

#### **4. Cost of Project**

- 4.1 \$14,500 – includes two rounds of client revisions per deliverable
- 4.2 Additional client revisions beyond initial two rounds billed at \$150/hour
- 4.3 Travel accommodations (mileage, lodging & meals) not included and will be expensed

#### **5. Payment**

- 5.1 50% deposit (\$7,250) invoiced upon execution of contract
- 5.2 Remaining balance (\$7,250) invoiced upon approval of deliverables



MEMO TO: Bill Gronseth, Superintendent  
Saint Peter School Board

FROM: Doreen Oelke, Principal

DATE: August, 11, 2022

SUBJECT: Recommendation to Hire

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I am pleased to recommend Hannah Johnson as a special education & traffic support paraprofessional position at South Elementary. This is a replacement position.

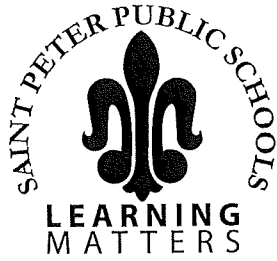
**NEW EMPLOYEE SUMMARY**

- **Hannah J. Johnson**
  - Start date: August 31, 2022
  - Timesheets will be submitted
  - Step 1A, \$15.25 per hour, 6.25 hours per day SPED Para  
.50 hour per day traffic/safety support

We are excited to have Ms. Johnson join our staff. Please let me know if you have any questions.

CC:

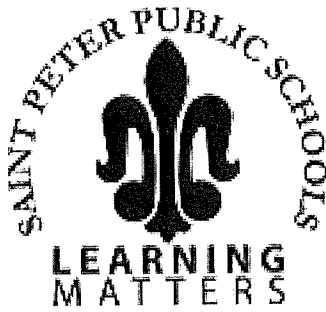
Grp\_hire\_para  
Tara Johnson (Para Mentor)



**TO:** Saint Peter School Board  
**FROM:** Bill Gronseth, Superintendent  
**DATE:** 08.11.22  
**RE:** Administrative Assistant Contract Adjustment

---

Contract adjustment from an insurance cap of \$12,500 to \$13,500 for 2022-2023.



**MEMO TO:** Members of the School Board  
Bill Gronseth

**FROM:** Jon Graff

**DATE:** August 15, 2022

**SUBJECT:** Middle School Social Studies  
Teacher

---

Applications were received and interviews took place for a 2022 Middle School Social Studies Teacher. This is a replacement position created as a result of a recent resignation.

I am pleased to recommend John Bartholow for the position. John comes to us with 7 years of teaching experience, most recently from Winona High School.

**NEW EMPLOYEE SUMMARY**

- **John Bartholow**
  - 1.0 FTE
  - Step 8/BA
    - \$56,963
  - Replacement Position
  - Start Date: August 22, 2022

CC: John Bartholow  
grp\_hire\_certified



**TO:** Members of the School Board  
Mr. Bill Gronseth

**FROM:** Jon Graff

**DATE:** August 12, 2022

**RE:** Personnel Recommendation  
Long-term 7th/8th Grade PE  
substitute Teacher

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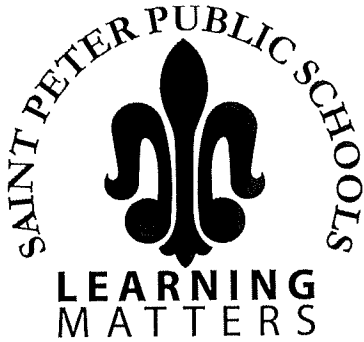
I am happy to recommend the hiring of Rene Moriarty for the position of full-time, long-term 7th/8th grade PE substitute. The position is available due to planned maternity leave of Abby Moore. The position is planned to begin on August 22, 2022 and extend through October 28, 2022.

Per Article 34, Section 5 of the Teacher Master Agreement, "Teachers who substitute for the same classroom teacher for a period of thirty (30) consecutive days or longer shall be placed on the salary schedule retroactively at the beginning step of the appropriate lane."

**EMPLOYEE SUMMARY**

- **Rene Moriarty**
  - 1.0 FTE
  - Step 1/MA
    - Daily Rate: \$278.53
  - Start Date: August 22, 2022

cc: Rene Moriarty  
Grp\_hire\_certified



**MEMO TO:** Bill Gronseth, Superintendent  
Saint Peter School Board

**FROM:** Jana Sykora, Alternative Schools &  
Programs Administrator

**DATE:** August 12, 2022

**SUBJECT:** Paraprofessional Resignation

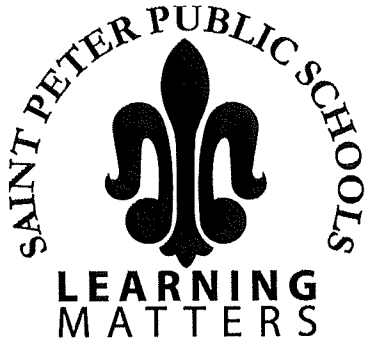
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I am writing to recommend that you accept the resignation of Cori Irwin, paraprofessional at Rock Bend ALC, effective immediately.

We thank Cori for her service and wish her the best of luck in her future endeavors.

Please let me know if you have any questions.

Cc: Cori Irwin  
grp\_hire\_para



**MEMO TO:** Bill Gronseth, Superintendent  
Saint Peter School Board

**FROM:** Doreen Oelke, South Elem. Principal

**DATE:** August 15, 2022

**SUBJECT:** Elverum Hire Memo

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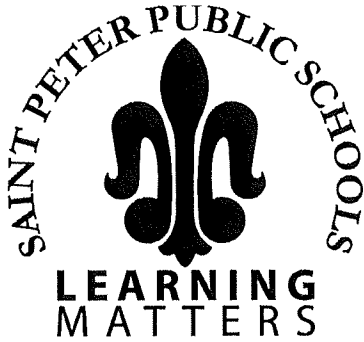
I am pleased to recommend the hiring of Emily (Navara) Elverum as a 1.0 FTE first grade teacher at South Elementary. This is a new position created due to enrollment numbers.

Ms. Elverum comes to us with experience teaching at Loyola, in Mankato. We are confident that Ms. Elverum will be a wonderful addition to the South Elementary staff. Please feel free to contact us if you have any questions regarding this recommendation.

#### NEW EMPLOYEE SUMMARY

- **Emily (Navara) Elverum**
  - BA, Step 1 salary is \$45,077 based on the 2022-2023 Master Agreement.
  - Start Date is the beginning of the 2021-2022 school year

Cc: Emily Elverum  
Certified Hire Group



**MEMO TO:** Bill Gronseth, Superintendent  
Saint Peter School Board

**FROM:** Doreen Oelke, South Elem. Principal

**DATE:** August 15, 2022

**SUBJECT:** Bruce Transfer Memo

---

I am pleased to recommend the transfer of Cindy Bruce to the position of behavior interventionist at South Elementary. This is a new position created to better support the social, emotional and behavioral needs of South's kindergarten and first grade students.

Ms. Bruce has worked as a Special Education paraprofessional for several years and served as a Tier 1 Special Education teacher at South Elementary in the 2021-2022 school year. Ms. Bruce's background experience, along with her bachelor's degree in psychology, make her the perfect fit for this role. Please feel free to contact me if you have any questions regarding this recommendation.

#### NEW EMPLOYEE SUMMARY

- **Cynthia Bruce**
  - 6.75 hours per day
  - Student Contact Days, Timecards will be submitted for additional hours
  - \$24.00 per hour

Please contact me if you have any questions.

Cc:  
Certified Hire Group  
Cindy Bruce



## ADDENDUM

### REGULAR BOARD MEETING Monday, August 15, 2022 SPCC-Governor's Room 6:30PM

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#### VI. ACTION ITEMS

<b>1. AGENDA ITEM #1</b>
--------------------------

**Subject:** Consider Approval of 2022-2023 COVID Protocols

**Action:** Requires a Motion

**Background:** COVID has continued to affect our community and we are required by the Federal Government to have a COVID Response Plan in place. For this purpose, we have developed COVID protocols for the coming school year. As the situations continues to change, our protocols must be flexible to adjust as necessary. Our priorities remain focused on the safety of our students and staff. Our ability to provide ongoing in-person learning is also a priority.

We will continue to follow guidance provided by MDE, CDC, MDH, and other medical experts.

**Presentation:** Superintendent of Schools

**Options/Recommendation:** I recommend approving the 2022-2023 COVID Protocols Plan.

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# COVID Protocols 2022-2023

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*“The health and safety of our students and staff will continue to be a top priority while ensuring a high quality educational experience”*





## A message from Superintendent Gronseth

Dear Saint Peter Schools Community,

The last two and a half years have changed how we do almost everything in our daily lives. We have learned a lot about living in the midst of a global pandemic. The situation, however, continues to change as new variants spread around the world. This plan was developed with the health and safety of all of our students and staff in mind.

This plan includes protocols and practices to ensure the safety of our students and staff. Our protocols will vary dependent upon the health of our community, and guidance from the Minnesota Department of Education, Department of Health, the Governor, the Center for Disease Control, and the Federal Government. We will continue to alter and adapt the plan as we learn more or as needs change. There may be times when we need to add more protocols for protection and other times that we can remove the requirement.

As we begin the 2022-2023 school year, we are excited to have a more “normal” school year. We look forward to continuing our partnership with you as we strive to provide students with the best educational experience possible.

Kind Regards,

*Bill Gronseth*





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# Our Commitments

## These commitments have driven our decisions

### Safety

The health and safety of our students and staff will remain a top priority. Our protocols and procedures are built upon guidance from the Minnesota Department of Health (MDH), Center for Disease Control (CDC), and Minnesota Department of Education (MDE).

### Flexibility

Although much progress has been made in our efforts to mitigate COVID-19 in our community, it continues to effect the health of many of our friends and neighbors. As the situation changes, it will be important for us to remain flexible. We may need to change our protocols with the changing pandemic environment.

### Equity

We are committed to providing equitable access and opportunity for all people in Saint Peter Schools. Programs and services will be provided to ensure that race, gender, class, or disability will not predict student's success.

### Responsibility

We have a responsibility to the community to develop plans that ensure the health, safety, and wellbeing of all while staying within our budgetary resources.

*“We have made it a long way thanks to the cooperation of students, families, and staff. We are getting closer to a time when we no longer need to consider COVID mitigation strategies, but we haven’t arrived yet. We can get there together.”*

~ Superintendent Bill Gronseth



## Our Goal

During this difficult time of a global pandemic, our goal is to safely return to schools under the guidance of the Minnesota Department of Education and the Minnesota Department of Health.



### A full return of students for in-person learning

All students will be returning to school for in-person learning five days a week.

Requirements and recommendations from the Minnesota Department of Education and Department of Health will be followed.



# Health, Safety & Operations

Protocols and procedures have been put into place for each of our spaces to ensure the health and safety of students, staff, and the community.

## Physical Spaces

### **Hand Sanitation**

We will encourage hand washing regularly with soap and water.

Hand sanitizer will be conveniently located and available throughout district buildings.

### **Water Bottle Filling Stations & Drinking Fountains**

It is recommended that water bottle filling stations be used to fill personal water-bottles. Cups are also available.

### **Cleaning**

Daily and weekly cleaning protocols are in place.

## Day to Day

### **Daily Health Screening Process**

Families will be responsible for daily health screening prior to their student entering district school buildings

Staff will be responsible for their own health screening prior to entering district school buildings

Symptoms of COVID-19 include: Fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle aches, headache, loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, diarrhea

If a person has tested positive for COVID, they should stay home and isolate for 5 full days or until fever-free for at least 24 hours and symptoms are improving. Take precautions for 10 days including wearing a mask.

### **Hygiene**

There will be intentional teaching and reinforcement of handwashing practices, and coughing/sneezing practices.



# Health, Safety & Operations

## Shared Objects

District will encourage increased use of individual supplies.

District will meet all sanitation requirements.

## Face Coverings

Face coverings will be required inside school buildings during times of substantial to high community transmission in Nicollet County.

Once a requirement has been put in place due to community transmission, it will transition back to a recommendation when the level of community transmission has been rated as low to moderate for at least 5 days.

Signage at all entry points will indicate when face masks are recommended or required. Masks are available upon request.

Exemptions will be made for those with medical documentation of their inability to wear a mask.

## Visitors

Visitors are asked to follow all requirements and recommendations.

## Positive COVID-19 Cases

People who test positive for COVID-19 must stay home until both of these things are true:

- 1) It has been 5 days since they first felt sick or tested positive.
- 2) They have had no fever for at least 24 hours without medications.

## Close Contacts of COVID-19 Cases

Close contacts include anyone who was within 6 feet of an infected person for a cumulative total of 15 minutes over a 24 hour period.

### Exceptions:

The close contact definition excludes those who are fully vaccinated and within 3-6 feet of an infected person ; or both were correctly wearing well fitting masks.



**If exposed to COVID-19 and NOT up to date on COVID-19 vaccinations :**

Stay home and quarantine for at least 5 full days.

Wear a well-fitting mask if you must be around others in your home.

**Get tested**

Even if you don't develop symptoms, get tested at least 5 days after you last had close contact with someone with COVID-19.

**After quarantine** watch for symptoms until 10 days after you last had close contact with someone with COVID-19.

**Avoid travel**

It is best to avoid travel until a full 10 days after you last had close contact with someone with COVID-19.

**If you develop symptoms**

Isolate immediately and get tested. Continue to stay home until you know the results. Wear a well fitting mask around others.

**Take precautions until day 10**

Wear a well-fitting mask for 10 full days any time you are around others inside your home or in public. Do not go to places where you are unable to wear a well-fitting mask.

**If you must travel during days 6-10, take precautions.**

**Avoid being around people who are more likely to get very sick from COVID-19.**

**Quarantine**

People who have had COVID-19 in the past 90 days and fully vaccinated people are not recommended to quarantine in most situations. It is recommended that vaccinated people who have been exposed to a positive case should wear a face mask for 10 days, self-monitor for symptoms, and get tested 3-5 days after the exposure.



# Health, Safety & Operations

## Transportation

### **Health and Safety**

Additional ventilation may be provided from partially opening windows and/or roof hatches as conditions permit.

### **Tiered Bussing**

Bussing will continue to be on a tiered system with elementary and secondary students being at different times. This limits possible exposures to smaller cohorts of students.





# Student Support & Engagement

## Transition Supports

We will engage in practices that increase a sense of belonging and teacher-student relationships.

There will be a focus on welcoming practices, on-going support and proactive support for students, and families.

Practices will support smooth transitions that occur daily and throughout the school year.

## Community Partnerships

The district will continue to focus on collaborating with a wide range of community resources with special attention given to:

- Establishing mechanisms for outreach and collaboration;

- Weaving together school and community resources.

## Specialized Services for Students and Families

We work to identify and meet the needs of every student and family and strive to provide support as soon as a need is recognized.

Referral to community and school services are made as necessary.

Student support is monitored and managed by district staff.

Student support outcomes are evaluated regularly.

## Crisis Prevention and Response

We take crisis prevention and response seriously. We have established best practices for school-wide prevention and have developed crisis response plans for implementation if necessary.



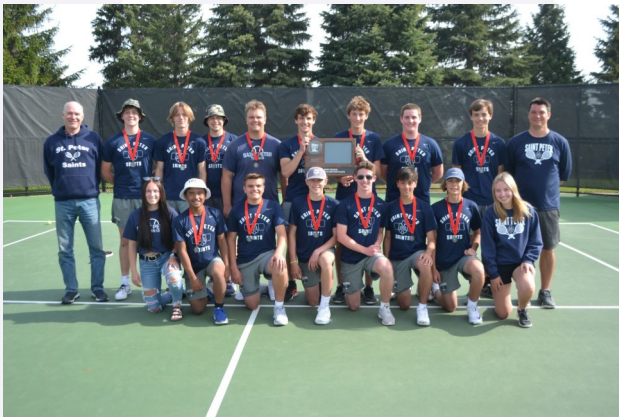
# Co-Curricular Activities

## MSHSL Guidance

We will rely on and implement activities based on guidance from Minnesota State High School League to safely hold athletic practices, competitions and events.

Decisions may also be made at the conference level. Saint Peter Schools are in the Big South Conference.

Safety protocols and procedural requirements and recommendations will be followed.



## Responsive Protocol Practices

The Department of Education in partnership with the Department of Health have provided guidance for the return to schools for the 2022-2023 school year. The guidance is based on recommendations from the Centers for Disease Control (CDC).

The CDC guidance is data driven and prioritizes the health and safety of our students and staff. It includes reviewing metrics at the county level on an ongoing basis. The vaccination rate of the community is taken into consideration. The number and rate of new COVID cases in the community are also considered. Visit the CDC website for more information on school guidance: <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-childcare-guidance.html>

During times of higher rates of transmission, the requirements or recommendations for mitigation strategies may increase.





# A Full Return of Students for In-person Learning

## **Physical distancing**

Schools will create as much physical space between students and teachers as is feasible during the day. However, schools cannot guarantee six feet of physical distance at school.

## **Face Coverings**

Masks are optional and available upon request. At times of substantial to high community transmission, masks recommendations may change as decided by the CDC, MDH, or MDE.

## **Transportation**

Transportation will be on a tiered system with elementary and secondary students riding separately to reduce exposures.

## **Return to the classroom**

Students and staff will practice safety procedures such as regular hand washing and cough etiquette to reduce the spread of COVID-19.

## **Schedules**

Students will attend five days a week with a regular schedule following the school calendar.

## **Communication**

We will provide ongoing and systematic communication from school to staff and families.

## **COVID-19 Close Contacts**

Close contacts include anyone who was within 6 feet of an infected person for a cumulative total of 15 minutes over a 24 hour period. Fully vaccinated people are not considered close contacts. Situations where both individuals were properly wearing face coverings are also exempt. The school will notify families when a student has been considered a close contact.

## **Quarantine**

People who have had COVID-19 in the past 90 days and fully vaccinated people are not recommended to quarantine in most situations. Quarantines for positive cases of COVID-19 will be 5 days or until fever free for 24 hours and symptoms improving). Followed by 5 days of increased precautions around others.



# Frequently Asked Questions

## **Are Vaccines and boosters required for staff or students?**

No, vaccines are not required, but are highly recommended.

## **Are face masks required?**

At times of high community transmission, masks may be required inside all school buildings as directed by the CDC, MDH, or MDE. At other times, face masks or face coverings are optional but not required in school buildings. Signage at all entry points will indicate if masks are required or recommended.

## **Will students attend 5 days a week?**

Yes, all students will attend all day, 5 days a week.

## **Is Distance Learning still an option?**

No, but alternative online programming is available through the school district in partnership with the South-Central Service Cooperative.

## **If I'm vaccinated will I still have to quarantine if I'm exposed to COVID-19?**

In most cases it is not necessary to quarantine if you are fully vaccinated.

## **Will the district still notify us if our student is exposed to COVID-19?**

No, but in classrooms or settings with multiple cases families will be notified.

## **Are you still doing regular cleaning ?**

Yes, there will be daily cleaning practices in place.

## **Are activities back to normal schedules and seasons?**

This is decided by the Minnesota State High School League. We are expecting to have normal schedules and seasons.

## **If I test positive for COVID-19, how long do I need to stay out of school?**

People who test positive for COVID-19 must stay home until both of these things are true:

- 2) It has been 5 days since they first felt sick or tested positive.
- 3) They have no fever for at least 24 hours without medications.



## ADDENDUM

### REGULAR BOARD MEETING Monday, August 15, 2022 SPCC-Governor's Room 6:30PM

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#### VI. ACTION ITEMS

##### ***2. AGENDA ITEM #2***

**Subject:** Consider Approval of Superintendent Goals for 2022-2023

**Action:** Requires a Motion

**Background:** The superintendent goals for the year were discussed during the July 11, 2022 Special Board Meeting. These goals have been further developed by Chair Leonard and Superintendent Gronseth. These goal areas will be included in the components to be used during the 2022-23 superintendent evaluation process.

**Presentation:** Superintendent of Schools

**Options/Recommendation:** I recommend approving the 2022-23 Superintendent Goals.

1. Provide additional support for students for post-covid learning.
  - Ensure academic interventions and credit recovery are fully implemented.
  - Implement an enhanced system of Social Emotional support for students.
  - Improve student scores on standardized assessments.
  
2. Complete the action steps outlined in the strategic plan
  - Provide measurement data indicated in the 2022-2023 action plan
  
3. Enrollment growth and District Communications.
  - Develops an enrollment campaign
  - Develops an effective communication system for all stakeholders
  - Develops opportunities for stakeholder engagement and input
  - Is an active and engaged member of the community
  
4. Buildings and Operations
  - Provide information regarding current programmatic needs.
  - Develop a plan to meet current and future facility needs.
  - Provides the School Board with information needed to make informed decisions regarding facilities.



## ADDENDUM

### REGULAR BOARD MEETING Monday, August 15, 2022 SPCC-Governor's Room 6:30PM

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#### VI. ACTION ITEMS

##### ***3. AGENDA ITEM #3***

**Subject:** Consider Adoption of Handbooks for 2022-2023

**Action:** Requires a Motion

**Background:** On an annual basis, the School Board is presented with recommended changes to PreK-12 handbooks.

At tonight's meeting, principals will provide an overview of each handbook and will be prepared to answer questions.

**Presentation:** Superintendent of Schools

**Options/Recommendation:** I recommend your approval the 2022-2023 handbooks.



**TO:** Bill Gronseth, Superintendent  
Members of the Board

**FROM:** Doreen Oelke

**DATE:** August 11, 2022

**RE:** 2022-2023 Student-Parent Handbook

---

Attached is the 2022-2023 South Elementary School student-parent handbook.

A number of changes were included in this year's handbook. All changes were a result of the district's ongoing policy review.

This year's handbook changes fall into three categories and are outlined below:

1. Changes to handbook language to match newly adopted policy
  - a. Section 2D: Absences
    - i. Additional language to reflect newly adopted policy 503.
      1. Additional language includes specific guidelines for approved absences
  - b. Section 4O: Student Appearance
    - i. Additional language to reflect newly adopted policy 504.
      1. Additional language includes specific examples of appropriate and inappropriate clothing
2. The addition of an appendix containing policies required to be placed in student handbooks
  - a. Former handbooks contained complete policy but read more as a section of the handbook.
  - b. The new appendix section stands alone and reflects current policy and handbook requirements
3. Additions to the body of the handbook to address policies in the appendix section
  - a. Because the appendix section is now intended to be a stand alone reference, additions were added to the body of the handbook to address all policies included in the appendix. The additional sections provide a brief description of the policy and refer readers to the appendix section for the full policy. Additions include the following:
    - i. Section 3F: Bullying Prohibition
    - ii. Section 3G: Harassment and Violence
    - iii. Section 3H: Hazing Prohibition



Date: August 10, 2022  
To: Mr. Bill Gronseth  
Saint Peter School Board  
From: Darin Doherty  
Re: Student/Parent Handbook  
Revision for 2022-23 SY

---

The following list describes the proposed changes to the North Elementary School Parent/Student Handbook for the 2022-23 school year. I have enclosed the complete handbook for your reference.

- Breakfast and Lunch Prices - (page 18)
- Specific language and procedures were adjusted to align with the current COVID protocol. (page 21-22)
- School District Approved Policy - The appendix was added with our current board policies (pages 27-71) required to be printed in student/parent handbooks.
  - Employment Background Checks: Policy 404
  - Bullying Prohibition: Policy 514
  - Distribution of Nonschool-Sponsored Materials: Policy 505
  - Harassment and Violence: Policy 413
  - Hazing Prohibition: Policy 526
  - Student Attendance: Policy 503
  - Student Discipline: Policy 506
  - Tobacco-Free Environment: Policy 419
  - Unpaid Meal charges: Policy 534
- A copy of the Pupil Fair Dismissal Act was removed as copies are available in the North office.
- Old district policy was removed

Aligned rules, practices, and procedures were also conducted to assist with continuity between K-4 grade experiences. Please contact me if you have questions or want more information about these proposed changes.



**TO:** Bill Gronseth, Superintendent  
Members of the Board

**FROM:** Jon Graff

**DATE:** August 10, 2022

**RE:** 2022-2023 Student-Parent Handbook

---

Attached is the 2022-2023 Saint Peter Middle School student-parent handbook.

A number of changes were included in this year's handbook. All changes were a result of the district's substantial policy review which occurred over the past school year and summer.

Changes fall into three categories and are outlined below:

1. Changes to handbook language to match newly adopted policy
  - a. Section 2D: Absences
    - i. Additional language to reflect newly adopted policy 503.
      1. Additional language includes specific guidelines for approved absences
  - b. Section 4O: Student Appearance
    - i. Additional language to reflect newly adopted policy 504.
      1. Additional language includes specific examples of appropriate and inappropriate clothing
2. The addition of an appendix containing policies required to be placed in student handbooks
  - a. Former handbooks contained complete policy, but read more as a section of the handbook.
  - b. The new appendix section stands alone and reflects current policy and requirements
3. Additions to the body of the handbook to address policies in the appendix section
  - a. Because the appendix section is now intended to be a stand alone reference, additions were added to the body of the handbook to address all policies included in the appendix. The additional sections provide a brief description of the policy and refer readers to the appendix section for the full policy. Additions include the following:
    - i. Section 3F: Bullying Prohibition
    - ii. Section 3G: Harassment and Violence
    - iii. Section 3H: Hazing Prohibition



**TO:** Mr. Gronseth  
Members of the School Board

**FROM:** Annette Engeldinger  
Brian Odland

**DATE:** August 10, 2022

**RE:** 2022-2023 Student-Parent Handbook

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The following changes are being recommended for the Saint Peter High School Student-Parent Handbook.

**Saint Peter High School Student-Parent Handbook**

- **Attendance, (section 2)** - No. 3. Dental and medical appointments. Additional language: “A signed slip from the health facility is required for those participating in co-curriculars.”
- **Guidelines and Procedures, (section 3, Junior/Senior Privilege)** - Language indicating that those students who qualify for privilege will continue to have privilege into subsequent quarters unless it is revoked.
- **Guidelines and Procedures, (section 3, Student Appearance)** - The school prohibits objectionable emblems, badges, symbols, signs, words, objects, or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to a protected group, evidences gang membership or affiliation, or approves, advances, or provokes any form of religious, racial, or sexual harassment and/or violence against other individuals as defined in MSBA/MASA Model Policy.
- **Graduation Requirements** - Changes in state testing requirements (if any) from the state of Minnesota will be reflected.



**TO:** Bill Gronseth, Superintendent  
Members of the Board

**FROM:** Jana Sykora

**DATE:** August 11, 2022

**RE:** 2022-2023 Student-Parent Handbooks

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There are two handbooks attached to this memo:

1. Rock Bend ALC Student-Parent Handbook
2. Oshawa Learning Academy Student-Parent Handbook

A number of changes were included in this year's handbooks. All changes were a result of the district's ongoing policy review.

This year's handbook changes fall into four categories and are outlined below:

1. Changes to handbook language to match newly adopted policy
  - a. Section 2: Absences
    - i. Additional language to reflect newly adopted policy 503.
      1. Additional language includes specific guidelines for approved absences
  - b. Section 43: Student Appearance
    - i. Additional language to reflect newly adopted policy 504.
      1. Additional language includes specific examples of appropriate and inappropriate clothing
2. The addition of an appendix containing policies required to be placed in student handbooks
  - a. Former handbooks contained complete policy but read more as a section of the handbook.
  - b. The new appendix section stands alone and reflects current policy and handbook requirements
3. Additions to the body of the handbook to address policies in the appendix section
  - a. Because the appendix section is now intended to be a stand alone reference, additions were added to the body of the handbook to address all policies included in the appendix. The additional sections provide a brief description of the policy and refer readers to the appendix section for the full policy. Additions include the following:
    - i. Section 3: Bullying Prohibition

- ii. Section 3: Harassment and Violence
  - iii. Section 3: Hazing Prohibition
4. There were adjustments to both handbooks in order to maintain consistency between handbooks and practice. These changes are outlined below:
- a. Both Handbooks:
    - i. Section 1: Addition of ASVAB to list of assessments for students
    - ii. Addition of policies to be consistent with other school programs and practices:
      - 1. The following sections were added to Section 4
        - a. Animals in the Classroom
        - b. Background Checks
        - c. Elopement Plan
        - d. Fees and Fines
        - e. Field Trips
        - f. Gifts to School Employees
        - g. Lost and Found
        - h. Messages and Calls from Home
        - i. Pledge of Allegiance
  - b. Rock Bend ALC
    - i. Section 1: Academics
      - 1. The second and third bullet points under Marking and Reporting Procedure were updated to reflect best practices around ALC credit generation, learning acceleration and credit recovery.

**SOUTH ELEMENTARY  
STUDENT-PARENT HANDBOOK  
2022-2023**

**1405 South 7<sup>th</sup> Street  
St. Peter, MN 56082  
507-934-2754**



Dear Parents and Students;

Welcome to South Elementary! South is a community of learners focused on the unique needs of children ages 5-7 years old. Within our K-1 environment, students are guided through their educational journey by teachers who are responsive to their social, emotional, behavioral and educational needs. We are a culturally diverse school that respects the values, traditions and expectations of the various cultures represented within our building.

Academically, South's primary purpose is to provide students with strong foundational early literacy and numeracy instruction to serve as building blocks for lifelong learning. Through our STEAM program (Science, Technology, Engineering, the Arts and Mathematics), students are guided by a specialist in lessons designed to foster students' natural curiosity about the world and how it works.

Within the general classroom setting our students have additional opportunities to practice communication, creativity, collaboration, & motor skills in our 3 dedicated "Imagination Station" learning spaces. These new areas will provide our students with daily opportunities to engage in multisensory activities.

To support the social and emotional learning goals we have for students, South implements the district-wide PBIS system through its STAR Pride program. STAR Pride provides the structure to introduce schoolwide and personal behavioral expectations centered on safety, respect and responsibility. The framework of the South plan establishes the processes that are necessary across the system for setting expectations and modeling appropriate behavior for students. In addition to this, we utilize the Top 20 curriculum as a part of our ongoing commitment to the social emotional well-being of our students. This program encourages our students to think, learn and communicate effectively.

We are excited to partner with parents on their child's educational journey and we look forward to watching each of our students blossom and grow in his or her unique way. We are looking forward to an amazing year!

Sincerely,  
Doreen Oelke  
Principal of South Elementary

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## **Conferences**

A strong school to home to school partnership is a key component in a student's success. Parent teacher conferences are an excellent way to foster this. At South, parent teacher conferences will be scheduled for 20 minutes, 3 separate times throughout the school year. In the event that parents choose not to attend their child's conference together, the conference time will be split equally between the two parents. The 3 conferences are as follows:

### **Beginning of the Year Conferences**

August 29 & 30 Parent/Teacher Conferences 7:30-3:30 NO SCHOOL  
\*Students should attend this conference with their parents

### **Fall Conferences**

Nov. 3 & 10 Parent/Teacher Conferences 3:30-7:30  
Nov. 4 Parent Teacher Conferences 7:30-3:30  
\*Students are asked NOT to attend this conference

### **Spring Conferences**

February 23 & March 2 Parent/Teacher Conferences 3:30-7:30  
March 4 Parent/Teacher Conferences 7:30-3:30  
\*Students should attend this conference with their parents

## **Report Cards**

Parents will receive report cards at the end of each quarter of school. Parents are invited and encouraged to contact their child's teacher at any time if they have questions or concerns regarding their child.

## **STARS Academy**

Students who demonstrate a need for additional academic support may be referred to STARS Academy, which is a Targeted Service Program. Small group instruction aligned to grade level standards help support at risk learners. This program is offered in 1 hour after school sessions on Monday and Thursday evenings. This program also offers a summer program. Information will be provided to you if your child demonstrates a need for this support.

## **Transfer from School**

If a student withdraws from school before the end of the school year, the school office should be notified at least two days before the departure. Parents should stop in the office with transfer information so that the student's records can be sent to the new school when requested.

## **Release of School Records**

It is the policy of the St. Peter Schools to release school records to the new school which a St. Peter student attends.

Records to be released may include:

- health record
- transcript which includes grades, attendance, and standard group test scores
- special education records including the current
- IEP, individual testing (psychological, achievement, speech and language, adaptive, behavioral, and emotional) and social history information.
- personal career file

## **Section 2 Attendance:**

### **School Hours**

School begins at 8:00 a.m. Dismissal is at 2:55 p.m., and buses leave the grounds at 3:00 p.m. Adult supervision is available from 7:40 a.m. to 3:05 p.m. Saints Overtime child care is provided on site. Information on this program is available through the St. Peter Community Education Office.

### **Building Security**

In our continuing efforts to keep students safe while they are at school, all entrances are locked during the school day. Adult supervisors are on duty at 7:40 a.m. at the gym doors. All visitors must stop at the reception area and receive a visitor's badge before they are admitted into the building. Maintaining a safe environment for our students and staff is of utmost importance to us. A safety and security plan has been developed and procedures will be put in place at the discretion of the building principal.

### **Student Attendance**

Reporting: Each teacher will be responsible for reporting their classroom attendance by 8:15 am. Students arriving after 8:00 a.m. must stop in the office and receive a pass.

When a student is absent, parents are required to phone the school office and report it. **The phone number for reporting absences is 934-2754.** Attempts will be made to contact the families of absent students that have not notified us.

Tardiness: Students arriving after 9:00 am, but before lunch, will be marked as a ½ day absent. We believe that all students in our school must be in attendance on a regular basis in order for us to provide the best possible educational program. We expect all of our students to attend school every day unless they are home sick or there is a family emergency.

We understand that scheduling doctors and dentist appointments takes coordination and availability of openings. Whenever possible, we encourage you to make doctor and dentist appointments after school hours.

### **Reporting Attendance**

Step 1: Teachers report attendance to the office by 8:15 am. Teachers maintain regular contact with parents of students with repeated absences. Any chronic absences are reported to the social worker and school principal. The school office monitors attendance via a monthly report.

Step 2: After six (6) absences (unexcused or excused without proper reason or apparent medical condition) the principal and social workers review the case and send a letter to the parents notifying them of an upcoming contact from the (principal, school nurse, social worker, other.) This contact will be made within two (2) weeks of the initial letter. Minnesota Statutes mandating school attendance and the long-range effects of chronic absences will be discussed with the parents.

Step 3: After seven (7) absences the attendance team will meet to determine the next intervention to be made. Individual cases will vary. Team members may include the parent, principal, teacher, school social worker, nurse, county social service representative, school psychologist, and others relevant to the individual situation.

Step 4: If attendance has not improved, after the team conference, reporting educational neglect to the appropriate agencies may happen.

### **Leaving School**

For the safety of students leaving the building during the school day, parents/guardians need to come to the school reception office to meet the student. If someone other than a parent or emergency contact person listed on Infinite Campus will be picking up the student, a call must be made or a note must be sent to inform the office.

### **Student Drop Off and Pick Up**

Parents who drop off/pick up their children are reminded that the lower ramp is an area reserved for the buses and staff parking only. For the safety of our students, please do not park in that area. Students who are transported to school via private transportation will use our "drop and go" lot. To use this, drivers will pull up along the designated area, wait for

school personnel to greet their child, and the staff will then guide them along the sidewalk for a safe entry into the building. Supervisors are on duty at 7:40 a.m.

### **Transportation Eligibility**

Bus transportation will be provided for students who meet one of the following requirements:

- Students who live 1 mile or more from the school they attend
  - Students who live within the city limits east of Highway 169 or south of Highway 99 and are without the benefits of crossing signals, and/or students who live within the city limits east of Highway 22 and north of St. Julian St.
- Parents are permitted to designate a licensed day care facility or the home of a relative, as the home of a student for transportation. All students must have a completed bus form on file to be issued a bus pass. This pass will be used to track your child in the event of an emergency.

### **Saints Bus Service - Lucas Schaefer (Manager) 934-4690**

We work closely with Saints Bus Service to provide our students with a safe ride to and from school and school related events.

Students at South and all other schools in the state, receive school bus safety training twice each school year. Riding the school bus is a privilege, not a right. Students are expected to follow the same behavioral standards while riding the school buses as are expected on school property or at school activities, functions, or events. The State of Minnesota provides school districts guidelines for creating rules at the bus stop and on the bus. For the safety of all riders, please help reinforce the importance of following these bus rules with your child:

### **At the Bus Stop**

- Get to the bus stop 5 min before your pickup time.
- Respect the property of others.
- Keep your arms, legs, and property to yourself.
- Use appropriate language.
- No fighting, teasing, bullying, playing at the bus stop.
- Stay away from the street.
- This is a “waiting place” not a “playing place.”

### **On the Bus**

- This is a place that must be orderly and safe for all riders.
- Always listen to the bus driver.
- Sit in your seat facing forward.
- Talk quietly and use appropriate language.
- Keep all parts of your body in the bus.
- Keep your arms, legs and belongings to yourself.
- No fighting, teasing, bullying or playing around on the bus.
- Do not throw any objects.
- No eating or drinking on the bus.
- No sharp objects on the bus.
- Do not damage the bus

Consequences for school bus/bus stop misconduct will apply to all routes. Parents will be notified of any misconduct by your child via a bus conduct report. The discipline procedure for misconduct will be as follows:

### **First offense**

Student will review the bus safety rules with a school staff member and parents will receive a call to discuss the incident & the consequences for subsequent bus misconduct reports.

**Second offense:** Student will again have the bus safety rules reviewed in a second session with a school staff member, and additional consequences may be given. A call will be made to the parents to inform them that additional instances may result in a suspension from riding the bus.

**Third Offense:** Additional instruction on the importance of following the bus safety rules will be given to the student and a call will be made to the parents to inform them of consequences and or suspension

**Fourth & Future Offenses:** Student will conference with the principal and parents will be notified of a suspension from riding the bus. Suspension duration will begin with 1 day and increase with each offense. They could result in removal from riding the bus for the remainder of the year. Any serious infraction may be cause for immediate removal.

### **Section 3: Student Behavior**

#### **STAR (Stop, Think, And Reflect) Room**

The purpose of the STAR Room is to support a safe, positive behavioral, and academic learning environment for our students. Through interaction with our STAR room paraprofessional, students are encouraged to stop, think, and reflect on undesirable choices and create a positive plan for moving forward.

#### **STAR Pride (Positive Behavioral Intervention System)**

##### **South's Star Pledge**

At South, we treat each other with respect, take responsibility for our learning, and strive for a safe school for all.

We believe that a respectful school climate is essential to enhance student pride and care for themselves, others, and the learning environment. The way children feel about themselves, classmates, and school, definitely affects their attitude and ability to learn. With your help, a healthy, positive attitude can be developed about school and the value of learning.

Our goal is to guide students to work for positive behavior choices. We want students who leave South Elementary to possess academic and social skills that will prepare them to function as responsible citizens.

As a kindergarten and first grade school, our faculty and staff understand that students are learning what it means to be responsible, respectful and safe. Learning these skills is a normal part of childhood development. A number of services are in place at South Elementary to provide students with assistance when needed to address behavioral and/or academic needs.

#### **Classroom**

- Behavior expectations and modeling begin here
- Classroom management strategies are in place

#### **Behavior Support Room**

- Purpose is to support the child both academically and behaviorally in a calm, quiet environment
- The behavior will be processed with the student and an expectations plan developed

#### **Individual/ Group Counseling**

- Available upon referral with parent permission
- Student will work with a licensed professional

**Crisis Prevention Intervention (CPI)**

Program is a safe, non-harmful behavior management system designed to help staff provide the best possible care, welfare, safety, and security for children in crisis

**STAR Pride at South Elementary**

<b>Be Respectful</b>		<b>Be Responsible</b>	<b>Be Safe</b>
Classroom	<ul style="list-style-type: none"> <li>• Listen</li> <li>• Follow directions</li> <li>• Use an inside voice</li> <li>• Be kind</li> </ul>	<ul style="list-style-type: none"> <li>• Be ready to learn</li> <li>• Do your best</li> <li>• Tell the truth</li> <li>• Clean up</li> </ul>	<ul style="list-style-type: none"> <li>• Keep hands/feet to self</li> <li>• Use materials appropriately</li> <li>• Walk</li> <li>• Ask an adult to go other places</li> </ul>
Music	<ul style="list-style-type: none"> <li>• Look at teacher</li> <li>• Listen quietly</li> <li>• Use good manners</li> </ul>	<ul style="list-style-type: none"> <li>• Pay attention</li> <li>• Follow directions</li> <li>• Do your best</li> </ul>	<ul style="list-style-type: none"> <li>• Stay in your own space</li> <li>• Use best singing voice</li> <li>• Do actions properly</li> </ul>
Phy Ed	<ul style="list-style-type: none"> <li>• Be a good listener</li> <li>• Take turns</li> </ul>	<ul style="list-style-type: none"> <li>• Complete all tasks individual/group)</li> <li>• Follow directions</li> <li>• Help pick up equipment</li> </ul>	<ul style="list-style-type: none"> <li>• Wear proper shoes &amp; clothes</li> <li>• Use equipment properly</li> </ul>
Art	<ul style="list-style-type: none"> <li>• Look at teacher</li> <li>• Listen to teacher</li> <li>• Share with others</li> <li>• Hands and feet to self</li> </ul>	<ul style="list-style-type: none"> <li>• Follow directions</li> <li>• Clean up after yourself</li> <li>• Put away supplies</li> </ul>	<ul style="list-style-type: none"> <li>• Use art tools safely and appropriately</li> <li>• Clean up spills</li> <li>• Push in chairs</li> </ul>
Hallway	<ul style="list-style-type: none"> <li>• Quiet</li> <li>• Keep hands/ feet to self</li> <li>• Stand in line quietly</li> <li>• Face forward</li> </ul>	<ul style="list-style-type: none"> <li>• Face forward</li> <li>• Walk quietly</li> <li>• Stay out of lockers</li> </ul>	<ul style="list-style-type: none"> <li>• Face forward</li> <li>• Walk</li> <li>• Keep hands and feet to self</li> </ul>
Cafeteria	<ul style="list-style-type: none"> <li>• Use good manners</li> <li>• Listen to adults</li> <li>• Use an inside voice</li> </ul>	<ul style="list-style-type: none"> <li>• Follow directions</li> <li>• Clean up area</li> <li>• Throw away trash</li> <li>• Put trays/utensils on cart</li> </ul>	<ul style="list-style-type: none"> <li>• Only eat your food</li> <li>• Hands to self</li> <li>• Stay seated until dismissed</li> </ul>
Playground	<ul style="list-style-type: none"> <li>• Listen to adults</li> <li>• Be a friend</li> <li>• Take care of equipment</li> <li>• Walk, talk, rock</li> </ul>	<ul style="list-style-type: none"> <li>• Stay in allowed areas</li> <li>• Return equipment to cart</li> <li>• Line up at whistle</li> </ul>	<ul style="list-style-type: none"> <li>• Use equipment properly</li> <li>• Play by the rules</li> </ul>
Media/Comp	<ul style="list-style-type: none"> <li>• Use computer, books, shelf markers, and furniture correctly</li> <li>• Talk quietly</li> <li>• Use good manners</li> </ul>	<ul style="list-style-type: none"> <li>• Follow directions</li> <li>• Take care of library books</li> <li>• Bring back books on time</li> </ul>	<ul style="list-style-type: none"> <li>• Four people at a table</li> <li>• Push in chairs</li> <li>• Walk</li> </ul>
Bathroom	<ul style="list-style-type: none"> <li>• Be quiet</li> <li>• Privacy in stall</li> <li>• Wait at the wall for a free stall</li> </ul>	<ul style="list-style-type: none"> <li>• Flush</li> <li>• Wash hands</li> <li>• Return to room quickly</li> </ul>	<ul style="list-style-type: none"> <li>• Throw trash away</li> <li>• Walk</li> <li>• Hands and feet to self</li> </ul>

Bus	<ul style="list-style-type: none"> <li>• Listen to adults on bus</li> <li>• Use an inside voice</li> <li>• Hands and feet to self</li> </ul>	<ul style="list-style-type: none"> <li>• Be at your stop on time</li> <li>• Keep backpack closed</li> <li>• Go where you belong</li> </ul>	<ul style="list-style-type: none"> <li>• Sit in your seat</li> <li>• Face forward</li> <li>• Walk</li> </ul>
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**Section 4: Guidelines and Procedures**

**Phone Calls to Teachers**

If a parent wishes to speak to a teacher, it is best to call before school begins or after school ends. If this is inconvenient, a message may be left on voicemail for the teacher to return your call. Oftentimes, voicemail may not get checked until after the students are excused. For this reason, **Please do not leave urgent messages regarding dismissal on a teacher's voicemail.** If your child's end of the day plans change, please call the office by 2:00 p.m. This will allow us adequate time to convey the message to both the teacher and the student and aid in a smooth dismissal.

**Dress Code**

It is important that students dress appropriately for the weather. Gym shoes will be required for each day that your child has physical education. In the event that it is a hardship for your family to provide adequate clothing for your child, please contact the school counselor or the office. Hats may be worn inside school at the discretion of the classroom teacher.

**Dress for Weather**

Because of our continually changing weather, please make sure that students are sent to school dressed appropriately and with proper footwear during extreme weather temperatures/conditions. If you need assistance with these items, please let your teacher know.

**Recess**

Students are outdoors for 30 minutes each day. The recess period will be inside during inclement weather when the temperature or wind chill is -10 degrees F or colder or at the discretion of school staff. A parent's written request is needed for a child to stay indoors, and a doctor's excuse will be needed if a student needs to stay in for more than three consecutive days.

**Field Trips**

During the school year, field trips are taken to various locations. Permission slips must be signed at the beginning of the year to allow students to participate in these trips.

**Emergency Drills and Emergency Action Plans**

Minnesota State Regulations require that emergency drills be conducted during the school year. We participate in nine practice drills throughout the year. Talk with your child about the "why" of these drills. When the alarm sounds, each class follows a prearranged plan for evacuation. Site emergency communication plans have been developed for each site.

**Pledge of Allegiance**

Students and staff at South Elementary recite the Pledge of Allegiance to the United States of America each morning. This occurs within the classrooms. Anyone who does not wish to participate in reciting the pledge may respectfully elect not to do so.

**Visiting School**

All visitors are required to sign in at the office, have their driver's license scanned, and display a name badge before entering the main building. When possible all classroom visits should be pre-arranged with the teacher and/or principal.

### **Bikes and Skateboards**

Bike racks are provided for parking bikes. For safety reasons, we do not allow skateboards, scooters, or rollerblades on the playground.

### **Elopement Plan**

If the need should arise, a specific elopement plan will be developed in collaboration with parents, case manager, teacher, principal, social worker, nurse and others as identified by the student's needs.

### **Closing School**

Schools may be closed by the Superintendent of Schools in the event of extreme weather conditions or emergency circumstances. The district will use the district system for official announcements. These announcements will come to your phone and email. Flexible Learning Day plans will be utilized when full day closures occur.

### **Flexible Learning Days**

The term "Flexible Learning Day" refers to a day when school is canceled due to inclement weather and students participate in curriculum-aligned learning opportunities at home. Kindergarten and 1st grade students will have options for both digital and hands-on assignments. These assignments are designed to align with the current classroom curriculum. Teachers, students, and parents will be able to communicate throughout the day through each classroom's shared virtual space (SeeSaw). When potential storms are forecasted, student iPads will be sent home with students. This will allow all students to have technology access to complete Flexible Learning Day assignments.

### **Address/Phone Changes**

Parents/Students who have a change of address, telephone number or email address during the school year should report these changes to the District Registration Office, 507-934-4210.

### **Meals/Milk**

Special Federal funding allows us to offer FREE breakfast and mid morning milk to all kindergarten students. First grade students may purchase lunches. Students who do not wish to participate in the school lunch program are welcome to bring lunch from home.

### **Snack Cart**

A mid-morning snack is available to South students each day via the South Snack Cart. The snack cart options include a variety of government food program approved snack options. The cost will be \$20.00/quarter. Parents have the option of paying 2 times per year or once yearly if they wish to have their child participate in the Snack Cart Program. Students are also invited to bring a snack from home if they wish to.

### **Treats**

State law prohibits homemade food from being brought to school to serve as treats for parties, birthdays. Students are welcome to bring store bought treats if they wish. Please check with your child's teacher to see if there are any known allergies within the classroom.

### **Invitations to Parties**

In order to be sensitive to the feelings of all students, we ask that invitations to parties which must exclude some children be made outside of the school day. At the beginning of the school year, parents will be asked to sign a waiver if they prefer that their address and phone number NOT be given out to other parents, as requested, for setting up playdates, birthday parties and other out of school events. Teachers may share contact information upon request, provided that the parent has given the teacher permission to do so.

### **Athletic Events at the High School**

South students will receive free admission to most high school activity events with their school provided student id card. We ask that elementary and intermediate students attend St. Peter High School athletic events accompanied by an adult. While in attendance at athletic events, students should behave in a way that is consistent with our STAR Pride expectations or they will be asked to leave the event.

### **Soliciting and Trading**

Because of the problems that may arise, students may not trade personal items or solicit for individual profit.

### **School Visits by Children**

Occasionally, requests are made by students to have children who are friends or relatives visit school and spend the day in their classroom. Unfortunately, we are not able to accommodate these requests.

### **Valuables**

The school cannot be held responsible for items lost or broken at school. Please do not allow your child to bring valuable or treasured items to school. This includes toys, game cards/trading cards, video games, & personal tablets. If you feel that it is an absolute necessity to allow your child to bring a mobile phone to school, please let them know that their phone should stay in their backpack throughout the school day. Items brought to school are the student's responsibility. It is suggested that valuable items remain at home. Please mark all of your child's personal items that will be sent to school (using a permanent marker). This will help us identify these items and get them returned to their owner in the event they are lost.

### **Parent Council**

This group serves in a number of ways to help enhance and support education at South Elementary. Parents meet to learn more about ways to support the home to school relationship, network with other parents, and provide special enrichment opportunities for South students and their families. Meeting notices will be sent home with the students and reminders will be placed on social media postings.

### **Volunteers**

We welcome parent and community volunteers into our school and appreciate their willingness to share their time with us. Individuals interested in donating time to the school should contact the office to complete a background check form.

### **Lost and Found**

We have a lost and found table in the gym hallway. Parents and students are encouraged to check this area for articles, which may have been lost.

### **Crisis Prevention Intervention**

CPI are certified staff members trained in crisis intervention. The program is a safe behavior management system designed to help staff provide for the best possible care, welfare, safety, and security of disruptive children by showing compassion and empathy, supporting emotional and physical well-being, preventing danger, risk, and injury, and ensuring harmony, not harm.

### **Response to Intervention Team & Student Assessment Team**

The Multi-Tiered Systems of Support Team meets to initiate and direct the intervention process for at risk students. The team works with classrooms teachers & support staff to provide support, document interventions, and monitor progress for students. Students demonstrating little growth may be referred for further assessment.

### **Background Checks**

Background checks are completed on all employees and anyone that provides an extended service involving students in our school district.

### **Animals in the Classroom**

Requests for bringing animals to the classroom require prior approval from the building principal. The request should include the educational purpose, proof of animal health records, as well as guardian consent for each student in the classroom. The consent form will be distributed prior to approval and will include acknowledgment of any known student allergies. If consent is not granted, reasonable accommodations will be made when appropriate. If the animal is staying for an extended time, the teacher is responsible for submitting an animal care plan, which should include allocated responsibility in the event of an absence. The school reserves the right to deny an animal request at any time.

### **Gifts to Employees and School Board Members**

The School District recognizes that students, parents, and others may wish to show appreciation to school district employees. The policy of the school district, however, is to discourage gift-giving to employees and to encourage donors instead to write letters and notes of appreciation and gratitude. "Gift" means money, real or personal property, a service, a loan, a forbearance, forgiveness of indebtedness, or a promise of future employment that is given without something of equal or greater value being received in return.

### **Media Center**

Students will have a weekly opportunity to visit the school library and check out books. It is helpful to note your child's library day on the calendar so that books can be promptly returned. This will help provide our students and their families with an ever changing variety of books to read together. Parents will be asked to pay for any books that are lost or damaged while in their child's possession.

### **Saints Over Time Care (SOT)**

SOT is a Community Ed sponsored program. This program provides quality before and after school care for children grades K - 6. The K-1 program is housed at South Elementary. Children enrolled in the program will participate in a variety of planned and supervised activities. The staff allows time for play, study, and encourages creative and social growth. Weather permitting children may spend a part of each day outside play.

The after school SOT program is open on school days and runs from 2:55 until 5:45 p.m. There will not be after school SOT on Early Release Days. A nutritious snack is served each day. Registration forms and information are available at Community Ed, call 934-3048.

## **Section 5: Technology**

### **Responsible Student Use of Technology**

Using Technology Devices at School Technology devices are intended for use at school each day.

Many class assignments, assessments, additional course content delivery will occur on the devices.

### **Backgrounds, Passwords, and Apple IDs**

Inappropriate media may not be used as a background or stored on the device.

Presence of guns, weapons, pornographic materials, inappropriate language, alcohol, drug, gang related symbols or pictures will result in disciplinary actions.

Take care to protect your passwords. Do not share your passwords.

Elementary iPads will not require individual Apple IDs. Chromebooks will require a School District issued Gmail username and password.

### **Printing**

Printing from technology devices is NOT supported by the School District of Saint Peter. When requested by the teacher, use digital submission of assignments to reduce the printing expenses.

### **Accessing, Managing and Saving Your Digital Work**

Most course content creations will not be saved to the devices. They will be uploaded to a cloud service, or emailed/shared with the student's teacher.

Cloud-based storage systems, such as Google Drive, will be available for student use.

Google Drive includes a suite of products (Docs, Slides, Drawings, Spreadsheets, Forms) that lets you create different kinds of online documents, work on them in real time with other people, and store your documents and your other files.

### **Acceptable Use Guidelines**

#### General Guidelines

Students will have access to all available forms of electronic media and communication which is in support of education and research and in support of the educational goals and objectives of the School District of Saint Peter.

Students are responsible for their ethical and educational use of the technology resources of the School District of Saint Peter.

Students will recognize that their reputation in cyberspace is nothing to take lightly. One's digital footprint can last a lifetime.

Access to the School District of Saint Peter technology resources is a privilege and not a right. Each employee, student and/or parent will be required to follow the District's Internet Safety and Acceptable Use (Board Policy 363.2).

Transmission of any material that is in violation of any federal or state law is prohibited. This includes, but is not limited to the following: confidential information, copyrighted material, and threatening or obscene material.

Any attempt to alter data, the configuration of a device, or the files of another user, without the consent of the individual, building administrator, or technology administrator, will be considered an act of vandalism and subject to disciplinary action in accordance with the student handbook and other applicable school policies.

### **Privacy and Safety**

Do not go into unapproved social media sites, chat rooms, or send chain letters without permission. If applicable, teachers may create discussion groups for communication among students for educational purposes.

Do not open, use, or change files that do not belong to you.

Do not reveal your full name, phone number, home address, social security number, credit card numbers, passwords or passwords of other people.

Remember that storage is not guaranteed to be private or confidential.

If you inadvertently access a website that contains obscene, pornographic or otherwise offensive material, exit the site immediately, and report it to a teacher. This is an open share policy, students who report inappropriate material will not be disciplined if they do so in an immediate manner.

Any sharing of student work and/or student images on school district sites, and/or school district-sanctioned sites will first have to be approved by parents.

### **Legal Property**

Comply with trademark and copyright laws and all license agreements. Ignorance of the law is not immunity. If you are unsure, ask a teacher or parent.

Plagiarism is a violation of the student policy. Give credit to all sources used, whether quoted or summarized. This includes all forms of media on the Internet, such as graphics, movies, music, and text.

Use or possession of hacking software is strictly prohibited and violators will be subject to discipline.

Violation of applicable state or federal law, including the Minnesota Penal Code, Computer Crimes, will result in criminal prosecution or disciplinary action by the District.

### **Electronic Communication**

Do not transmit language/material that may be considered profane, obscene, abusive, or offensive to others.

Do not send mass emails, chain letters or spam.

Email & communications sent/received should be related to educational needs.

Email & communications are subject to inspection by the school at any time.

### **Consequences**

The student in whose name a system account and/or a technology device is issued will be responsible at all times for its appropriate use.

Non-compliance with the policies of this document or the District's Internet Safety and Acceptable Use will result in disciplinary action.

Electronic mail, network usage, and all stored files shall not be considered confidential and may be monitored at any time by designated District staff to ensure appropriate use.

The district cooperates fully with local, state or federal officials in any investigation concerning or relating to violations of computer crime laws.

#### **Technology Device Identification**

Student technology devices will be labeled in the manner specified by the school.

Devices can be identified by their serial number.

Devices are the responsibility of the student and teacher. Students found to be vandalizing devices on purpose may be subject to disciplinary action.

### **Account Security**

School issued user IDs and passwords may be used to access course content and materials.

User IDs and passwords are confidential and should not be shared.

Students can reset their passwords with the assistance of the Library Media Center Help Desk when necessary.

### **Damage/Repair Fees**

Damages and repairs will be dealt with on a case by case basis. Fines will be levied if need be with prices never to exceed the full cost of the device and/or case.

## **Section 6: Health and Medication**

### **Illness - What happens if a child becomes ill at school?**

If a child becomes ill at school and would need to go home, school personnel will call the parent at home or at work. If the parent cannot be reached, the person you have designated as your child's emergency contact will be called. A transportation arrangement for the ill child is the responsibility of the parent. Until the child is picked up, he/she will be cared for in the school nurse's office.

### **Sick Child - When should a child stay home?**

If a child is vomiting or has diarrhea, he/she should remain at home for 24 hours after the vomiting and/or diarrhea has stopped. If a child has a temperature of 100 degrees or greater, he/she should remain at home for 24 hours after the temperature has returned to normal.

### **Emergency Information**

Parents have access to make phone and address changes on our district's Infinite Campus information system. Each child is required to have emergency information on file. Please notify the school office your family's information changes. It is the parent/guardian's responsibility to make arrangements for proper care in the event of illness/injury. If the parent is unable to be reached, other contacts will be called and asked to assume temporary care of the child or make decisions in regard to the care of the child. In the event of an emergency or serious illness, it is the policy of the St. Peter Public School District #508 to provide appropriate medical response and to contact the parent/guardian in a timely manner.

In a life-threatening emergency, the school will contact emergency response personnel immediately. The parent/guardian, or designated emergency person will be contacted at the same time. If the situation is not life-threatening, but the student requires urgent care and the school cannot contact a parent/guardian or designee, school personnel will transport the student to the St. Peter Clinic or St. Peter's River's Edge Hospital for care. When parents arrive at the clinic or hospital, they will be able to change health care providers at that time if they so desire. It is the responsibility of the parent/guardian to pay any incurred medical expenses.

### **Staying Indoors at Recess**

Except during inclement weather, students are expected to be outdoors at recess. It may be necessary, on occasion, for students to stay in for health reasons. A parent's written request is needed for a child to remain inside at recess; and a doctor's excuse will be expected if a student needs to stay in for an extended amount of time.

### **Medication**

Any medication a child takes during the school day needs to be kept in the school health office. Exceptions to this are inhalers for asthma and epi-pens for allergic reactions. In the event that a child will be carrying an inhaler or an epi-pen it is required that the health office is informed of the condition and that the child is carrying these medications. These medications will require a health care provider's written statement for the administration of medication as well as a parent's written consent to use these medications in school.

All medications require the following to be administered in the school setting.

1. A statement from the physician for the administration of medication
2. Written parent consent for the administration of medication in the school setting.
3. Medication must come in its original container from the pharmacy with the accurate pharmacy label and instructions.

Over the counter medications must also come in the original container with the original medications in the bottle.

Medications that are not in the original containers cannot be given by school personnel.

### **Communicable Disease**

If your child develops a communicable disease throughout the school year we encourage you to notify the school health office. This will help us to identify other students with similar symptoms. Some examples of common communicable health concerns are chicken pox, pink eye, strep throat, head lice, impetigo, and influenza. Please call the school nurse if you have questions regarding your child's illness or have questions about returning to school. Staff and students are encouraged to get an annual influenza vaccine to prevent influenza.

### **Immunization Law**

Minnesota State Law requires all children attending schools to be fully immunized against diphtheria, tetanus, pertussis, (DTaP), polio, and measles, mumps, and rubella (MMR), Varicella, and Hepatitis B. A student entering grades 3-6 should have the following vaccines if they are fully immunized: Five dtap, four polio, two measles mumps and rubella vaccine, two varicella vaccine, and three hepatitis B vaccines. These vaccines are required to be on file in the school health office for a student to be in school. Students who are not fully immunized will need to update their vaccinations to remain in school. Parents who hold medical or conscientious objections to the vaccine law will need to submit the vaccine exemption portion of the immunization form for their students to be in school. Students who do not provide documentation or conscientious objection paperwork by the identified deadline, will not be allowed to attend until such paperwork is provided. The school nurse will assist families to identify low cost vaccines in the community if needed.

## **SECTION 7: POLICY**

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### **Policy 404: EMPLOYMENT BACKGROUND CHECKS**

#### **I. PURPOSE**

The purpose of this policy is to maintain a safe and healthful environment in the school district in order to promote the physical, social, and psychological well-being of its students. To that end, the school district will seek a criminal history background check for applicants who receive an offer of employment with the school district and on all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, regardless of whether any compensation is paid, or such other background checks as provided by this policy. The school district may also elect to do background checks of other volunteers, independent contractors, and student employees in the school district.

#### **II. GENERAL STATEMENT OF POLICY**

- A. The school district shall require that applicants for school district positions who receive an offer of employment and all individuals, except enrolled student volunteers, who are offered the opportunity to

provide athletic coaching services or other extracurricular academic coaching services to the school district, regardless of whether any compensation is paid, submit to a criminal history background check. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by the school district that an individual's criminal history does not preclude the individual from employment with, or provision of services to, the school district.

- B. The school district specifically reserves any and all rights it may have to conduct background checks regarding current employees, applicants, or service providers without the consent of such individuals.
- C. Adherence to this policy by the school district shall in no way limit the school district's right to require additional information, or to use procedures currently in place or other procedures to gain additional background information concerning employees, applicants, volunteers, service providers, independent contractors, and student employees.

### **III. PROCEDURES**

- A. Normally an individual will not commence employment or provide services until the school district receives the results of the criminal history background check. The school district may conditionally hire an applicant or allow an individual to provide services pending completion of the background check but shall notify the individual that the individual's employment or opportunity to provide services may be terminated based on the result of the background check. Background checks will be performed by the Minnesota Bureau of Criminal Apprehension (BCA). The BCA shall conduct the background check by retrieving criminal history data as defined in Minn. Stat. § 13.87. The school district reserves the right to also have criminal history background checks conducted by other organizations or agencies.
- B. In order for an individual to be eligible for employment or to provide athletic coaching services or other extracurricular academic coaching services to the school district, except for an enrolled student volunteer, the individual must sign a criminal history consent form, which provides permission for the school district to conduct a criminal history background check, and provide payment for conducting the criminal history background check. The cost of the criminal history background check is the responsibility of the individual, unless the school district decides to pay the costs for a volunteer, an independent contractor, or a student employee. If the individual to provide a criminal background check at the time the individual receives a job offer, or permission to provide services, the individual will be considered to have voluntarily withdrawn the application for employment or request to provide services.
- C. When required, individuals must provide fingerprints to assist in a criminal history background check. If the fingerprints provided by the individual are unusable, the individual will be required to submit another set of prints.
- D. Copies of this policy shall be available in the school district's employment office and will be distributed to applicants for employment and individuals who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services upon request. The need to submit to a criminal history background check may be included with the basic criteria for employment or provision of services in the position posting and position advertisements.
- E. The individual will be informed of the results of the criminal background check(s) to the extent required by law.
- F. If the criminal history background check precludes employment with, or provision of services to, the school district, the individual will be so advised.
- G. The school district may apply these procedures to other volunteers, independent contractors, or student employees.
- H. At the beginning of each school year or when a student enrolls, the school district will notify parents and guardians about this policy and identify those positions subject to a background check and the

extent of the school district's discretion in requiring a background check. The school district may include this notice in its student handbook, a school policy guide, or other similar communication. A form notice for this purpose is included with this policy.

#### **IV. CRIMINAL HISTORY CONSENT FORM**

A form to obtain consent for a criminal history background check is included with this policy.

### **514 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 a student's ability to learn and/or a 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 to remediate and discipline for 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 disruptive and detrimental 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 school district property, at school functions or activities, 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 or 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 or negate 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, retaliation, 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 the 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 research-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.
- 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 harming 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 harming 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 defined 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 person 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 in 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 responsible 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, 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 officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the 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 an 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; the student discipline policy (See MSBA/MASA Model Policy 506) and other applicable school district policies; and applicable 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 to 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, reprisal, 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 target or victim, and to make resources or referrals to resources available to targets or 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 (See MSBA/MASA Model Policy 515) 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.

### **505 DISTRIBUTION OF NONSCHOOL-SPONSORED MATERIALS ON SCHOOL PREMISES BY STUDENTS AND EMPLOYEES**

#### **I. PURPOSE**

The purpose of this policy is to protect the exercise of students' and employees' free speech rights, taking into

consideration the educational objectives and responsibilities of the school district.

## **II. GENERAL STATEMENT OF POLICY**

- A. The school district recognizes that students and employees have the right to express themselves on school property. This protection includes the right to distribute, at a reasonable time and place and in a reasonable manner, nonschool-sponsored material.
- B. To protect First Amendment rights, while at the same time preserving the integrity of the educational objectives and responsibilities of the school district, the school board adopts the following regulations and procedures regarding distribution of nonschool-sponsored material on school property and at school activities.

## **III. DEFINITIONS**

- A. "Distribute" or "Distribution" means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying material, or placing material in internal staff or student mailboxes.
- B. "Nonschool-sponsored material" or "unofficial material" includes all materials or objects intended for distribution, except school newspapers, employee newsletters, literary magazines, yearbooks, and other publications funded and/or sponsored or authorized by the school. Examples of nonschool-sponsored materials include, but are not limited to, leaflets, brochures, buttons, badges, flyers, petitions, posters, and underground newspapers whether written by students or employees or others, and tangible objects.
- C. "Obscene to minors" means:
  - 1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
  - 2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and
  - 3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- D. "Minor" means any person under the age of eighteen (18).
- E. "Material and substantial disruption" of a normal school activity means:
  - 1. Where the normal school activity is an educational program of the district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
  - 2. Where the normal school activity is voluntary in nature (including school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

In order for expression to be considered disruptive, specific facts must exist upon which the likelihood of

disruption can be forecast including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.

- F. "School activities" means any activity sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods.
- G. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower that individual in the esteem of the community.

#### **IV. GUIDELINES**

- A. Students and employees of the school district have the right to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, nonschool-sponsored material.
- B. Requests for distribution of nonschool-sponsored material will be reviewed by the administration on a case-by-case basis. However, distribution of the materials listed below is always prohibited. Material is prohibited that:
  - 1. is obscene to minors;
  - 2. is libelous or slanderous;
  - 3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended;
  - 4. advertises or promotes any product or service not permitted to minors by law;
  - 5. advocates violence or other illegal conduct;
  - 6. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religious, or ethnic origin);
  - 7. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.
- C. Distribution by students and employees of nonschool-sponsored materials on school district property are subject to reasonable time, place, and manner restrictions set forth below. In making decisions regarding the time, place, and manner of distribution, the administration will consider factors including, but not limited to, the following:
  - 1. whether the material is educationally related;
  - 2. the extent to which distribution is likely to cause disruption of or interference with the school district's educational objectives, discipline, or school activities;
  - 3. whether the materials can be distributed from the office or other isolated location so as to

- minimize disruption of traffic flow in hallways;
- 4. the quantity or size of materials to be distributed;
- 5. whether distribution would require assignment of school district staff, use of school district equipment, or other resources;
- 6. whether distribution would require that nonschool persons be present on the school grounds;
- 7. whether the materials are a solicitation for goods or services not requested by the recipients.

**V. TIME, PLACE, AND MANNER OF DISTRIBUTION**

- A. No nonschool-sponsored material shall be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.
- B. Distribution of nonschool-sponsored material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the school, and school parking lots. Distribution shall not impede entrance to or exit from school premises in any way.
- C. No one shall coerce a student or staff member to accept any publication.
- D. The time, place, and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy.

**VI. PROCEDURES**

- A. Any student or employee wishing to distribute (as defined in this policy) nonschool-sponsored material must first submit for approval a copy of the material to the principal at least 24 hours in advance of desired distribution time, together with the following information:
  - 1. Name and phone number of the person submitting the request and, if a student, the room number of his or her first-period class.
  - 2. Date(s) and time(s) of day intended for distribution.
  - 3. Location where material will be distributed.
  - 4. If material is intended for students, the grade(s) of students to whom the distribution is intended.
- B. Within one school day, the principal will review the request and render a decision. In the event that permission to distribute the material is denied or limited, the person submitting the request should be informed in writing of the reasons for the denial or limitation.
- C. If the person submitting the request does not receive a response within one school day, the person shall contact the office to verify that the lack of response was not due to an inability to locate the person.
- D. If the person is dissatisfied with the decision of the principal, the person may submit a written request for appeal to the superintendent. If the person does not receive a response within three (3) school days (not counting Saturdays, Sundays, and holidays) of submitting the appeal, the person shall contact the office of the superintendent to verify that the lack of response is not due to an inability to locate the person.

- E. Permission or denial of permission to distribute material does not imply approval or disapproval of its contents by either the school, the administration of the school, the school board, or the individual reviewing the material submitted.

**VII. DISCIPLINARY ACTION**

- A. Distribution by any student of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place, and manner of distribution as described above will be halted and disciplinary action will be taken in accordance with the school district's Student Discipline Policy.
- B. Distribution by any employee of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place, and manner of distribution as described above will be halted and appropriate disciplinary action will be taken, in accordance with any individual contract, collective bargaining agreement, school district policies and procedures, and/or governing statute.
- C. Any other party violating this policy will be requested to leave the school property immediately and, if necessary, the police will be called.

**VIII. NOTICE OF POLICY TO STUDENTS AND EMPLOYEES**

A copy of this policy will be published in student handbooks and posted in school buildings.

**IX. IMPLEMENTATION**

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

**413 HARASSMENT AND VIOLENCE**

**I. PURPOSE**

The purpose of this policy is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.

**II. GENERAL STATEMENT OF POLICY**

- A. The policy of the school district is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.
- B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender

identity or expression, or disability, as defined by this policy. (For purposes of this policy, school district personnel include school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)

- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who is found to have violated this policy.

### **III. DEFINITIONS**

- A. "Assault" is:
  - 1. an act done with intent to cause fear in another of immediate bodily harm or death;
  - 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
  - 3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability when the conduct:
  - 1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
  - 2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
  - 3. otherwise adversely affects an individual's employment or academic opportunities.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions
  - 1. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:
    - a) has a physical, sensory, or mental impairment which materially limits one or more major life activities;
    - b) has a record of such an impairment; or
    - c) is regarded as having such an impairment.
  - 2. "Familial status" means the condition of one or more minors being domiciled with:
    - a) their parent or parents or the minor's legal guardian; or
    - b) the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the

basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.

3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
  4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
  5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
  6. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.
  7. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.
- E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.

F. Sexual Harassment; Definition

1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:
  - a) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
  - b) submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
  - c) that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
2. Sexual harassment may include, but is not limited to:
  - a) unwelcome verbal harassment or abuse;
  - b) unwelcome pressure for sexual activity;
  - c) unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
  - d) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
  - e) unwelcome sexual behavior or words, including demands for sexual favors,

accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or

- f) unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.

G. Sexual Violence; Definition

1. Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minn. Stat. § 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
2. Sexual violence may include, but is not limited to:
  - a) touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
  - b) coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
  - c) coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
  - d) threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

H. Violence; Definition

1. Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to, race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.

**IV. REPORTING PROCEDURES**

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct which may constitute harassment or violence 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. Nothing in this policy shall prevent any person from reporting harassment or violence 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 the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal's designee, or the building supervisor

(hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. 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 a primary contact on policy and procedural matters.

- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- G. In the District. The school board hereby designates Kelly Jensen as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.<sup>1</sup>
- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. 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.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or

who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

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

## **V. INVESTIGATION**

- A. By authority of the school district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- F. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

## **VI. SCHOOL DISTRICT ACTION**

- A. Upon completion of an investigation that determines a violation of this policy 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 behavior. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school district policies and regulations.
- B. 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 targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.

- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) 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 to engage in acts of harassment or violence.

**VII. RETALIATION OR REPRISAL**

The school district will discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged harassment or violence prohibited by this policy, who testifies, assists, or participates in an investigation of retaliation or alleged harassment or violence, or who testifies, assists, or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, 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 harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

**VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

**IX. HARASSMENT OR VIOLENCE AS ABUSE**

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minn. Stat. § 626.556 may be applicable.
- B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

**X. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members.
- B. This policy shall be given to each school district employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- C. This policy shall appear in the student handbook.
- D. The school district will develop a method of discussing this policy with students and employees.
- E. The school district may implement violence prevention and character development education programs to prevent and 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, resourcefulness, and/or sexual abuse prevention.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

## **I. PURPOSE**

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. Retaliation against a victim, good faith reporter, or a witness of hazing is prohibited.
- E. False accusations or reports of hazing against a student, teacher, administrator, volunteer, contractor, or other employee are prohibited.
- F. A person who engages in an act of hazing, reprisal, retaliation, or false reporting of hazing or permits, condones, or tolerates hazing shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, tolerate, or are a party to prohibited acts of hazing may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

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

- G. This policy applies to hazing that occurs during and after school hours, on or off school premises or property, at school functions or activities, or on school transportation.
- H. 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.
- I. 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 school-related 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 student to an unreasonable

risk of harm or that adversely affects the mental or physical health or safety of the student.

3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the student 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, that 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. "Immediately" means as soon as possible but in no event longer than 24 hours.

C. "On school premises or school district property, or 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 hazing at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.

D. "Remedial response" means a measure to stop and correct hazing, prevent hazing from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of hazing.

E. "Student" means a student enrolled in a public school or a charter school.

F. "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 target or 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. A person may report hazing 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 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.

The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of hazing at the building level. Any adult school district personnel who receives a report of hazing prohibited by this policy shall inform the building report taker immediately. 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 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 a primary contact on policy and procedural matters.

C. A teacher, administrator, volunteer, contractor, and other school employees shall be particularly alert to possible situations, circumstances, or events which might include hazing. Any such person who

witnesses, observes, receives a report of, or has other knowledge or belief of conduct which may constitute hazing shall make reasonable efforts to address and resolve the hazing and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute hazing or who fail to make reasonable efforts to address and resolve the 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, work assignments, or educational or work environment.
- E. 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 building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of hazing and the record of any resulting investigation.
- F. 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. Within three (3) days of the 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 building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the hazing, the complainant, the reporter, and students or others pending completion of an investigation of alleged hazing prohibited by this policy.
- C. The alleged perpetrator of the hazing 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 an investigation that determines hazing 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 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; and applicable 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 or victims of hazing and the parent(s) or guardian(s) of alleged perpetrators of hazing who have been involved in a reported and confirmed hazing incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or to respond to hazing committed by or directed against a child with a disability, the school district shall, where 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 to engage in hazing.

## **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 hazing, who provides

information about hazing, who testifies, assists, or participates in an investigation of alleged hazing, or 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, 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.

## **VII. DISSEMINATION OF POLICY**

- A. This policy shall appear in each school’s student handbook and in each school’s building and staff handbooks.
- B. The school district will develop a method of discussing this policy with students and employees.

## **503 STUDENT ATTENDANCE**

### **I. PURPOSE**

- A. The school board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.
- B. This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher, and administrators. This policy will assist students in attending class.

### **II. GENERAL STATEMENT OF POLICY**

#### A. Responsibilities

##### 1. Student’s Responsibility

It is the student’s right to be in school. It is also the student’s responsibility to attend all assigned classes and study halls every day that school is in session and to be aware of and follow the correct procedures when absent from an assigned class or study hall. Finally, it is the student’s responsibility to request any missed assignments due to an absence.

##### 2. Parent or Guardian’s Responsibility

It is the responsibility of the student’s parent or guardian to ensure the student is attending school, to inform the school

in the event of a student absence, and to work cooperatively with the school and the student to solve any attendance problems that may arise.

##### 3. Teacher’s Responsibility

It is the teacher’s responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. It is also the teacher’s responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher’s responsibility to provide any student who has been absent with any missed assignments upon request. Finally, it is the teacher’s responsibility to work cooperatively with the student’s

parent or guardian and the student to solve any attendance problems that may arise.

4. Administrator's Responsibility

- a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.
- b. In accordance with the Minnesota Compulsory Instruction Law, Minn. Stat. § 120A.22, the students of the school district are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

B. Attendance Procedures

Attendance procedures shall be presented to the school board for review and approval.

1. Excused Absences

- a. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.
- b. Although excusing absenteeism and tardiness is at the discretion of the principal, the following reasons are valid and should be used by parents and students as guidelines:
  - (1) Illness.
  - (2) Serious illness in the student's immediate family.
  - (3) A death or funeral in the student's immediate family or of a close friend or relative.
  - (4) Medical, dental, or orthodontic treatment, or a counseling appointment.
  - (5) Court appearances occasioned by family or personal action.
  - (6) Religious instruction not to exceed three hours in any week.
  - (7) Observance of religious events
  - (8) Physical emergency conditions such as fire, flood, storm, etc.

- (9) Official school field trip or other school-sponsored outing.
- (10) Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
- (11) Family emergencies.
- (12) Active duty in any military branch of the United States.
- (13) A student's condition that requires ongoing treatment for a mental health diagnosis.
- (14) The building principal can/may make exceptions for unusual situations.
- (15) Family vacations with prior Principal approval; Personal trips to schools or colleges.

c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.
- (2) Work missed because of absence must be made up as indicated in each School's handbook. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

2. Unexcused Absences

a. The following are examples of absences which will not be excused:

- (1) Truancy. An absence by a student which was not approved by the parent and/or the school district.
- (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.
- (3) Work at home.
- (4) Work at a business, except under a school-sponsored work release program.
- (5) Vacations with family.
- (6) Personal trips to schools or colleges.
- (7) Any other absence not included under the attendance procedures set out in this policy.

b. Consequences of Unexcused Absences

- (1) Absences resulting from official suspension will be handled in accordance with the

Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

- (2) Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.
- (3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.
- (4) Students with unexcused absences shall be subject to discipline in the following manner:
  - (a) In cases of unexcused absences, the student may be allowed to make up work missed due to such absence.
  - (b) After the \_\_\_\_\_ cumulated unexcused absence in a [quarter or semester], a student's parent or guardian will be notified by certified mail that his or her child is nearing a total of \_\_\_\_\_ unexcused absences and that, after the \_\_\_\_\_ unexcused absence, the student's grade shall be reduced by one increment for each unexcused absence thereafter.
  - (c) After such notification, the student or his or her parent or guardian may, within a reasonable time, request a conference with school officials regarding the student's absences and the prescribed discipline. The notification will state that the school strongly urges the student's parent or guardian to request such a conference.
  - (d) After \_\_\_\_\_ cumulative unexcused absences in a [quarter or semester] the teacher will reduce the student's letter grade by one increment for each unexcused absence thereafter (i.e. A to A-). However, prior to reducing the student's grade, an administrative conference must be held among the principal, student, and parent.
  - (e) After \_\_\_\_\_ cumulated unexcused absences in a [quarter or semester], the administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior to loss of credit, an administrative conference must be held among the principal, student, and parent.
  - (f) If the result of a grade reduction or loss of credit has the effect of an expulsion, the school district will follow the procedures set forth in the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

### C. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness.
2. Procedures for Reporting Tardiness
  - a. Students tardy at the start of school must report to the school office for an admission slip.

b. Tardiness between periods will be handled by the teacher.

3. Excused Tardiness

Valid excuses for tardiness are:

- a. Illness.
- b. Serious illness in the student's immediate family.
- c. A death or funeral in the student's immediate family or of a close friend or relative.
- d. Medical, dental, orthodontic, or mental health treatment.
- e. Court appearances occasioned by family or personal action.
- f. Physical emergency conditions such as fire, flood, storm, etc.
- g. Any tardiness for which the student has been excused in writing by an administrator or faculty member.

4. Unexcused Tardiness

- a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
- b. Parents/guardians of students with excessive tardiness will be notified and an individual behavior plan will be developed with the student support team. Failure to meet these plans may result in disciplinary action

D. Participation in Extracurricular Activities and School-Sponsored On-the-Job Training Programs

1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.
2. In order to participate in co-curricular activities, students must be in attendance at school during the afternoon on the day of the event/practice unless excused by a doctor's note. Individuals with unexcused absences on the day of the event/practice may not participate.
3. School-initiated absences will be accepted and participation permitted.
4. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
5. If a student is suspended from any class, he or she may not participate in any activity or program that day.
6. If a student is absent from school due to medical reasons, he or she must present a physician's statement or a statement from the student's parent or guardian clearing the student for participation that day. The note must be presented to the coach or advisor before the student participates in the activity or program.

**III. DISSEMINATION OF POLICY**

Copies of this policy shall be made available to all students and parents at the commencement of each school year. This policy shall also be available upon request in each principal's office.

#### **IV. REQUIRED REPORTING**

##### **A. Continuing Truant**

Minn. Stat. § 260A.02 provides that a continuing truant is a student who is subject to the compulsory instruction requirements of Minn. Stat. § 120A.22 and is absent from instruction in a school, as defined in Minn. Stat. § 120A.05, without valid excuse within a single school year for:

1. Three days if the child is in elementary school; or
2. Three or more class periods on three days if the child is in middle school, junior high school, or high school.

##### **B. Reporting Responsibility**

When a student is initially classified as a continuing truant, Minn. Stat. § 260A.03 provides that the school attendance officer or other designated school official shall notify the student's parent or legal guardian, by first class mail or other reasonable means, of the following:

1. That the child is truant;
2. That the parent or guardian should notify the school if there is a valid excuse for the child's absences;
3. That the parent or guardian is obligated to compel the attendance of the child at school pursuant to Minn. Stat. § 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under Minn. Stat. § 120A.34;
4. That this notification serves as the notification required by Minn. Stat. § 120A.34;
5. That alternative educational programs and services may be available in the child's enrolling or resident district;
6. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
7. That if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minn. Stat. Ch. 260;
8. That if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to Minn. Stat. § 260C.201; and
9. That it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

##### **C. Habitual Truant**

1. A habitual truant is a child under the age of 17 years who is absent from attendance at school

without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school, junior high school, or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year and who has not lawfully withdrawn from school.

2. A school district attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minn. Stat. Ch. 260A.

## **506 STUDENT DISCIPLINE**

### **I. PURPOSE**

The purpose of this policy is to ensure that students are aware of and comply with the school district's expectations for student conduct. Such compliance will enhance the school district's ability to maintain discipline and ensure that there is no interference with the educational process. The school district will take appropriate disciplinary action when students fail to adhere to the Code of Student Conduct established by this policy.

### **II. GENERAL STATEMENT OF POLICY**

The school board recognizes that individual responsibility and mutual respect are essential components of the educational process. The school board further recognizes that nurturing the maturity of each student is of primary importance and is closely linked with the balance that must be maintained between authority and self-discipline as the individual progresses from a child's dependence on authority to the more mature behavior of self-control.

All students are entitled to learn and develop in a setting which promotes respect of self, others, and property. Proper positive discipline can only result from an environment which provides options and stresses student self-direction, decision-making, and responsibility. Schools can function effectively only with internal discipline based on mutual understanding of rights and responsibilities.

Students must conduct themselves in an appropriate manner that maintains a climate in which learning can take place. Overall decorum affects student attitudes and influences student behavior. Proper student conduct is necessary to facilitate the education process and to create an atmosphere conducive to high student achievement.

Although this policy emphasizes the development of self-discipline, it is recognized that there are instances when it will be necessary to administer disciplinary measures. The position of the school district is that a fair and equitable district-wide student discipline policy will contribute to the quality of the student's educational experience. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

In view of the foregoing and in accordance with Minn. Stat. § 121A.55, the school board, with the participation of school district administrators, teachers, employees, students, parents, community members, and such other individuals and organizations as appropriate, has developed this policy which governs student conduct and applies to all students of the school district.

### **III. AREAS OF RESPONSIBILITY**

- A. The School Board. The school board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.
- B. Superintendent. The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students, and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.
- C. Principal. The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. The principal shall

give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of behavior referrals and shall make use of those agencies

appropriate for assisting students and parents. A principal, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

- D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.
- E. Other School District Personnel. All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.
- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the academic progress, behavior, and attendance of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

#### **IV. STUDENT RIGHTS**

All students have the right:

- A. to an education and ~~the right~~ to learn.
- B. to feel safe and included.
- C. to think freely and ask questions

#### **V. STUDENT RESPONSIBILITIES**

All students, as appropriate for their grade level and individual programs, have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
- B. To attend school daily, except when excused, and to be on time to all classes and other school functions;
- C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the school staff in maintaining a safe school for all students;
- F. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H. To be aware of and comply with federal, state, and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and

to cooperate with school staff as appropriate;

- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;
- L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M. To conduct themselves in an appropriate physical or verbal manner; and
- N. To recognize and respect the rights of others.

## **VI. CODE OF STUDENT CONDUCT**

- A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; 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 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 unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.
  - 1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
  - 2. The use of socially offensive language, or the possession of obscene materials;
  - 3. Gambling, including, but not limited to, playing a game of chance for monetary stakes;
  - 4. Violation of the school district's Hazing Prohibition Policy;
  - 5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
  - 6. (Violation of the school district's Student Attendance Policy)
  - 7. Opposition to authority using physical force or violence;
  - 8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices Policy;
  - 9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
  - 10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
  - 11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;

12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district's Weapons Policy;
14. Violation of the school district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
19. Violation of any local, state, or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;
23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district's Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
31. Criminal activity;
32. Falsification of any records, documents, notes, or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or

test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;

35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other school district personnel;
36. Violation of the school district's Harassment and Violence Policy;
37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;
38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
40. Verbal assaults or verbally abusive behavior including, but not limited to, use of words, symbols, acronyms, or language, whether oral or written, that are discriminatory, abusive, obscene, threatening, intimidating, degrading to other people, or threatening to school property;
41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;
43. Violation of the school district's Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees Policy;
44. Violation of the school district's one-to-one device rules and regulations;
45. Violation of school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
46. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or employees.

## **VII. DISCIPLINARY ACTION OPTIONS**

The general policy of the school district is to utilize progressive discipline to the extent reasonable and appropriate based upon the specific facts and circumstances of student misconduct. The specific form of discipline chosen in a particular case is solely within the discretion of the school district. At a minimum, violation of school district rules, regulations, policies, or procedures will result in discussion of the violation and a verbal warning. The school district shall, however, impose more severe disciplinary sanctions for any violation, including exclusion or expulsion, if warranted by the student's misconduct, as determined by the school district. Disciplinary action may include, but is not limited to, one or more of the following:

- A. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;
- B. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
- C. Parent contact;

- D. Parent conference;
- E. Removal from class;
- F. In-school suspension;
- G. Suspension from extracurricular activities;
- H. Detention or restriction of privileges;
- I. Loss of school privileges;
- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;
- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or
- U. Other disciplinary action as deemed appropriate by the school district.

#### **VIII. REMOVAL OF STUDENTS FROM CLASS**

- A. The teacher of record shall have the general control and government of the classroom. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean any actions taken by a teacher, principal, or other school district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

Grounds for removal from class shall include any of the following:

1. Willful conduct that significantly disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn;
2. Willful conduct that endangers surrounding persons, including school district employees, the student or other students, or the property of the school;
3. Willful violation of any school rules, regulations, policies or procedures, including the Code of Student Conduct in this policy; or
4. Other conduct, which in the discretion of the teacher or administration, requires removal of the student from class.

Such removal shall be for at least one (1) activity period or class period of instruction for a given course of study and shall not exceed five (5) such periods.

A student must be removed from class immediately if the student engages in assault or violent behavior. "Assault" is an act done with intent to cause fear in another of immediate bodily harm or death; or the intentional infliction of, or attempt to inflict, bodily harm upon another. The removal from class shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.

- B. If a student is removed from class more than ten (10) times in a school year, the school district shall notify the parent or guardian of the student's tenth removal from class and make reasonable attempts to convene a meeting with the student's parent or guardian to discuss the problem that is causing the student to be removed from class.

C. **Procedures for Removal of a Student From a Class.**

1. A student will be removed from class only upon agreement of the appropriate teacher and Principal or Principal's designee resulting in an informal conference with the student. The decision to remove a student will ultimately be the responsibility of the Principal or Principal's designee. All attempts should be made to keep the student in class by redirecting, providing space, time, and positive reinforcement before seeking approval to remove the student.
2. Staff will attempt to follow the procedures above; however, a student can be removed without an informal conference if the student has or will create an immediate and substantial danger to himself/herself or to persons or property. The teacher will need to notify the office immediately for assistance or to let the office know the student has been removed.
3. The length of the removal is at the discretion of the principal or principal's designee after consultation with the teacher, subject to the provisions of Minn. Pupil Fair Dismissal Act.
4. All classroom removals are documented within each school. Major infractions will be documented in Infinite Campus.

D. **Responsibility for and Custody of a Student Removed From Class.**

1. Each building will have designated spaces for students to go to when removed from class. Upon approval from Principal or Principal's designee, the teacher will direct the student to the appropriate space.
2. The teacher will notify the appropriate support staff or principal if the student is on the way.
3. The teacher will seek assistance from support staff or principal if the student needs to be supervised.
4. Students will be directed to the appropriate space for a conference with support staff, principal or principal's designee.
5. A student removed from class is the responsibility of the principal or principal's designee.

E. **Procedures for Return of a Student to a Class From Which the Student Was Removed.**

1. The principal or principal's designee will use PBIS strategies and restorative approaches to develop a readmission plan in addition to completing the necessary disciplinary consequences and appropriate documentation.
2. The principal or principal's designee readmits the student pursuant to the readmission plan.

F. **Procedures for Notification.**

1. The principal or designee will determine the need for and method of notification to parent or guardian.
2. The principal or principal's designee will work with the teacher to notify the student of the violation of the discipline rules, resulting disciplinary action, and readmission plan.

G. **Students with an Individual Education Plan (IEP)**

1. The principal or principal's designee will determine whether the student's removal from class requires a

meeting to review the adequacy of the student's current IEP or whether there is need for further assessment. The principal or principal's designee is encouraged to consult with the superintendent and/or director of special education.

2. The principal or principal's designee will notify the case manager of the removal from class, reason(s) for removal, and determine if there is a need for any IEP services or a need for an IEP meeting to be scheduled.

**H. Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises.**

1. Principal or principal's designee will notify support services personnel of any chemical abuse problems. Administration is encouraged to work with the school health staff throughout the process.
2. Teachers with concerns of student(s) chemical abuse will notify principal, principal's designee or support services personnel of their concerns pursuant to Minn. Stat. § 121A.29.
  - a. Establishment of a chemical abuse pre assessment team pursuant to Minn. Stat. § 121A.26;
  - b. Establishment of teacher reporting procedures to the chemical abuse pre assessment team pursuant to Minn. Stat. § 121A.29.

**I. Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student Conduct.**

1. Principal or principal's designee will make the necessary arrangements with the appropriate staff for immediate interventions tied to the violation of the code of student conduct.

**J. Any Procedures Determined Appropriate for Encouraging Early Involvement of Parents or Guardians in Attempts to Improve a Student's Behavior.**

1. The principal or designee will review the following:
  - a. Any procedures or services appropriate for encouraging early involvement of parents or guardians to improve the student's behavior;
  - b. Any procedures or services determined appropriate for encouraging early detection of behavioral problems should be discussed with the parent or guardians;

**K. Any Procedures Determined Appropriate for Encouraging Early Detection of Behavioral Problems.**

1. Whether the student may need to be referred to the MTSS team for further interventions ties to increasing positive behaviors;
2. The appropriateness of referring the student to the chemical abuse pre assessment team;
3. The appropriateness of studying the student's behavior through a functional behavioral assessment.

**IX. DISMISSAL**

- A. "Dismissal" means the denial of the current educational program to any student, including exclusion, expulsion and suspension. Dismissal does not include removal from class.

The school district shall not deny due process or equal protection of the law to any student involved in a dismissal proceeding which may result in suspension, exclusion or expulsion.

The school district shall not dismiss any student without attempting to provide alternative educational services before dismissal proceedings, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

- B. Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:

1. Willful violation of any reasonable school board regulation, including those found in this policy;
2. 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

3. Willful conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.

C. Suspension Procedures

1. "Suspension" means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.
2. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the student's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration 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. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.
4. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP 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 IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6<sup>th</sup>) consecutive day of suspension or the tenth (10<sup>th</sup>) cumulative day of suspension has elapsed.
5. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. 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 assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the student to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.
6. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student 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. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for

each period of suspension.

7. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:
  - a. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
  - b. petition the juvenile court that the student is in need of services under Minn. Stat. Ch. 260C.
8. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
9. 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 the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference.
10. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
11. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) days.

D. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56; describe alternative educational services accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district shall advise the student'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 Minnesota Department of Education (MDE).
6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.

8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.
10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.
13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.
14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation 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 (Commissioner) of the basis and reason for the decision.
18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minn. Stat. § 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.
19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student 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. The dismissal report must include state student identification numbers of affected students.
21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school district.

## **X. ADMISSION OR READMISSION PLAN**

A school administrator shall prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan may include measures to improve the student's behavior, including completing a character education program consistent with Minn. Stat. § 120B.232, Subd. 1, and require parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

## **XI. NOTIFICATION OF POLICY VIOLATIONS**

Notification of any violation of this policy and resulting disciplinary action shall be as provided herein, or as otherwise provided by the Pupil Fair Dismissal Act or other applicable law. The teacher, principal or other school district official may provide additional notification as deemed appropriate.

In addition, the school district must report, through the MDE electronic reporting system, each physical assault of a school district employee by a student within thirty (30) days of the assault. This report must include a statement of the alternative educational services or other sanction, intervention, or resolution given to the student in response to the assault and the reason for, the effective date, and the duration of the exclusion or expulsion or other sanction, intervention, or resolution. The report must also include the student's age, grade, gender, race, and special education status.

## **XII. STUDENT DISCIPLINE RECORDS**

The policy of the school district is that complete and accurate student discipline records be maintained. The collection, dissemination, and maintenance of student discipline records shall be consistent with applicable school district policies and federal and state law, including the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13.

## **XIII. DISABLED STUDENTS**

Students who are currently identified as eligible under the IDEA or Section 504 will be subject to the provisions of this policy, unless the student's IEP or 504 plan specifies a necessary modification.

Before initiating an expulsion or exclusion of a student with a disability, relevant members of the child's IEP team and the child's parent shall, consistent with federal law, conduct a manifestation determination and determine whether the child's behavior was (i) caused by or had a direct and substantial relationship to the child's disability and (ii) whether the child's conduct was a direct result of a failure to implement the child's IEP. If the student's educational program is appropriate and the behavior is not a manifestation of the student's disability, the school district will proceed with discipline – up to and including expulsion – as if the student did not have a disability, unless the student's educational program provides otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team shall conduct a functional behavioral assessment and implement a behavioral intervention plan for such student provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that resulted in a change of placement. Where a behavioral intervention plan previously has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior.

When a student who has an IEP is excluded or expelled for misbehavior that is not a manifestation of the student's disability, the school district shall continue to provide special education and related services during the period of expulsion or exclusion.

## **XIV. OPEN ENROLLED STUDENTS**

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minn. Stat. § 124D.03) or Enrollment in Nonresident District (Minn. Stat. § 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minn. Stat. Ch. 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of seventeen (17) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

## **XV. DISTRIBUTION OF POLICY**

The school district will notify students and parents of the existence and contents of this policy in such manner as it deems appropriate. Copies of this discipline policy shall be made available to all students and parents at the

commencement of each school year and to all new students and parents upon enrollment. This policy shall also be available upon request in each principal's office.

## **XVI. REVIEW OF POLICY**

The principal and representatives of parents, students and staff in each school building shall confer at least annually to review this discipline policy, determine if the policy is working as intended, and to assess whether the discipline policy has been enforced. Any recommended changes shall be submitted to the superintendent for consideration by the school board, which shall conduct an annual review of this policy.

## **419 TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO- RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION**

### **I. PURPOSE**

The purpose of this policy is to maintain a learning and working environment that is tobacco free.

### **II. GENERAL STATEMENT OF POLICY**

- A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the school district, or person smokes or uses tobacco, tobacco-related devices, or carries or uses an activated electronic delivery device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- B. A violation of this policy occurs when any elementary school, middle school, or secondary school student possesses any type of tobacco, tobacco-related devices, or electronic delivery devices in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.

### **III. DEFINITIONS**

- A. "Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of aerosol or vapor from the product. Electronic delivery devices includes but is not limited to devices manufactured, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- B. "Heated tobacco product" means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.
- C. "Tobacco" means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or

accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.

- D. "Tobacco-related devices" means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- E. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.
- F. "Vaping" means using an activated electronic delivery device or heated tobacco product."

#### **IV. EXCEPTIONS**

- A. A violation of this policy does not occur when an Indian adult lights tobacco on school district property as a part of a traditional Indian spiritual or cultural ceremony
- B. A violation of this policy does not occur when an adult nonstudent possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on school property or at off- campus events sponsored by the school district.

It shall not be a violation of this policy for an Indian adult or student to carry loose tobacco in a tobacco pouch intended for spiritual or cultural ceremonial support with the permission of the student's parent or guardian and the written or verbal notice to the site administrator.

#### **V. VAPING PREVENTION INSTRUCTION**

- A. The school district must provide vaping prevention instruction at least once to students in grades 6 through 8.
- B. The school district may use instructional materials based upon the Minnesota Department of Health's school e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as part of the school district's locally developed health standards.

#### **VI. ENFORCEMENT**

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.
- C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.
- D. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and school district policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other

school district supervisory personnel responsible for the area or program at which the violation occurred.

- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.
- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

## **VII. DISSEMINATION OF POLICY**

- A. This policy shall appear in the student handbook.
- B. The school district will develop a method of discussing this policy with students and employees.

## **534 UNPAID MEAL CHARGES**

### **I. PURPOSE**

The purpose of this policy is to ensure that students receive healthy and nutritious meals through the school district's nutrition program and that school district employees, families, and students have a shared understanding of expectations regarding meal charges. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day and minimize identification of students with insufficient funds to pay for school meals as well as to maintain the financial integrity of the school nutrition program.

### **II. PAYMENT OF MEALS**

- A. Families can pay for meals online via Infinite Campus at no charge or submit a check or cash at any school office or cafeteria.
- B. All students, regardless of their lunch account balance, shall be offered a reimbursable school breakfast and lunch each school day.
- C. Students with a negative meal account balance of -\$20.00 or more are not allowed to charge for additional items, however students may purchase extra items with cash.
- D. The school district may provide an alternate meal that meets federal and state requirements to a student who does not have sufficient funds in the student's account or cannot pay cash for a meal. The school district will accommodate special dietary needs with respect to alternate meals. The cost of the alternative meal will be charged to the student's account or otherwise charged to the student.
- E. When a student has a negative account balance, the student will not be allowed to charge a snack item.
- F. If a parent or guardian chooses to send in one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the students' accounts. Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.

### **III. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION**

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free and reduced-price

meals for their children.

- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than \$200, not paid prior to the end of the school year will be turned over to the superintendent or superintendent's designee for collection. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not deny any student the opportunity to participate in graduation ceremonies or other commencement activities due to unpaid meal charges.

#### **IV. UNPAID MEAL CHARGES**

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free and reduced-price meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than \$200, not paid prior to the end of the school year, will be turned over to the superintendent or superintendent's designee for collection. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.
- E. The school district may not deny any student the opportunity to participate in graduation ceremonies or other commencement activities due to unpaid meal charges.

#### **V. COMMUNICATION OF POLICY**

- A. This policy and any pertinent supporting information shall be provided in writing (i.e., mail, email, back-to-school packet, student handbook, etc.) to:
  - 1. all households at or before the start of each school year;
  - 2. students and families who transfer into the school district, at the time of enrollment; and
  - 3. all school district personnel who are responsible for enforcing this policy.
- B. The school district may post the policy on the school district's website, in addition to providing the required written notification described above.

**NORTH ELEMENTARY SCHOOL  
STUDENT - PARENT  
HANDBOOK  
2022-2023**



815 N. 9th Street - Saint Peter, Minnesota 56082  
Phone: (507) 934-3260  
FAX: (507) 934-1865

Website: [www.saintpetersschools.org](http://www.saintpetersschools.org)  
Social Media: [www.twitter.com/northelem](https://www.twitter.com/northelem)

All district wide policies are on the school website at [www.saintpetersschools.org](http://www.saintpetersschools.org) or may be viewed at the District Office 100 Lincoln Dr., Suite 229, St. Peter, MN 56082

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## **WELCOME TO NORTH ELEMENTARY SCHOOL**

Situated in the beautiful Minnesota River Valley, North Elementary School is located in the middle of Saint Peter within an established neighborhood of residential homes. From the outside, it looks no different than most traditional elementary schools. And although North's physical structure and location is impressive and well-maintained, it pales in comparison to the creative and personalized learning experiences that occur on a daily basis in and around the school.

### **STRENGTHENING THE CORE**

In serving students in grades 2-4, North Elementary places a strong emphasis on expanding and accelerating student learning in the core areas of literacy and mathematics. Lesson design and classroom structures at this level reflect an intervention and enrichment philosophy to ensure high levels of learning for all students. To make this happen, all teachers differentiate instruction to meet individual student needs. During mathematics and reading blocks, students first participate in whole-class instruction and then transition to small groups that are configured based on student performance on weekly mini-assessments. Students who demonstrate significant learning needs are served by additional licensed teachers during I/E time (Intervention/Enrichment). Students demonstrating mastery of core reading and math skills are involved in enrichment experiences during small group times. Because students move in and out of different groups throughout the school day, the stigma traditionally attached to "ability grouping" is a non-issue. Independent work is supported with mobile devices that reinforce math and reading skills.

### **ENCORE CLASSES AND FLEXIBLE LEARNING**

Students at North Elementary experience physical education, art, music and STEAM (Science, Technology, Engineering, Art and Mathematics) on a rotating five-day schedule. "Second recess" and "Makerspace" gives students the necessary space to extend their learning through physical movement and makerspaces.

### **SOCIAL-EMOTIONAL LEARNING AND SUCCESS**

Our work around social-emotional learning is rooted in the belief that when children feel safe and recognized in the classroom, they can succeed academically. Social and emotional learning is the process of acquiring the skills to recognize and manage emotions, develop caring and concern for others, establish positive relationships, make responsible decisions, and handle challenging situations effectively. Our building-wide PBIS curriculum is deeply embedded in research and an understanding of the developmental needs of our 2nd through 4th grade students. Specifically, North students learn a set of social and emotional skills that include cooperation, responsibility, empathy, and self-control.

### **NAVIGATING THE Cs**

Whether learning is happening in core or encore classes, a common thread of instruction is the use of 21st century skills in communication, collaboration, critical thinking, and creativity. Students are asked to develop and share thoughts, questions, ideas and solutions with their peers and work together to reach a goal. Students bring incredible know-how to school every day, and North teachers see it as their role to help students put their skills, talents and interests to work. In the end, students win when learning paths blossom and creativity is sparked. This is the overarching goal of North Elementary and we can't wait to get started!

**Darin Doherty**  
Principal

# NORTH ELEMENTARY SCHOOL

## STRATEGIC PLAN 2016-2022

**Vision Statement:** LEARNING MATTERS

**Mission Statement:** To inspire a passion for learning that encourages and enables all individuals to reach their highest potential.



### **Core Beliefs:**

**We Believe:**

- A system-wide culture of continuous improvement drives the work of the school district.
- All students can learn and have the right to an exceptional education.
- Safe and caring school environments are essential foundations for student learning.
- Collaboration amongst staff, parents and community members enhances the fulfillment of our mission.
- Resilience is recognized and encouraged within the school experience.

### **Strategic Directions:**

**In order to reach our vision, we must:**

- Implement a guaranteed and relevant curriculum.
- Align resource allocation to rigorous educational goals.
- Engage in regular and on-going data/evidence collection, use and reporting to stakeholders.
- Develop critical thinkers, collaborators, communicators and problem solvers throughout the system.

### **Strategic Priorities for 2019-2022:** (what we want to accomplish this school year)

- Fidelity instruction for Fountas & Pinnell Classroom's Interactive Read Aloud, Shared Reading, Reading Mini Lessons, Guided Reading, Phonics, Word Study, and Benchmark Assessment System to deliver balanced literacy instruction.
- Fidelity instruction of Bridges Math curriculum and Number Corner to deliver balanced numeracy instruction.
- Implementation of Life's Journey thinking into our daily practice and learning spaces.
- Implement the new K-4 elementary quarterly report cards and increase communication of academic progress during the grading period.
- Integrate social worker time into the classroom to increase social/emotional understanding and increase self-regulation.
- Creation of a task force to build a comprehensive structure for implementing student-led conferences for the 2022-2023 school year.
- Implement Equitable Educational Practices (Office of Education Equity).
- Focus from our MTSS team to be actively aware of cultural differences while planning for identification and following interventions.

## **OUR SCHOOL DAY**

### **Starting and Ending Times**

The instructional school day for North Elementary students is 8:00 a.m. - 3:00 p.m. Students should arrive no earlier than 7:45 a.m. All doors will open at 7:45 a.m. and lock at 8:00 a.m. Students will exit the building starting at 3:00 p.m. Students walking/biking home and being picked up will exit the building through doors 4, 5, or 6. Students riding the bus will exit the building through door 6 with their teacher.

### **Building Security**

All entrance doors into our building, except the main entrance (door #1) will be locked each day at 8:00 a.m.

### **Gym Shoes**

Each student should have a separate pair of gym shoes for physical education class. This pair of shoes may be left at school and should be used only in the gymnasium. Only shoes with non-marking soles may be used in the gym.

### **Appropriate Clothing**

At North, we do not have a specific dress code. However, only clothing or appearance that is not considered distracting or disruptive to the educational program may be worn at school. Students are encouraged to keep themselves clean, healthy, and sanitary.

### **Leaving School Early**

For the safety of students leaving the building during the school day, parents/guardians need to come to the school reception office to meet the student and to sign the student out. If someone other than the parent/guardian or emergency contact will be picking up the student, a message must be sent to the office with the information regarding who that will be. **IF NO MESSAGE IS SUBMITTED TO THE OFFICE, THE STUDENT WILL NOT BE RELEASED. THIS IS FOR YOUR CHILD'S SAFETY.**

### **Phone Calls to School**

If you wish to speak to a teacher, it is best to call before school begins or after school ends. If this is inconvenient, a message may be left on voicemail for a teacher to return your call. We also ask that you **call prior to 2:00 p.m.** if you need to leave a message for your child before they leave for the day. We cannot guarantee that your child will receive the message although we will attempt to get the message to them. Parents are encouraged to contact the building principal's secretary to schedule a phone conversation or meeting at any time to discuss a concern.

### **Media Center**

Students are encouraged to check books out and return books as soon as they are finished with them. Parents can help by assisting students in remembering to return books on or before the due date.

### **Recess During Inclement Weather**

Recess during cold or inclement weather will be inside if the wind chill/real-feel is -10 or below, if it precipitating at a rate that soaks students clothing, or if there is lightning in the immediate vicinity.

### **Field Trips**

During the school year field trips are taken by the various classes. With each field trip in which students leave the City of St. Peter, permission slips are sent home for parent/guardian signatures. In the event that a parent/guardian does not want their child to go on a field trip, the child should be in attendance at school on that day or parent/guardians may keep their student home for the day. Teachers may request parent/guardian chaperones to help supervise children during the field trip. Field trips that take place with the City of St. Peter will not require parent permission, however, your student's teacher will notify their students' families prior to leaving school grounds.

### **Fire, Emergency and Weather Drills**

Regulations require that emergency drills be conducted during the school year. By law, we are required to run five (5) fire drills, five (5) lockdowns and one (1) severe weather drill. When the alarm sounds, each class will follow the directions outlined by the teacher. The purpose for the drills is to practice emergency procedures in case an emergency occurs.

### **Patriotic Exercises**

During morning announcement time, the Pledge of Allegiance will be recited each day. Anyone who does not wish to participate in reciting the pledge may elect not to do so.

## **WHAT PARENTS NEED TO KNOW**

### **Where to pick-up/drop-off Your Student**

To pick up or drop off your student, please use 7<sup>th</sup> Street or Flandrau Street. These streets border the school. The parking lot is reserved for school buses to transition through between the hours of 7:40-8:00 a.m. and 2:45-3:10 p.m.

## **Bus Services**

We work closely with Saints Bus service to provide our students with a safe ride to and from school and school related events. **All students will need to be registered for riding the bus and carry their assigned bus pass visible to the driver(s).** For more information on any school transportation-related item please contact Lucas Schaefer at [lschaefer@stpetersschools.org](mailto:lschaefer@stpetersschools.org) or (507) 934-4690.

Students at North and all other schools in the state, receive extensive school bus safety training twice each school year. Riding the school bus is a privilege, not a right. Students are expected to follow the same behavioral standards while riding the school buses as are expected on school property or at school activities, functions, or events. The State of Minnesota provides school districts guidelines for creating rules at the bus stop and on the bus. For the safety of all riders, please help reinforce the importance of following these bus rules with your child:

### **At the Bus Stop**

- Get to the bus stop 5 min before your pickup time.
- Respect the property of others.
- Keep your arms, legs, and property to yourself.
- Use appropriate language.
- No fighting, teasing, bullying, playing at the bus stop.
- Stay away from the street.
- This is a “waiting place” not a “playing place.”

### **On the Bus**

- This is a place that must be orderly and safe for all riders.
- Always listen to the bus driver.
- Sit in your seat facing forward.
- Talk quietly and use appropriate language.
- Keep all parts of your body in the bus.
- Keep your arms, legs and belongings to yourself.
- No fighting, teasing, bullying or playing around on the bus.
- Do not throw any objects.
- No eating or drinking on the bus.
- No sharp objects on the bus.
- Do not damage the bus.

Consequences for school bus/bus stop misconduct will apply to all routes. Parents will be notified of any misconduct by your child via a bus conduct report. The discipline procedure for misconduct will be as follows:

- **First offense:** Student will be warned, parents will receive a notice, and students will review the bus safety rules with a school staff member.
- **Second offense:** Student will again have the bus safety rules reviewed in a second session with a school staff member, and additional consequence may be given, and a notice will be sent to parents.
- **Third offense:** Additional instruction on the importance of following the bus safety rules will be given to the student and a call will be made to the parents to inform them that additional instances will result in a suspension from riding the bus. Additional consequences may be given.
- **Fourth & future offenses:** Student will conference with the Principal and parents will be notified of a suspension from riding the bus. Suspension duration will begin with 5 days and increase with each offense. They could result in removal from riding the bus for the remainder of the year. Any serious infraction may be cause for immediate removal.

## **TRANSPORTATION ELIGIBILITY**

Bus transportation will be provided for students who meet one of the following requirements:

- Students who live 1 mile or more from the school they attend
- Students who live within the city limits east of Highway 169 or south of Highway 99 and are without the benefits of crossing signals, and/or students who live within the city limits east of Highway 22 and north of St. Julien Street.

Parents are permitted to designate a licensed day care facility or the home of a relative, as the home of a student for transportation.

### **Parent/Teacher Conferences**

Parent-teacher conferences for all students will be held at the beginning of the school year with parents being contacted for appointments OR parents registering online. There will also be conferences held in the fall and spring of each school-year. Parents or teachers may request a conference at any time.

### **Title I Parent Advisory Committee**

Parents who have children participating in Title I reading and/or math intervention classes are invited to be members of the Title I Parent Advisory Committee. The committee meets three or four times a year. If your child is being serviced by the Title I program, you will receive notices of the meetings.

### **North PTO (Parent/Teacher Organization)**

Historically, the North PTO has been a parent group that meets regularly in an advisory role to the principal. The North PTO plans family events and raises funds for enrichment activities for North Elementary students. North is currently looking to fill the need for families to lead and participate. If you are interested, please contact the front office.

## **Volunteers**

Members of the community who would enjoy donating time to the school program may call the school office to receive information on how they can help. If parents are able to routinely volunteer at school or during other school activities a background check will be required.

## **Student Records**

The school district maintains some information necessary to carry out an effective educational program for each child. Parents have the right to examine the contents of their children's records. Others having access to the records include school staff having a legitimate educational interest in the child; another school district; a college or educational institution in which the student may enroll; and the courts when a record is requested by judicial subpoena. Only with written parental consent will a student's record be available to any other party. When a student reaches 18 years of age, required consent and the rights accorded the parent shall thereafter be required of and accorded to the student.

## **Visiting School**

All visitors are required to sign in at the front office via door 1 and display a name badge before entering the main building.

## **Equal Education Opportunity**

All school employees at North Elementary School are committed to enhancing students' quality of life by developing and fostering understanding and appreciation of a free and diverse society and providing equal opportunity for all. The school seeks to ensure equitable access and opportunities in all areas of educational programming at North. Teachers, students and families who seek reasonable accommodations for students are asked to convene the student's learning team to develop an appropriate plan. Any person having questions, are asked to contact the building Principal or the Superintendent of Schools.

<b>WHAT STUDENTS NEED TO KNOW</b>
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## **Valuables**

Items brought to school are the student's responsibility. It is suggested that valuable items be left at home. School staff cannot guarantee student items will be safe and secure.

## **Textbooks and Library Books**

All textbooks and library books are furnished free of charge by the school district. Parents/guardians assume financial responsibility for lost or damaged books.

## **Building-wide Behavioral Expectations**

At North we have a positive behavior intervention and support model called “Super Saints.” All staff are involved in the development and application of the program. Multi-tiered behavioral interventions will be implemented with students, with parents/guardians being notified and involved in the interventions.

Disciplinary action might be taken if students do not follow these expectations and a pattern of behavior is established by the student that doesn’t follow the building-wide expectations. It is the policy of the Saint Peter School District to follow the Minnesota Pupil Fair Dismissal Act in the suspension, exclusion, and expulsion of students. A copy of the school board policy concerning discipline is available at the North Office or online at [www.stpeterschools.org](http://www.stpeterschools.org)

## **Personal Electronic Devices**

Student electronic devices may be used during the instructional time at each teacher’s discretion. During social learning times (recess, lunch, breaks, etc.) devices should not be used. If a student has a personal electronic device, it is their responsibility to keep it safe and use it in a manner that is conducive to learning. If the mobile device is used in a manner deemed irresponsible during the school day it will be given to the principal and will be returned only to a parent/guardian.

## **Responsible use of Technology**

School assigned technology devices are intended for use at school each day. Many class assignments, assessments, additional course content delivery will occur on the devices.

## **Backgrounds, Passwords, and Apple IDs**

- Inappropriate media may not be used as a background or stored on the device.
- Presence of guns, weapons, pornographic materials, inappropriate language, alcohol, drug, gang related symbols or pictures will result in disciplinary actions.
- Take care to protect your passwords. Do not share your passwords.
- Elementary iPads will not require individual Apple IDs. Chromebooks will require a School District issued Gmail username and password.

## **Printing**

Printing from personal technology devices is NOT supported by the School District of Saint Peter.

## **Accessing, Managing and Saving Your Digital Work**

- Most course content creations will not be saved to the devices. They will be uploaded to a cloud service, or emailed/shared with the student’s teacher.
- Cloud-based storage systems, such as Google Drive, will be available for student use.

- Google Drive includes a suite of products (Docs, Slides, Drawings, Spreadsheets, Forms) that lets you create different kinds of online documents, work on them in real time with other people, and store your documents and your other files.

## **Acceptable Use Guidelines**

### General Guidelines:

- Students will have access to all available forms of electronic media and communication which is in support of education and research and in support of the educational goals and objectives of the School District of Saint Peter.
- Students are responsible for their ethical and educational use of the technology resources of the School District of Saint Peter.
- Students will recognize that their reputation in cyberspace is nothing to take lightly. One's digital footprint can last a lifetime.
- Access to the School District of Saint Peter technology resources is a privilege and not a right. Each employee, student and/or parent will be required to follow the District's Internet Safety and Acceptable Use.
- Transmission of any material that is in violation of any federal or state law is prohibited. This includes, but is not limited to the following: confidential information, copyrighted material, and threatening or obscene material.
- Any attempt to alter data, the configuration of a device, or the files of another user, without the consent of the individual, building administrator, or technology administrator, will be considered an act of vandalism and subject to disciplinary action in accordance with the student handbook and other applicable school policies.

## **Privacy and Safety**

- Do not go into unapproved social media sites, chat rooms, or send chain letters without permission. If applicable, teachers may create discussion groups for communication among students for educational purposes.
- Do not open, use, or change files that do not belong to you.
- Do not reveal your full name, phone number, home address, social security number, credit card numbers, password or passwords to other people.
- Remember that storage is not guaranteed to be private or confidential.
- If you inadvertently access a website that contains obscene, pornographic or otherwise offensive material, exit the site immediately, and report it to a teacher. This is an open share policy, students who report inappropriate material will not be disciplined if they do so in an immediate manner.
- Any sharing of student work and/or student images on school district sites, and/or school district-sanctioned sites will first have to be approved by parents.

## **Legal Property**

- Comply with trademark and copyright laws and all license agreements. Ignorance of the law is not immunity. If you are unsure, ask a teacher or parent.

- Plagiarism is a violation of the student policy. Give credit to all sources used, whether quoted or summarized. This includes all forms of media on the Internet, such as graphics, movies, music, and text.
- Use or possession of hacking software is strictly prohibited and violators will be subject to discipline. Violation of applicable state or federal law, including the Minnesota Penal Code, Computer Crimes, will result in criminal prosecution or disciplinary action by the District.

### **Electronic Communication**

- Do not transmit language/material that may be considered profane, obscene, abusive, or offensive to others.
- Do not send mass emails, chain letters or spam.
- Email & communications sent/received should be related to educational needs.
- Email & communications are subject to inspection by the school at any time.

### **Consequences**

- The student in whose name a system account and/or a technology device is issued will be responsible at all times for its appropriate use.
- Non-compliance with the policies of this document or the District's Internet Safety and Acceptable Use will result in disciplinary action.
- Electronic mail, network usage, and all stored files shall not be considered confidential and may be monitored at any time by designated district staff to ensure appropriate use.
- The district cooperates fully with local, state or federal officials in any investigation concerning or relating to violations of computer crime laws.

### **Technology Device Identification**

- Student technology devices will be labeled in the manner specified by the school.
- Devices can be identified by their serial number.
- Devices are the responsibility of the student and teacher. Students found to be vandalizing devices on purpose may be subject to disciplinary action.

### **Account Security**

- School issued user IDs and passwords may be used to access course content and materials.
- User IDs and passwords are confidential and should not be shared.
- Students can reset their passwords with the assistance of the Library Media Center Help Desk when necessary.

### **Damage/Repair Fees**

- Damages and repairs will be dealt with on a case by case basis as per the student handbook school district property usage policies. Fines will be levied if need be with prices never to exceed the full cost of the device and/or case.

## **Student Conduct Themes**

**BE RESPONSIBLE  
SHOW GRIT  
BE A LEADER**

**These expectations may include, but are not limited to the following:**

### **A. PLAYGROUND EXPECTATIONS**

- Students are expected to show respect for and follow directions given by the supervisor.
- Students are expected to stay within the boundaries of the playground as set by school personnel.
- Students are expected to play outside at morning or lunch recess and to line up properly in front of the door when the bell rings or when called by school personnel.
- Students are expected to refrain from throwing or kicking objects that are not approved playground equipment.

### **B. HALLWAY EXPECTATIONS**

- Students are expected to walk and talk quietly when passing in the halls.
- Playground equipment or physical education equipment will be carried in the halls.
- Students are expected to talk softly and use all restroom facilities in a proper manner.
- Students are expected to play outside in the morning or wait in the hallway by the gym until the supervisor instructs them to go to their classroom.
- Students are expected to close locker doors quietly.

### **C. RESTROOM EXPECTATIONS**

Students are expected to behave in a socially acceptable manner in the restroom.

### **D. LUNCHROOM EXPECTATIONS**

- Students are expected to behave in a socially acceptable manner in the cafeteria.
- Students are expected to sit in their designated area.
- Students are expected to go directly to their next event.

### **E. STUDENT EXPECTATIONS REGARDING CLASSROOM BEHAVIOR**

- Students are expected to follow the directions of the classroom teacher and show respect for the teacher and classmates at all times.
- Students are expected to be ready to learn as directed by their teacher at 8:00AM.

### **F. EXTREME MISCONDUCT**

North Elementary will follow the school district's policies regarding drug/alcohol, assault, weapon, and harassment as stated in the Student/Parent Handbook.

## **G. CONSEQUENCES**

- Although North Elementary promotes self-regulation, it is recognized that there are instances when it will be necessary to administer disciplinary measures. When necessary, school personnel will select from a range of appropriate and effective consequences. The Student Conduct Program currently utilized is a discipline option for school personnel: The adult will inform the student of the violation and guardians will also be notified.
- The student may be removed from the classroom and sent to the Student Success room or North Office area to complete a plan for change.
- If the principal determines that the consequence is suspension of the student from school, parents/guardians will be immediately notified. They will receive information about Pupil Fair Dismissal Act and a reentry plan will be communicated.
- A summarization of the violation and the plan for change will be sent home to parents/guardians.

## **GETTING INFORMATION HOME**

### **Closing Schools**

Schools may be closed by the Superintendent of Schools or designee in the event of extreme weather conditions or emergency circumstances. The district will use the phone system called “Blackboard Connect” for official announcements. These announcements will come to your phone and email on file with the district. PLEASE CONTACT THE SCHOOL IN A TIMELY FASHION WHEN PHONE NUMBERS AND ADDRESSES CHANGE SO THAT YOU WILL RECEIVE THESE EMERGENCY MESSAGES.

### **Flexible Learning Days**

All students at North have access to a shared virtual space called Seesaw. Students have been using Seesaw to document their learning through the guidance of their teachers at school. By using their Google login information, students can access the Seesaw app through mobile devices or the [app.seesaw.me](http://app.seesaw.me) webpage on a computer. If a Flexible Learning Day occurs, students will login to their Seesaw account and complete the learning tasks assigned by their teachers. North teachers will have the day's tasks posted on the Seesaw site by 10:00 am on the Flexible Learning Day. For students who don't have internet access on inclement weather days, their teacher will provide time and resources for them to complete the Flexible Learning Day tasks on the next day that school is in session.

### **Report Cards**

Report cards will be available at the end of each quarter, and will be available online through Infinite Campus, our student data reporting system. Report cards will also be sent home with students at the end of the week following a teacher workday. You may sign up for Infinite Campus by contacting central registration at the district office.

## **OUR SCHOOL GROUNDS**

### **Bicycles, Skateboards and Scooters**

Students may ride bicycles, skateboards or scooters to school. Bike racks are provided for parking bikes. Skateboards and scooters should be stored inside the building. Students must assume responsibility for their own property. For safety reasons, the following rules must be complied with:

- All bicycles must be parked in the bike racks. It is recommended that bicycles be locked and that all safety rules are obeyed.
- Students may not ride their bicycles, skateboards or scooters during the school day, unless it is for teacher supervised, educational purposes.
- Students may not ride a bicycle, skateboard or scooter belonging to another student.
- Students are not allowed to ride a bicycle, skateboard or scooter on school grounds during a school day. This is for their safety as there is a lot of traffic with pick-up and drop-off. They must walk with them to where they will be placed for the school day before school and walk to the end of school property at the end of the day.

### **Supervision Before and After School**

Supervision will NOT be provided for students prior to 7:45 a.m.. Students should not arrive at school before this time. At the conclusion of the instructional day at 3:00 p.m., students waiting to be picked up will be supervised by our crossing guards until 3:15 p.m. After 3:15 p.m. any students who haven't been picked up will be taken to the office to contact parents. During inclement weather students may wait inside the building entrance. North's behavioral expectations apply on school grounds at all times.

### **Trespass on School Property**

It is a misdemeanor for a person to enter or be found in a public or non-public elementary, intermediate, middle or secondary school building unless the person:

- is enrolled as a student in the school, a parent or guardian of an enrolled student in the school, or an employee of the school or school district;
- has permission or an invitation from a school official to be in the building;
- is attending a school event, class or meeting to which the person, the public or the student's family is invited;
- has reported their presence in the school building in a manner required for visitors to the school. (Report to the main office)

## THE SCHOOL OFFICES

### Address Changes

Parents/Students who have a change of address, telephone number or email address during the school year should report these changes to the District Office, 507-934-5703 ext. 1016.

### Lunch Ticket and Milk Fees

<b>Meal</b> *Meal prices include milk	<b>2022-23 Prices</b>
<b>Kindergarten Breakfast</b>	<b>FREE for all K students</b>
<b>Grades 1-4 Breakfast</b>	<b>\$1.50</b>
<b>Grades K-4 Lunch</b>	<b>\$3.10</b>
<b>Adult Breakfast</b>	<b>\$ 2.35</b>
<b>Adult Lunch</b>	<b>\$4.25</b>
<b>Extra Milk</b>	<b>\$0.40</b>

**FREE BREAKFAST AND LUNCH for all students who qualify for FREE OR REDUCED meals.**

To be the most alert, energetic, and productive every student should have a good breakfast before school each day. Although children may not be hungry when they first wake up, a good breakfast is essential to the demands of work. If your child does not prefer eating before they leave for school, we can offer a nutritious breakfast. We have a full service kitchen that provides us with breakfast and lunch. Both meals and milk are available through the food service. The students are assigned an account number and parents are to put money in the account periodically. Reminder notices are sent out when the account is getting low. Forms are available for parents/guardians to fill out for free and reduced meals. These forms will be made available all year. If you are having difficulty keeping up with your account balance, please contact the office.

### Unpaid Meal Charges

Saint Peter Public Schools offers breakfast and lunch meals to students who meet state and federal guidelines. The District works to promote healthy eating habits and enhance learning as well as maintain the financial integrity of the National School Breakfast and Lunch

program and eliminate stigmatization of children who are unable to pay meal charges.

School districts in Minnesota are required to have procedures in place to establish consistent practices for the provision of meals to students who have insufficient funds in their school meal accounts and the collection of unpaid meal debt. The following information outlines the school district's procedure:

All students, regardless of their lunch account balance, will be offered a school breakfast and lunch each school day. Students with a negative meal account balance of -\$20.00 or more are not allowed to charge for additional items, however students may purchase extra items with cash.

### **Payment Options**

Families can pay for meals online via Infinite Campus at no charge or submit a check or cash at any school office or cafeteria.

### **Free and Reduced Meal Program**

Applications for free/reduced meals are required yearly for each family to receive benefits. Families can apply for free/reduced-price meal benefits anytime during the school year. Meal applications are distributed to all families prior to the first day of classes. Applications are also available in school offices, on the school district website (stpetersschools.org) or at the District Office. Families can apply for meal benefits anytime during the school year should family size or income change.

### **Attendance**

Students are expected to be in school every day unless they are ill or there is a family emergency. If a student is absent a parent/guardian is required to call the school (507) 934-3260 ext 4038. If there is no answer, leave a message. A phone call with a brief description of why the student is absent will excuse the absence. If our attendance clerk is not able to reach a parent/guardian OR a message is not left on the attendance line by a parent/guardian the student will be marked as unexcused. (A written description of student absence will also be accepted.) It is recommended that appointments be made outside school hours whenever possible. Parents/guardians should notify the school if a child will be absent for an extended period of time so that make-up work may be provided.

### **Absence from School**

If a child is absent from school without a school principal excused reason for more than seven days, the child's parent or guardian will be contacted and, if necessary, the county attorney may be informed.

At North Elementary attendance is taken two times daily. The first attendance is taken between 8:00 - 8:15 am. and the second is after each homeroom's lunch/recess. If a student arrives after 9:00 am. they will be marked as absent for the morning, which is calculated as ½ day absence. If the student is not present in their homeroom after lunch/recess they will be

counted as absent ½ day. Students will also be marked absent for the full afternoon if they leave from school one hour before the end of the school day.

### **Reporting Attendance**

- **Step 1:** Teachers report attendance to the office by 8:15 am. Teachers maintain regular contact with parents/guardians of students with repeated absences. Any chronic absences are reported to the social worker and school principal. The school office monitors attendance via a monthly report.
- **Step 2:** After six (6) absences (unexcused or excused without proper reason or apparent medical condition) the principal and social workers review the case and may send a letter to the parents/guardians notifying them of an upcoming contact from the (principal, school nurse, social worker, other.) This contact will be made within two (2) weeks of the initial letter. Minnesota Statutes mandating school attendance and the long-range effects of chronic absences will be discussed with the parents/guardians.
- **Step 3:** After seven (7) absences the attendance team will meet to determine the next intervention to be made. Individual cases will vary. Team members may include the parent, principal, teacher, school social worker, nurse, county social service representative, school psychologist, and others relevant to the individual situation.
- **Step 4:** If attendance has not improved after the team conference, reporting educational neglect or truancy to the appropriate agencies may happen.

### **Transfer from School**

If a student withdraws from school before the end of the school year, the school office should be notified at least two days before the date of departure. Parents/guardians should contact Central Registration with transfer information so that the student's records can be sent to the new school when requested.

### **Child Abuse and Neglect**

In accordance with the State Law (Statute Number 626.556) all cases where there is reasonable cause to believe a child is being neglected or physically or sexually abused shall be reported immediately to the local welfare agency.

Teachers may report all such cases directly to the local welfare agency or may seek the assistance of the building principal, the school social worker, and/or the Student Assistance Team. Reports will be made by telephone with a follow-up letter, and will remain confidential information among the persons listed above.

<b>INFORMATION FROM THE NURSE</b>
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If a child becomes ill at school and would need to go home, school personnel will call the parent/guardian at home or work. If the parent/guardian cannot be reached, the person you have designated as your child's emergency alternate will be called. Transportation arrangements for the ill child are the responsibility of the parent. Until the child is picked up,

they will be cared for in the nurse's office. If there is a change of telephone numbers for either yourself or the emergency alternate, please notify the school as soon as possible.

### **When Should a Child Stay Home?**

If a child is vomiting or has diarrhea, they should stay home for 24 hours after the vomiting or diarrhea has stopped. If a child has a temperature 100 degrees or greater, they should remain at home. Students should remain at home for 24 hours without fever reducing medication, such as Tylenol, before returning to school. Schools are not properly staffed or equipped to tend to the clinical needs of sick children. Our school can only temporarily provide for your child's medical needs if they are ill. Parents/guardians should arrive promptly following a phone call from school.

### **Emergency Care Policy**

In the event of an emergency or serious illness, it is the policy of the school district to provide appropriate medical response and to contact the parent/guardian as quickly as possible. In the event of a serious emergency, the school will call 911, emergency response personnel immediately. The parent/guardian or designee will be contacted at the same time. If the situation is not life threatening but the student requires urgent care and the school cannot contact a parent/guardian or designee, school personnel will transport (or call 911) the student to the nearest clinic or hospital. It is the responsibility of the parent/guardian to pay any incurred medical expense. It is the parent/guardian's responsibility to make arrangements for proper care in the event of illness/injury. If the parent is unable to be reached, other contacts will be called and asked to assume temporary care of the child or make decisions in regard to the care of the child.

### **Medication**

Parents/guardians requesting that medication (either prescription or nonprescription) be administered during school hours by school staff are required to provide the following:

- A statement from the physician for the administration of medication
- A parent/guardian release for the administration of medication
- The medication in the original, properly labeled, pharmacy container

### **Immunization Law**

Minnesota State law requires all children attending public schools to be fully immunized against diphtheria, tetanus, pertussis (DTP), polio, and measles, mumps and rubella (MMR). A student entering grades K - 6 should have had 5 DTP, 4 polio, 2 MMR immunizations, and 3 Hepatitis B vaccines, and two varicella (chickenpox) vaccines. Parents/guardians who hold conscientious beliefs contrary to the immunizations law need to submit the conscientious objection form to the school. Students who are not fully immunized will need to update their vaccinations to remain in school. The school nurse will assist families in identifying vaccines needed and local resources available to meet those needs.

## **Communicable Diseases**

In the event that your child develops a communicable disease during the school year, please notify the school so we can then observe other students for signs of illness. Examples of common childhood communicable diseases are chicken pox, pink eye, strep throat, head lice, impetigo, flu, COVID, and the common cold. Please call the nurse if you have questions regarding your child's illness or when your child can return to school. Any question or concerns call our school nurse, Rachel Fitch, RN. If you are unable to reach the nurse, please contact one of the building secretaries and they will have the nurse return your call ASAP.

## **Staying Indoors at Recess**

Except during inclement weather, students are expected to be outdoors at recess. It may be necessary, on occasion, for students to stay in for health reasons. A parent's/guardian's written request is needed for a child to remain inside at recess; and a doctor's recommendation will be expected if a student needs to stay in for an extended amount of time.

<b>ADDITIONAL INFORMATION</b>
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## **Lost and Found**

We have a lost and found table near the office. Parents/guardians and students are encouraged to check this area for articles, which may have been lost. At the conclusion of the school year, unclaimed items will be donated or disposed of.

## **Dress for the Weather**

Because of our continually changing weather, please make sure that students are sent to school dressed appropriately and with proper footwear during extreme weather temperatures/conditions.

## **Treats**

State law prohibits homemade food from being brought to school to serve as treats for parties, birthdays, etc.

## **Private Parties**

In order to be sensitive to the feelings of all students, we ask that invitations to parties which may exclude some children be made outside of the school day.

### **Athletic Events at the Middle and High School**

We ask that elementary students attend St. Peter High School athletic events accompanied by an adult. While in attendance at athletic events, students should behave in a North Star manner or they will be asked to leave the event, or stay with their parents/guardians.

### **Soliciting and Trading**

Because of the problems that may arise, students should not trade personal items or solicit for individual profit.

### **School Visitation by Children**

Occasionally, requests are made by students to have children who are friends or relatives visit school. We discourage such visits because it causes disruption to the normal classroom routine and the process of learning. All exceptions to this rule must be reviewed by the building principal.

### **Elopement Plan**

Students who have demonstrated a pattern of elopement from the school setting will have a specific elopement plan developed in collaboration with parents/guardians, case manager, teacher, principal, social worker, nurse and others as identified.

## Parent/Guardian Guide to Statewide Testing



## Parent/Guardian Guide to Statewide Testing

This document provides basic information to help parents/guardians make informed decisions that benefit their children, schools and communities.

### Why statewide testing?

Minnesota values its educational system and the professionalism of its educators. Minnesota educators created the academic standards which are rigorous and prepare our students for career and college.

The statewide assessments are how we as a state measure that curriculum and daily instruction in our schools are being aligned to the academics standards, ensuring all students are being provided an equitable education. Statewide assessment results are just one tool to monitor that we are providing our children with the education that will ensure a strong workforce and knowledgeable citizens.

### Why does participation matter?

A statewide assessment is just one measure of your student's achievement, but your student's participation is important to understand how effectively the education at your student's school is aligned to the academic standards.

- Students who do not participate will receive a score of "not proficient."
- Students who receive a college-ready score on the high school MCA are not required to take a remedial, noncredit course at a Minnesota State college or university in the corresponding subject area, potentially saving time and money.
- Educators and policy makers use information from assessments to make decisions about resources and support provided.
- Parents and the general public use assessment information to compare schools and make decisions about where to purchase a home or to enroll their children.
- School performance results that are publicly released and used by families and communities, are negatively impacted if students do not participate in assessments.

## Academic Standards and Assessments

### What are academic standards?

The [Minnesota K–12 Academic Standards](#) are the statewide expectations for student academic achievement. They identify the knowledge and skills that all students must achieve in a content area and are organized by grade level. School districts determine how students will meet the standards by developing courses and curriculum aligned to the academic standards.

### What is the relationship between academic statewide assessments and the academic standards?

The statewide assessments in mathematics, reading, and science are used to measure whether students, and their school and district, are meeting the academic standards. Statewide assessments are one measure of how well students are doing on the content that is part of their daily instruction. It is also a measure of how well schools and districts are doing in aligning their curriculum and teaching the standards.

#### Minnesota Comprehensive Assessment (MCA) and Minnesota Test of Academic Skills (MTAS)

- Based on the Minnesota Academic Standards; given annually in grades 3-8 and in high school in reading and mathematics; given annually in grades 5, 8 and in high school for science.
- Majority of students take the MCA.
- MTAS is an option for students with the most significant cognitive disabilities.

#### ACCESS and Alternate ACCESS for English Learners

- Based on the WIDA English Language Development Standards.
- Given annually to English learners in grades K–12 in reading, writing, listening and speaking.
- Majority of English learners take ACCESS for ELLs.
- Alternate ACCESS for ELLs is an option for English learners with the most significant cognitive disabilities.

## Why are these assessments effective?

Minnesota believes that in order to effectively measure what students are learning, testing needs to be more than answering multiple choice questions.

- To answer questions, students may need to type in answers, drag and drop images and words, or manipulate a graph or information.
- The reading and mathematics MCAs are adaptive, which means the answers a student provides determine the next questions the student will answer.
- The science MCA incorporates simulations, which require students to perform experiments in order to answer questions.

All of these provide students the opportunity to apply critical thinking needed for success in college and careers and show what they know and can do.

Because test content represents the academic standards as completely as possible, preparing for and taking the assessments uses the very same knowledge, processes and strategies included in the standards.

## Are there limits on local testing?

As stated in 120B.301, for students in grades 1-6, the cumulative total amount of time spent taking locally adopted districtwide or schoolwide assessments must not exceed 10 hours per school year. For students in grades 7-12, the cumulative total amount of time spent taking locally adopted districtwide or schoolwide assessments must not exceed 11 hours per school year.

In an effort to encourage transparency, the statute also requires a district or charter school, before the first day of each school year, to publish on its website a comprehensive calendar of standardized tests to be administered in the district or charter school during that school year. The calendar must provide the rationale for administering each assessment and indicate whether the assessment is a local option or required by state or federal law.

## What if I choose not to have my student participate?

Parents/guardians have a right to not have their student participate in state-required standardized assessments. Minnesota Statutes require the department to provide information about statewide assessments to parents/guardians and include a form to complete if they refuse to have their student participate. This form follows on the next page and includes an area to note the reason for the refusal to participate. Your student's district may require additional information.

A school or district may have additional consequences beyond those mentioned in this document for a student not participating in the state-required standardized assessments. There may also be consequences for not participating in assessments selected and administered at the local level. Please contact your school for more information regarding local decisions.

## When do students take the assessments?

Each school sets their testing schedule within the state testing window. Contact your student's school for information on specific testing days.

- The MCA and MTAS testing window begins in March and ends in May.
- The ACCESS and Alternate ACCESS for ELLs testing window begins at the end of January and ends in March.

## When do I receive my student's results?

Each summer, individual student reports are sent to school districts and are provided to families no later than fall conferences. The reports can be used to see your child's progress and help guide future instruction.

## How much time is spent on testing?

Statewide assessments are taken one time each year; the majority of students test online. On average, the amount of time spent taking statewide assessments is less than 1 percent of instructional time in a school year. The assessments are not timed and students can continue working as long as they need.

## Why does it seem like my student is taking more tests?

The statewide required tests are limited to those outlined in this document. Many districts make local decisions to administer additional tests that the state does not require. Contact your district for more information.

## Where do I get more information?

Students and families can find out more on our [Statewide Testing page](https://education.state.mn.us/Students-and-Families/Statewide-Testing) (education.state.mn.us > Students and Families > Statewide Testing).



Minnesota Statutes, section 120B.31, subdivision 4a, requires the commissioner to create and publish a form for parents and guardians to complete if they refuse to have their student participate in state-required standardized assessments. Your student's district may require additional information. School districts must post this form on the district website and include it in district student handbooks.

## Parent/Guardian Refusal for Student Participation in Statewide Assessments

To opt out of statewide assessments, the parent/guardian must complete this form and return it to the student's school.

*To best support school district planning, please submit this form to the student's school no later than January 15 of the academic school year. For students who enroll after a statewide testing window begins, please submit the form within two weeks of enrollment. A new refusal form is required each year parents/guardians wish to opt the student out of statewide assessments.*

Date \_\_\_\_\_ (This form is **only** applicable for the 20\_\_ to 20\_\_ school year.)

Student's Legal First Name \_\_\_\_\_ Student's Legal Middle Initial \_\_\_\_\_

Student's Legal Last Name \_\_\_\_\_ Student's Date of Birth \_\_\_\_\_

Student's District/School \_\_\_\_\_ Grade \_\_\_\_\_

**Please initial to indicate you have received and reviewed information about statewide testing.**

\_\_\_\_\_ I received information on statewide assessments and choose to opt my student out. MDE provides a *Parent/Guardian Guide to Statewide Testing* on the [MDE website](#) (Students and Families > Statewide Testing).

Reason for refusal:

Please indicate the statewide assessment(s) you are opting the student out of this school year:

\_\_\_\_\_ MCA/MTAS Reading

\_\_\_\_\_ MCA/MTAS Science

\_\_\_\_\_ MCA/MTAS Mathematics

\_\_\_\_\_ ACCESS or Alternate ACCESS for ELLs

Contact your school or district for the form to opt out of local assessments.

**I understand that by signing this form, my student will receive a score of "not proficient" and waives the opportunity to receive a college-ready score that could save him/her time and money by not having to take remedial, non-credit courses at a Minnesota State college or university. My school and I may lose valuable information about how well my student is progressing academically. In addition, opting out may impact the school, district, and state's efforts to equitably distribute resources and support student learning.**

Parent/Guardian Name (print) \_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_

To be completed by school or district staff only.

Student ID or MARSS Number \_\_\_\_\_

## SCHOOL DISTRICT POLICIES

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| <ul style="list-style-type: none"><li>• <a href="#">Employment Background Checks: Policy 404</a></li><li>• <a href="#">Bullying Prohibition: Policy 514</a></li><li>• <a href="#">Distribution of Nonschool-Sponsored Materials: Policy 505</a></li><li>• <a href="#">Harassment and Violence: Policy 413</a></li></ul> | <ul style="list-style-type: none"><li>• <a href="#">Hazing Prohibition: Policy 526</a></li><li>• <a href="#">Student Attendance: Policy 503</a></li><li>• <a href="#">Student Discipline: Policy 506</a></li><li>• <a href="#">Tobacco-Free Environment: Policy 419</a></li><li>• <a href="#">Unpaid Meal charges: Policy 534</a></li></ul> |
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### Policy 404: EMPLOYMENT BACKGROUND CHECKS

#### I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment in the school district in order to promote the physical, social, and psychological well-being of its students. To that end, the school district will seek a criminal history background check for applicants who receive an offer of employment with the school district and on all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, regardless of whether any compensation is paid, or such other background checks as provided by this policy. The school district may also elect to do background checks of other volunteers, independent contractors, and student employees in the school district.

#### II. GENERAL STATEMENT OF POLICY

- A. The school district shall require that applicants for school district positions who receive an offer of employment and all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, regardless of whether any compensation is paid, submit to a criminal history background check. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by the school district that an individual's criminal history does not preclude the individual from employment with, or provision of services to, the school district.
- B. The school district specifically reserves any and all rights it may have to conduct background checks regarding current employees, applicants, or service providers without the consent of such individuals.
- C. Adherence to this policy by the school district shall in no way limit the school district's right to require additional information, or to use procedures currently in place or other procedures to gain additional background information concerning employees, applicants, volunteers, service providers, independent contractors, and student employees.

#### III. PROCEDURES

- A. Normally an individual will not commence employment or provide services until the school district receives the results of the criminal history background check. The school district may conditionally hire an applicant or allow an individual to provide services pending completion of the background check but shall notify the individual that the individual's employment or opportunity to provide services may be terminated based on the result of the background check. Background checks will

be performed by the Minnesota Bureau of Criminal Apprehension (BCA). The BCA shall conduct the background check by retrieving criminal history data as defined in Minn. Stat. § 13.87. The school district reserves the right to also have criminal history background checks conducted by other organizations or agencies.

- B. In order for an individual to be eligible for employment or to provide athletic coaching services or other extracurricular academic coaching services to the school district, except for an enrolled student volunteer, the individual must sign a criminal history consent form, which provides permission for the school district to conduct a criminal history background check, and provide payment for conducting the criminal history background check. The cost of the criminal history background check is the responsibility of the individual, unless the school district decides to pay the costs for a volunteer, an independent contractor, or a student employee. If the individual to provide a criminal background check at the time the individual receives a job offer, or permission to provide services, the individual will be considered to have voluntarily withdrawn the application for employment or request to provide services.
- C. When required, individuals must provide fingerprints to assist in a criminal history background check. If the fingerprints provided by the individual are unusable, the individual will be required to submit another set of prints.
- D. Copies of this policy shall be available in the school district's employment office and will be distributed to applicants for employment and individuals who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services upon request. The need to submit to a criminal history background check may be included with the basic criteria for employment or provision of services in the position posting and position advertisements.
- E. The individual will be informed of the results of the criminal background check(s) to the extent required by law.
- F. If the criminal history background check precludes employment with, or provision of services to, the school district, the individual will be so advised.
- G. The school district may apply these procedures to other volunteers, independent contractors, or student employees.
- H. At the beginning of each school year or when a student enrolls, the school district will notify parents and guardians about this policy and identify those positions subject to a background check and the extent of the school district's discretion in requiring a background check. The school district may include this notice in its student handbook, a school policy guide, or other similar communication. A form notice for this purpose is included with this policy.

#### **IV. CRIMINAL HISTORY CONSENT FORM**

A form to obtain consent for a criminal history background check is included with this policy.

### **514 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 a student's ability to learn and/or a 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 to remediate and discipline for 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 disruptive and detrimental 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 school district property, at school functions or activities, 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 or 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 or negate 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, retaliation, 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 the 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 research-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.

- 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 harming 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 harming 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 defined 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 person 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 in 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 responsible 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, 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 officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the 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 an 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; the student discipline policy (See MSBA/MASA Model Policy 506) and other applicable school district policies; and applicable 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 to 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, reprisal, 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 target or victim, and to make resources or referrals to resources available to targets or 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 (See MSBA/MASA Model Policy 515) 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.

### **505 DISTRIBUTION OF NONSCHOOL-SPONSORED MATERIALS ON SCHOOL PREMISES BY STUDENTS AND EMPLOYEES**

#### **I. PURPOSE**

The purpose of this policy is to protect the exercise of students' and employees' free speech rights, taking into

consideration the educational objectives and responsibilities of the school district.

## **II. GENERAL STATEMENT OF POLICY**

- A. The school district recognizes that students and employees have the right to express themselves on school property. This protection includes the right to distribute, at a reasonable time and place and in a reasonable manner, nonschool-sponsored material.
- B. To protect First Amendment rights, while at the same time preserving the integrity of the educational objectives and responsibilities of the school district, the school board adopts the following regulations and procedures regarding distribution of nonschool-sponsored material on school property and at school activities.

## **III. DEFINITIONS**

- A. "Distribute" or "Distribution" means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying material, or placing material in internal staff or student mailboxes.
- B. "Nonschool-sponsored material" or "unofficial material" includes all materials or objects intended for distribution, except school newspapers, employee newsletters, literary magazines, yearbooks, and other publications funded and/or sponsored or authorized by the school. Examples of nonschool-sponsored materials include, but are not limited to, leaflets, brochures, buttons, badges, flyers, petitions, posters, and underground newspapers whether written by students or employees or others, and tangible objects.
- C. "Obscene to minors" means:
  - 1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
  - 2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and
  - 3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- D. "Minor" means any person under the age of eighteen (18).
- E. "Material and substantial disruption" of a normal school activity means:
  - 1. Where the normal school activity is an educational program of the district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
  - 2. Where the normal school activity is voluntary in nature (including school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event,

participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

In order for expression to be considered disruptive, specific facts must exist upon which the likelihood of disruption can be forecast including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.

- F. "School activities" means any activity sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods.
- G. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower that individual in the esteem of the community.

#### **IV. GUIDELINES**

- A. Students and employees of the school district have the right to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, nonschool-sponsored material.
- B. Requests for distribution of nonschool-sponsored material will be reviewed by the administration on a case-by-case basis. However, distribution of the materials listed below is always prohibited. Material is prohibited that:
  - 1. is obscene to minors;
  - 2. is libelous or slanderous;
  - 3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended;
  - 4. advertises or promotes any product or service not permitted to minors by law;
  - 5. advocates violence or other illegal conduct;
  - 6. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religious, or ethnic origin);
  - 7. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.
- C. Distribution by students and employees of nonschool-sponsored materials on school district property are subject to reasonable time, place, and manner restrictions set forth below. In making decisions regarding the time, place, and manner of distribution, the administration will consider factors including, but not limited to, the following:
  - 1. whether the material is educationally related;

2. the extent to which distribution is likely to cause disruption of or interference with the school district's educational objectives, discipline, or school activities;
3. whether the materials can be distributed from the office or other isolated location so as to minimize disruption of traffic flow in hallways;
4. the quantity or size of materials to be distributed;
5. whether distribution would require assignment of school district staff, use of school district equipment, or other resources;
6. whether distribution would require that nonschool persons be present on the school grounds;
7. whether the materials are a solicitation for goods or services not requested by the recipients.

**V. TIME, PLACE, AND MANNER OF DISTRIBUTION**

- A. No nonschool-sponsored material shall be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.
- B. Distribution of nonschool-sponsored material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the school, and school parking lots. Distribution shall not impede entrance to or exit from school premises in any way.
- C. No one shall coerce a student or staff member to accept any publication.
- D. The time, place, and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy.

**VI. PROCEDURES**

- A. Any student or employee wishing to distribute (as defined in this policy) nonschool-sponsored material must first submit for approval a copy of the material to the principal at least 24 hours in advance of desired distribution time, together with the following information:
  1. Name and phone number of the person submitting the request and, if a student, the room number of his or her first-period class.
  2. Date(s) and time(s) of day intended for distribution.
  3. Location where material will be distributed.
  4. If material is intended for students, the grade(s) of students to whom the distribution is intended.
- B. Within one school day, the principal will review the request and render a decision. In the event that permission to distribute the material is denied or limited, the person submitting the request should be informed in writing of the reasons for the denial or limitation.
- C. If the person submitting the request does not receive a response within one school day, the person

shall contact the office to verify that the lack of response was not due to an inability to locate the person.

- D. If the person is dissatisfied with the decision of the principal, the person may submit a written request for appeal to the superintendent. If the person does not receive a response within three (3) school days (not counting Saturdays, Sundays, and holidays) of submitting the appeal, the person shall contact the office of the superintendent to verify that the lack of response is not due to an inability to locate the person.
- E. Permission or denial of permission to distribute material does not imply approval or disapproval of its contents by either the school, the administration of the school, the school board, or the individual reviewing the material submitted.

## **VII. DISCIPLINARY ACTION**

- A. Distribution by any student of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place, and manner of distribution as described above will be halted and disciplinary action will be taken in accordance with the school district's Student Discipline Policy.
- B. Distribution by any employee of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place, and manner of distribution as described above will be halted and appropriate disciplinary action will be taken, in accordance with any individual contract, collective bargaining agreement, school district policies and procedures, and/or governing statute.
- C. Any other party violating this policy will be requested to leave the school property immediately and, if necessary, the police will be called.

## **VIII. NOTICE OF POLICY TO STUDENTS AND EMPLOYEES**

A copy of this policy will be published in student handbooks and posted in school buildings.

## **IX. IMPLEMENTATION**

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

# **413 HARASSMENT AND VIOLENCE**

## **I. PURPOSE**

The purpose of this policy is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.

## **II. GENERAL STATEMENT OF POLICY**

- A. The policy of the school district is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age,

marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.

- B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, as defined by this policy. (For purposes of this policy, school district personnel include school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)
- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who is found to have violated this policy.

### **III. DEFINITIONS**

- A. "Assault" is:
  - 1. an act done with intent to cause fear in another of immediate bodily harm or death;
  - 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
  - 3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability when the conduct:
  - 1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
  - 2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
  - 3. otherwise adversely affects an individual's employment or academic opportunities.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions
  - 1. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:

- a) has a physical, sensory, or mental impairment which materially limits one or more major life activities;
  - b) has a record of such an impairment; or
  - c) is regarded as having such an impairment.
2. "Familial status" means the condition of one or more minors being domiciled with:
- a) their parent or parents or the minor's legal guardian; or
  - b) the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
6. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.
7. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.
- E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.
- F. Sexual Harassment; Definition
1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:
- a) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
  - b) submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
  - c) that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
2. Sexual harassment may include, but is not limited to:

- a) unwelcome verbal harassment or abuse;
- b) unwelcome pressure for sexual activity;
- c) unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
- d) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
- e) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
- f) unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.

G. Sexual Violence; Definition

- 1. Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minn. Stat. § 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
- 2. Sexual violence may include, but is not limited to:
  - a) touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
  - b) coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
  - c) coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
  - d) threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

H. Violence; Definition

- 1. Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to, race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.

**IV. REPORTING PROCEDURES**

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of

students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct which may constitute harassment or violence 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. Nothing in this policy shall prevent any person from reporting harassment or violence 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 the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. 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 a primary contact on policy and procedural matters.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- G. In the District. The school board hereby designates Kelly Jensen as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.<sup>1</sup>
- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational

and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.

- L. 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.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

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

## **V. INVESTIGATION**

- A. By authority of the school district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- F. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the

complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

**VI. SCHOOL DISTRICT ACTION**

- A. Upon completion of an investigation that determines a violation of this policy 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 behavior. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school district policies and regulations.
- B. 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 targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.
- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) 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 to engage in acts of harassment or violence.

**VII. RETALIATION OR REPRISAL**

The school district will discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged harassment or violence prohibited by this policy, who testifies, assists, or participates in an investigation of retaliation or alleged harassment or violence, or who testifies, assists, or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, 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 harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

**VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

**IX. HARASSMENT OR VIOLENCE AS ABUSE**

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minn. Stat. § 626.556 may be applicable.
- B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

**X. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall be conspicuously posted throughout each school building in areas accessible

to students and staff members.

- B. This policy shall be given to each school district employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- C. This policy shall appear in the student handbook.
- D. The school district will develop a method of discussing this policy with students and employees.
- E. The school district may implement violence prevention and character development education programs to prevent and 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, resourcefulness, and/or sexual abuse prevention.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

## **526 HAZING PROHIBITION**

### **I. PURPOSE**

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. Retaliation against a victim, good faith reporter, or a witness of hazing is prohibited.
- E. False accusations or reports of hazing against a student, teacher, administrator, volunteer, contractor, or other employee are prohibited.
- F. A person who engages in an act of hazing, reprisal, retaliation, or false reporting of hazing or permits, condones, or tolerates hazing shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, tolerate, or are a party to prohibited acts of hazing may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

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

- G. This policy applies to hazing that occurs during and after school hours, on or off school premises or property, at school functions or activities, or on school transportation.
- H. 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.
- I. 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 school-related 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 student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
  - 3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the student 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, that 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. "Immediately" means as soon as possible but in no event longer than 24 hours.
- C. "On school premises or school district property, or 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 hazing at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.
- D. "Remedial response" means a measure to stop and correct hazing, prevent hazing from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of hazing.
- E. "Student" means a student enrolled in a public school or a charter school.
- F. "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 target or 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. A person may report hazing 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 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.

The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of hazing at the building level. Any adult school district personnel who receives a report of hazing prohibited by this policy shall inform the building report taker immediately. 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 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 a primary contact on policy and procedural matters.

- C. A teacher, administrator, volunteer, contractor, and other school employees shall be particularly alert to possible situations, circumstances, or events which might include hazing. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct which may constitute hazing shall make reasonable efforts to address and resolve the hazing and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute hazing or who fail to make reasonable efforts to address and resolve the 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, work assignments, or educational or work environment.
- E. 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 building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of hazing and the record of any resulting investigation.
- F. 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. Within three (3) days of the 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 building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the hazing, the complainant, the reporter, and students or others pending completion of an investigation of alleged hazing prohibited by this policy.

- C. The alleged perpetrator of the hazing 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 an investigation that determines hazing 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 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; and applicable 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 or victims of hazing and the parent(s) or guardian(s) of alleged perpetrators of hazing who have been involved in a reported and confirmed hazing incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or to respond to hazing committed by or directed against a child with a disability, the school district shall, where 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 to engage in hazing.

**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 hazing, who provides information about hazing, who testifies, assists, or participates in an investigation of alleged hazing, or 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, 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.

**VII. DISSEMINATION OF POLICY**

- A. This policy shall appear in each school's student handbook and in each school's building and staff handbooks.
- B. The school district will develop a method of discussing this policy with students and employees.

**503 STUDENT ATTENDANCE**

**I. PURPOSE**

- A. The school board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.

- B. This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher, and administrators. This policy will assist students in attending class.

## II. GENERAL STATEMENT OF POLICY

### A. Responsibilities

#### 1. Student's Responsibility

It is the student's right to be in school. It is also the student's responsibility to attend all assigned classes and study halls every day that school is in session and to be aware of and follow the correct procedures when absent from an assigned class or study hall. Finally, it is the student's responsibility to request any missed assignments due to an absence.

#### 2. Parent or Guardian's Responsibility

It is the responsibility of the student's parent or guardian to ensure the student is attending school, to inform the school

in the event of a student absence, and to work cooperatively with the school and the student to solve any attendance problems that may arise.

#### 3. Teacher's Responsibility

It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher's responsibility to provide any student who has been absent with any missed assignments upon request. Finally, it is the teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.

#### 4. Administrator's Responsibility

a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.

b. In accordance with the Minnesota Compulsory Instruction Law, Minn. Stat. § 120A.22, the students of the school district are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

B. Attendance Procedures

Attendance procedures shall be presented to the school board for review and approval.

1. Excused Absences

- a. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.
- b. Although excusing absenteeism and tardiness is at the discretion of the principal, the following reasons are valid and should be used by parents and students as guidelines:
  - (1) Illness.
  - (2) Serious illness in the student's immediate family.
  - (3) A death or funeral in the student's immediate family or of a close friend or relative.
  - (4) Medical, dental, or orthodontic treatment, or a counseling appointment.
  - (5) Court appearances occasioned by family or personal action.
  - (6) Religious instruction not to exceed three hours in any week.
  - (7) Observance of religious events
  - (8) Physical emergency conditions such as fire, flood, storm, etc.
  - (9) Official school field trip or other school-sponsored outing.
  - (10) Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
  - (11) Family emergencies.
  - (12) Active duty in any military branch of the United States.
  - (13) A student's condition that requires ongoing treatment for a mental health diagnosis.
  - (14) The building principal can/may make exceptions for unusual situations.
  - (15) Family vacations with prior Principal approval; Personal trips to schools or colleges.
- c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.
- (2) Work missed because of absence must be made up as indicated in each School's handbook. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

2. Unexcused Absences

a. The following are examples of absences which will not be excused:

- (1) Truancy. An absence by a student which was not approved by the parent and/or the school district.
- (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.
- (3) Work at home.
- (4) Work at a business, except under a school-sponsored work release program.
- (5) Vacations with family.
- (6) Personal trips to schools or colleges.
- (7) Any other absence not included under the attendance procedures set out in this policy.

b. Consequences of Unexcused Absences

- (1) Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.
- (2) Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.
- (3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.
- (4) Students with unexcused absences shall be subject to discipline in the following manner:
  - (a) In cases of unexcused absences, the student may be allowed to make up work missed due to such absence.
  - (b) After the \_\_\_\_\_ cumulated unexcused absence in a [quarter or semester], a student's parent or guardian will be notified by certified mail that his or her child is nearing a total of \_\_\_\_\_ unexcused absences and that, after the \_\_\_\_\_ unexcused absence, the student's

grade shall be reduced by one increment for each unexcused absence thereafter.

- (c) After such notification, the student or his or her parent or guardian may, within a reasonable time, request a conference with school officials regarding the student's absences and the prescribed discipline. The notification will state that the school strongly urges the student's parent or guardian to request such a conference.
- (d) After \_\_\_\_\_ cumulative unexcused absences in a [quarter or semester] the teacher will reduce the student's letter grade by one increment for each unexcused absence thereafter (i.e. A to A-). However, prior to reducing the student's grade, an administrative conference must be held among the principal, student, and parent.
- (e) After \_\_\_\_\_ cumulated unexcused absences in a [quarter or semester], the administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior to loss of credit, an administrative conference must be held among the principal, student, and parent.
- (f) If the result of a grade reduction or loss of credit has the effect of an expulsion, the school district will follow the procedures set forth in the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

C. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness.
2. Procedures for Reporting Tardiness
  - a. Students tardy at the start of school must report to the school office for an admission slip.
  - b. Tardiness between periods will be handled by the teacher.
3. Excused Tardiness

Valid excuses for tardiness are:

  - a. Illness.
  - b. Serious illness in the student's immediate family.
  - c. A death or funeral in the student's immediate family or of a close friend or relative.
  - d. Medical, dental, orthodontic, or mental health treatment.
  - e. Court appearances occasioned by family or personal action.
  - f. Physical emergency conditions such as fire, flood, storm, etc.

- g. Any tardiness for which the student has been excused in writing by an administrator or faculty member.

4. Unexcused Tardiness

- a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
- b. Parents/guardians of students with excessive tardiness will be notified and an individual behavior plan will be developed with the student support team. Failure to meet these plans may result in disciplinary action

D. Participation in Extracurricular Activities and School-Sponsored On-the-Job Training Programs

- 1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.
- 2. In order to participate in co-curricular activities, students must be in attendance at school during the afternoon on the day of the event/practice unless excused by a doctor's note. Individuals with unexcused absences on the day of the event/practice may not participate.
- 3. School-initiated absences will be accepted and participation permitted.
- 4. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
- 5. If a student is suspended from any class, he or she may not participate in any activity or program that day.
- 6. If a student is absent from school due to medical reasons, he or she must present a physician's statement or a statement from the student's parent or guardian clearing the student for participation that day. The note must be presented to the coach or advisor before the student participates in the activity or program.

**III. DISSEMINATION OF POLICY**

Copies of this policy shall be made available to all students and parents at the commencement of each school year. This policy shall also be available upon request in each principal's office.

**IV. REQUIRED REPORTING**

A. Continuing Truant

Minn. Stat. § 260A.02 provides that a continuing truant is a student who is subject to the compulsory instruction requirements of Minn. Stat. § 120A.22 and is absent from instruction in a school, as defined in Minn. Stat. § 120A.05, without valid excuse within a single school year for:

- 1. Three days if the child is in elementary school; or
- 2. Three or more class periods on three days if the child is in middle school, junior high school, or high school.

B. Reporting Responsibility

When a student is initially classified as a continuing truant, Minn. Stat. § 260A.03 provides that the school attendance officer or other designated school official shall notify the student's parent or legal guardian, by first class mail or other reasonable means, of the following:

1. That the child is truant;
2. That the parent or guardian should notify the school if there is a valid excuse for the child's absences;
3. That the parent or guardian is obligated to compel the attendance of the child at school pursuant to Minn. Stat. § 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under Minn. Stat. § 120A.34;
4. That this notification serves as the notification required by Minn. Stat. § 120A.34;
5. That alternative educational programs and services may be available in the child's enrolling or resident district;
6. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
7. That if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minn. Stat. Ch. 260;
8. That if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to Minn. Stat. § 260C.201; and
9. That it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

C. Habitual Truant

1. A habitual truant is a child under the age of 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school, junior high school, or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year and who has not lawfully withdrawn from school.
2. A school district attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minn. Stat. Ch. 260A.

**506 STUDENT DISCIPLINE**

**I. PURPOSE**

The purpose of this policy is to ensure that students are aware of and comply with the school district's

expectations for student conduct. Such compliance will enhance the school district's ability to maintain discipline and ensure that there is no interference with the educational process. The school district will take appropriate disciplinary action when students fail to adhere to the Code of Student Conduct established by this policy.

## **II. GENERAL STATEMENT OF POLICY**

The school board recognizes that individual responsibility and mutual respect are essential components of the educational process. The school board further recognizes that nurturing the maturity of each student is of primary importance and is closely linked with the balance that must be maintained between authority and self-discipline as the individual progresses from a child's dependence on authority to the more mature behavior of self-control.

All students are entitled to learn and develop in a setting which promotes respect of self, others, and property. Proper positive discipline can only result from an environment which provides options and stresses student self-direction, decision-making, and responsibility. Schools can function effectively only with internal discipline based on mutual understanding of rights and responsibilities.

Students must conduct themselves in an appropriate manner that maintains a climate in which learning can take place. Overall decorum affects student attitudes and influences student behavior. Proper student conduct is necessary to facilitate the education process and to create an atmosphere conducive to high student achievement.

Although this policy emphasizes the development of self-discipline, it is recognized that there are instances when it will be necessary to administer disciplinary measures. The position of the school district is that a fair and equitable district-wide student discipline policy will contribute to the quality of the student's educational experience. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

In view of the foregoing and in accordance with Minn. Stat. § 121A.55, the school board, with the participation of school district administrators, teachers, employees, students, parents, community members, and such other individuals and organizations as appropriate, has developed this policy which governs student conduct and applies to all students of the school district.

## **III. AREAS OF RESPONSIBILITY**

- A. The School Board. The school board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.
- B. Superintendent. The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students, and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.
- C. Principal. The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of behavior referrals and shall make use of those agencies

appropriate for assisting students and parents. A principal, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

- D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

- E. Other School District Personnel. All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.
- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the academic progress, behavior, and attendance of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

#### **IV. STUDENT RIGHTS**

All students have the right:

- A. to an education and ~~the right~~ to learn.
- B. to feel safe and included.
- C. to think freely and ask questions

#### **V. STUDENT RESPONSIBILITIES**

All students, as appropriate for their grade level and individual programs, have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
- B. To attend school daily, except when excused, and to be on time to all classes and other school functions;
- C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the school staff in maintaining a safe school for all students;
- F. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H. To be aware of and comply with federal, state, and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;
- L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M. To conduct themselves in an appropriate physical or verbal manner; and
- N. To recognize and respect the rights of others.

## VI. CODE OF STUDENT CONDUCT

- A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; 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 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 unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.
1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
  2. The use of socially offensive language, or the possession of obscene materials;
  3. Gambling, including, but not limited to, playing a game of chance for monetary stakes;
  4. Violation of the school district's Hazing Prohibition Policy;
  5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
  6. (Violation of the school district's Student Attendance Policy)
  7. Opposition to authority using physical force or violence;
  8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices Policy;
  9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
  10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
  11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
  12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
  13. Violation of the school district's Weapons Policy;
  14. Violation of the school district's Violence Prevention Policy;
  15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
  16. Possession, use, or distribution of explosives or any compound or mixture, the primary or

- common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
  18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
  19. Violation of any local, state, or federal law as appropriate;
  20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
  21. Violation of the school district's Internet Acceptable Use and Safety Policy;
  22. Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;
  23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
  24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
  25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
  26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
  27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
  28. Possession or distribution of slanderous, libelous, or pornographic materials;
  29. Violation of the school district's Bullying Prohibition Policy;
  30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
  31. Criminal activity;
  32. Falsification of any records, documents, notes, or signatures;
  33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
  34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
  35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other school district personnel;
  36. Violation of the school district's Harassment and Violence Policy;

37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;
38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
40. Verbal assaults or verbally abusive behavior including, but not limited to, use of words, symbols, acronyms, or language, whether oral or written, that are discriminatory, abusive, obscene, threatening, intimidating, degrading to other people, or threatening to school property;
41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;
43. Violation of the school district's Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees Policy;
44. Violation of the school district's one-to-one device rules and regulations;
45. Violation of school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
46. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or employees.

## **VII. DISCIPLINARY ACTION OPTIONS**

The general policy of the school district is to utilize progressive discipline to the extent reasonable and appropriate based upon the specific facts and circumstances of student misconduct. The specific form of discipline chosen in a particular case is solely within the discretion of the school district. At a minimum, violation of school district rules, regulations, policies, or procedures will result in discussion of the violation and a verbal warning. The school district shall, however, impose more severe disciplinary sanctions for any violation, including exclusion or expulsion, if warranted by the student's misconduct, as determined by the school district. Disciplinary action may include, but is not limited to, one or more of the following:

- A. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;
- B. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
- C. Parent contact;
- D. Parent conference;
- E. Removal from class;
- F. In-school suspension;

- G. Suspension from extracurricular activities;
- H. Detention or restriction of privileges;
- I. Loss of school privileges;
- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;
- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or
- U. Other disciplinary action as deemed appropriate by the school district.

#### **VIII. REMOVAL OF STUDENTS FROM CLASS**

- A. The teacher of record shall have the general control and government of the classroom. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean any actions taken by a teacher, principal, or other school district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

Grounds for removal from class shall include any of the following:

1. Willful conduct that significantly disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn;
2. Willful conduct that endangers surrounding persons, including school district employees, the student or other students, or the property of the school;
3. Willful violation of any school rules, regulations, policies or procedures, including the Code of Student Conduct in this policy; or
4. Other conduct, which in the discretion of the teacher or administration, requires removal of the student from class.

Such removal shall be for at least one (1) activity period or class period of instruction for a given course of study and shall not exceed five (5) such periods.

A student must be removed from class immediately if the student engages in assault or violent behavior. "Assault" is an act done with intent to cause fear in another of immediate bodily harm or

death; or the intentional infliction of, or attempt to inflict, bodily harm upon another. The removal from class shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.

- B. If a student is removed from class more than ten (10) times in a school year, the school district shall notify the parent or guardian of the student's tenth removal from class and make reasonable attempts to convene a meeting with the student's parent or guardian to discuss the problem that is causing the student to be removed from class.

**C. Procedures for Removal of a Student From a Class.**

1. A student will be removed from class only upon agreement of the appropriate teacher and Principal or Principal's designee resulting in an informal conference with the student. The decision to remove a student will ultimately be the responsibility of the Principal or Principal's designee. All attempts should be made to keep the student in class by redirecting, providing space, time, and positive reinforcement before seeking approval to remove the student.
2. Staff will attempt to follow the procedures above; however, a student can be removed without an informal conference if the student has or will create an immediate and substantial danger to himself/herself or to persons or property. The teacher will need to notify the office immediately for assistance or to let the office know the student has been removed.
3. The length of the removal is at the discretion of the principal or principal's designee after consultation with the teacher, subject to the provisions of Minn. Pupil Fair Dismissal Act.
4. All classroom removals are documented within each school. Major infractions will be documented in Infinite Campus.

**D. Responsibility for and Custody of a Student Removed From Class.**

1. Each building will have designated spaces for students to go to when removed from class. Upon approval from Principal or Principal's designee, the teacher will direct the student to the appropriate space.
2. The teacher will notify the appropriate support staff or principal if the student is on the way.
3. The teacher will seek assistance from support staff or principal if the student needs to be supervised.
4. Students will be directed to the appropriate space for a conference with support staff, principal or principal's designee.
5. A student removed from class is the responsibility of the principal or principal's designee.

**E. Procedures for Return of a Student to a Class From Which the Student Was Removed.**

1. The principal or principal's designee will use PBIS strategies and restorative approaches to develop a readmission plan in addition to completing the necessary disciplinary consequences and appropriate documentation.
2. The principal or principal's designee readmits the student pursuant to the readmission plan.

**F. Procedures for Notification.**

1. The principal or designee will determine the need for and method of notification to parent or guardian.
2. The principal or principal's designee will work with the teacher to notify the student of the violation of the discipline rules, resulting disciplinary action, and readmission plan.

**G. Students with an Individual Education Plan (IEP)**

1. The principal or principal's designee will determine whether the student's removal from class requires a meeting to review the adequacy of the student's current IEP or whether there is need for further assessment. The principal or principal's designee is encouraged to consult with the superintendent and/or director of special education.
2. The principal or principal's designee will notify the case manager of the removal from class, reason(s) for removal, and determine if there is a need for any IEP services or a need for an IEP meeting to be scheduled.

**H. Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises.**

1. Principal or principal's designee will notify support services personnel of any chemical abuse problems. Administration is encouraged to work with the school health staff throughout the process.
2. Teachers with concerns of student(s) chemical abuse will notify principal, principal's designee or support services personnel of their concerns pursuant to Minn. Stat. § 121A.29.
  - a. Establishment of a chemical abuse pre assessment team pursuant to Minn. Stat. § 121A.26;
  - b. Establishment of teacher reporting procedures to the chemical abuse pre assessment team pursuant to Minn. Stat. § 121A.29.

**I. Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student Conduct.**

1. Principal or principal's designee will make the necessary arrangements with the appropriate staff for immediate interventions tied to the violation of the code of student conduct.

**J. Any Procedures Determined Appropriate for Encouraging Early Involvement of Parents or Guardians in Attempts to Improve a Student's Behavior.**

1. The principal or designee will review the following:
  - a. Any procedures or services appropriate for encouraging early involvement of parents or guardians to improve the student's behavior;
  - b. Any procedures or services determined appropriate for encouraging early detection of behavioral problems should be discussed with the parent or guardians;

**K. Any Procedures Determined Appropriate for Encouraging Early Detection of Behavioral Problems.**

1. Whether the student may need to be referred to the MTSS team for further interventions ties to increasing positive behaviors;
2. The appropriateness of referring the student to the chemical abuse pre assessment team;
3. The appropriateness of studying the student's behavior through a functional behavioral assessment.

**IX. DISMISSAL**

- A. "Dismissal" means the denial of the current educational program to any student, including exclusion, expulsion and suspension. Dismissal does not include removal from class.

The school district shall not deny due process or equal protection of the law to any student involved in a dismissal proceeding which may result in suspension, exclusion or expulsion.

The school district shall not dismiss any student without attempting to provide alternative educational services before dismissal proceedings, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

- B. Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:
1. Willful violation of any reasonable school board regulation, including those found in this policy;

2. 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
3. Willful conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.

C. Suspension Procedures

1. "Suspension" means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.
2. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the student's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration 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. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.
4. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP 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 IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6<sup>th</sup>) consecutive day of suspension or the tenth (10<sup>th</sup>) cumulative day of suspension has elapsed.
5. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. 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 assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the student to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.
6. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student 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. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.

7. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:
  - a. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
  - b. petition the juvenile court that the student is in need of services under Minn. Stat. Ch. 260C.
8. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
9. 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 the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference.
10. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
11. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) days.

D. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56; describe alternative educational services accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district shall advise the student'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 Minnesota Department of

Education (MDE).

6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.
8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.
10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.
13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.
14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation 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 (Commissioner) of the basis and reason for the decision.
18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minn. Stat. § 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.
19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.

20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student 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. The dismissal report must include state student identification numbers of affected students.
21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school district.

#### **X. ADMISSION OR READMISSION PLAN**

A school administrator shall prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan may include measures to improve the student's behavior, including completing a character education program consistent with Minn. Stat. § 120B.232, Subd. 1, and require parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

#### **XI. NOTIFICATION OF POLICY VIOLATIONS**

Notification of any violation of this policy and resulting disciplinary action shall be as provided herein, or as otherwise provided by the Pupil Fair Dismissal Act or other applicable law. The teacher, principal or other school district official may provide additional notification as deemed appropriate.

In addition, the school district must report, through the MDE electronic reporting system, each physical assault of a school district employee by a student within thirty (30) days of the assault. This report must include a statement of the alternative educational services or other sanction, intervention, or resolution given to the student in response to the assault and the reason for, the effective date, and the duration of the exclusion or expulsion or other sanction, intervention, or resolution. The report must also include the student's age, grade, gender, race, and special education status.

#### **XII. STUDENT DISCIPLINE RECORDS**

The policy of the school district is that complete and accurate student discipline records be maintained. The collection, dissemination, and maintenance of student discipline records shall be consistent with applicable school district policies and federal and state law, including the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13.

#### **XIII. DISABLED STUDENTS**

Students who are currently identified as eligible under the IDEA or Section 504 will be subject to the provisions of this policy, unless the student's IEP or 504 plan specifies a necessary modification.

Before initiating an expulsion or exclusion of a student with a disability, relevant members of the child's IEP team and the child's parent shall, consistent with federal law, conduct a manifestation determination and determine whether the child's behavior was (i) caused by or had a direct and substantial relationship to the child's disability and (ii) whether the child's conduct was a direct result of a failure to implement the child's IEP. If the student's educational program is appropriate and the behavior is not a manifestation of the student's disability, the school district will proceed with discipline – up to and including expulsion – as if the student did not have a disability, unless the student's educational program provides otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team shall conduct a functional behavioral assessment and implement a behavioral intervention plan for such student provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that resulted in a change of placement. Where a behavioral intervention plan previously has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior.

When a student who has an IEP is excluded or expelled for misbehavior that is not a manifestation of the student's disability, the school district shall continue to provide special education and related services during the period of expulsion or exclusion.

#### **XIV. OPEN ENROLLED STUDENTS**

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minn. Stat. § 124D.03) or Enrollment in Nonresident District (Minn. Stat. § 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minn. Stat. Ch. 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of seventeen (17) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

#### **XV. DISTRIBUTION OF POLICY**

The school district will notify students and parents of the existence and contents of this policy in such manner as it deems appropriate. Copies of this discipline policy shall be made available to all students and parents at the commencement of each school year and to all new students and parents upon enrollment. This policy shall also be available upon request in each principal's office.

#### **XVI. REVIEW OF POLICY**

The principal and representatives of parents, students and staff in each school building shall confer at least annually to review this discipline policy, determine if the policy is working as intended, and to assess whether the discipline policy has been enforced. Any recommended changes shall be submitted to the superintendent for consideration by the school board, which shall conduct an annual review of this policy.

### **419 TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO- RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION**

#### **I. PURPOSE**

The purpose of this policy is to maintain a learning and working environment that is tobacco free.

#### **II. GENERAL STATEMENT OF POLICY**

- A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the school district, or person smokes or uses tobacco, tobacco-related devices, or carries or uses an activated electronic delivery device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- B. A violation of this policy occurs when any elementary school, middle school, or secondary school student possesses any type of tobacco, tobacco-related devices, or electronic delivery devices in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.

#### **III. DEFINITIONS**

- A. "Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any

other substance, whether natural or synthetic, intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of aerosol or vapor from the product. Electronic delivery devices includes but is not limited to devices manufactured, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.

- B. "Heated tobacco product" means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.
- C. "Tobacco" means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- D. "Tobacco-related devices" means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- E. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.
- F. "Vaping" means using an activated electronic delivery device or heated tobacco product."

#### **IV. EXCEPTIONS**

- A. A violation of this policy does not occur when an Indian adult lights tobacco on school district property as a part of a traditional Indian spiritual or cultural ceremony
- B. A violation of this policy does not occur when an adult nonstudent possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on school property or at off- campus events sponsored by the school district.

It shall not be a violation of this policy for an Indian adult or student to carry loose tobacco in a tobacco pouch intended for spiritual or cultural ceremonial support with the permission of the student's parent or guardian and the written or verbal notice to the site administrator.

#### **V. VAPING PREVENTION INSTRUCTION**

- A. The school district must provide vaping prevention instruction at least once to students in grades 6 through 8.
- B. The school district may use instructional materials based upon the Minnesota Department of

Health's school e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as part of the school district's locally developed health standards.

## **VI. ENFORCEMENT**

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.
- C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.
- D. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and school district policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other school district supervisory personnel responsible for the area or program at which the violation occurred.
- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.
- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

## **VII. DISSEMINATION OF POLICY**

- A. This policy shall appear in the student handbook.
- B. The school district will develop a method of discussing this policy with students and employees.

## **534 UNPAID MEAL CHARGES**

### **I. PURPOSE**

The purpose of this policy is to ensure that students receive healthy and nutritious meals through the school district's nutrition program and that school district employees, families, and students have a shared understanding of expectations regarding meal charges. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day and minimize identification of students with insufficient funds to pay for school meals as well as to maintain the financial integrity of the school nutrition program.

### **II. PAYMENT OF MEALS**

- A. Families can pay for meals online via Infinite Campus at no charge or submit a check or cash at any school office or cafeteria.
- B. All students, regardless of their lunch account balance, shall be offered a reimbursable school breakfast and lunch each school day.
- C. Students with a negative meal account balance of -\$20.00 or more are not allowed to charge for additional items, however students may purchase extra items with cash.

- D. The school district may provide an alternate meal that meets federal and state requirements to a student who does not have sufficient funds in the student's account or cannot pay cash for a meal. The school district will accommodate special dietary needs with respect to alternate meals. The cost of the alternative meal will be charged to the student's account or otherwise charged to the student.
- E. When a student has a negative account balance, the student will not be allowed to charge a snack item.
- F. If a parent or guardian chooses to send in one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the students' accounts. Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.

**III. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION**

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free and reduced-price meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than \$200, not paid prior to the end of the school year will be turned over to the superintendent or superintendent's designee for collection. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not deny any student the opportunity to participate in graduation ceremonies or other commencement activities due to unpaid meal charges.

**IV. UNPAID MEAL CHARGES**

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free and reduced-price meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than \$200, not paid prior to the end of the school year, will be turned over to the superintendent or superintendent's designee for collection. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.
- E. The school district may not deny any student the opportunity to participate in graduation ceremonies or other commencement activities due to unpaid meal charges.

**V. COMMUNICATION OF POLICY**

- A. This policy and any pertinent supporting information shall be provided in writing (i.e., mail, email, back-to-school packet, student handbook, etc.) to:
  1. all households at or before the start of each school year;
  2. students and families who transfer into the school district, at the time of enrollment;

and

3. all school district personnel who are responsible for enforcing this policy.

B. The school district may post the policy on the school district's website, in addition to providing the required written notification described above.

**SAINT PETER MIDDLE SCHOOL  
STUDENT – PARENT  
HANDBOOK  
2022 - 2023**



100 Lincoln Drive - Saint Peter, MN 56082-1332

Phone: (507) 934-4210

FAX: (507) 934-4783

[www.stpeterschools.org](http://www.stpeterschools.org)

# Welcome to Saint Peter Middle School!

We are committed to meeting the unique needs of the middle-level learner. We strive to equip each student with the knowledge and skills necessary for their next level of education and life. We will reach this goal by fostering a collaborative learning environment inclusive of rigorous core content, exploratory opportunities, and elective offerings which are responsive to the physical and social emotional needs of fifth through eighth grade students.

At Saint Peter Middle School, you will experience:

## **A Collaborative Learning Environment**

Each student will belong to one of four “houses.” Each house consists of approximately 170 students who share the same four core content teachers (English language arts, math, science, and social studies). Our four houses include Oak House (5th Grade), Spruce House (6th Grade), Maple and Pine Houses (7th and 8th Grade combined). Age specific houses in the 5th and 6th grade allow staff to focus on the specific needs of 5th and 6th graders. Mixed-age houses in the 7th and 8th grades allow for increased teacher collaboration, the ability for students to remain in the same house for two consecutive years, and prepares students for the mixed age groupings that they will experience in high school elective courses.

## **Rigorous Core, Exploratory, and Elective Courses**

At each grade level, students learn essential content in English language arts, math, science, and social studies. Students also engage in exploratory and elective courses (art, family and consumer science, health, music (band/choir), physical education, STEM (science, technology, engineering, and math), Spanish, French, and AVID (advancement via individual determination)), which build upon core content knowledge and increase students’ acquisition of the 21st century skills (collaboration, communication, critical thinking, and creativity) through a broad range of hands-on learning activities. Further, exploratory and elective courses provide students with an opportunity to explore their strengths and interests. Being exposed to multiple exploratory and elective courses aid students in choosing courses in high school and ultimately in making decisions for future career paths.

## **Physical, Social, and Emotional Learning**

Students in middle school are navigating school and life amidst physical, social, and intellectual change. Saint Peter Middle School recognizes and embraces the role it plays in the positive development of each, and is committed to supporting its students on their journey through adolescence.

We look forward to working with you!

Sincerely,

Jon Graff  
Principal

Steve Alger  
Dean of Students

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**SECTION 1: ACADEMICS**

**A. Course offerings:**

5th Grade and 6th Grade	7th Grade	8th Grade
<p>Advisory</p> <p><u>Core:</u> English Language Arts Math Physical Education (A/B day) Science (Semester) Social Studies (Quarter)</p> <p><u>Exploratory:</u> Art (Quarter) Transitions (Semester A/B Day, 5th Grade) Health (Semester A/B Day, 6th Grade) Music (Semester A/B Day)</p> <p><u>Elective: (A/B Day)</u> Band</p> <p><u>Intervention:</u> Literacy Concepts and Skills (Assigned) Math Intervention (Assigned)</p>	<p><u>Core:</u> English Language Arts) Pre-Algebra Life Science Physical Education (A/B Day) US Studies</p> <p><u>Exploratory: (6 Weeks)</u> Art Family and Consumer Science Gateway to Technology Health</p> <p><u>Exploratory Elective: (6 Weeks)</u> Design and Production First Aid &amp; Health Careers Food Around the World Sculpture</p> <p><u>Elective: (A/B Day)</u> AVID Band Choir French Spanish World Cultures</p> <p><u>Intervention:</u> Literacy Concepts and Skills (Assigned) Math Intervention (Assigned)</p>	<p><u>Core:</u> English Language Arts Algebra 1 (Linear) Geography Earth Science Physical Education (A/B Day)</p> <p><u>Exploratory: (6 Weeks)</u> Art Family and Consumer Science Gateway to Technology (STEM) Health</p> <p><u>Exploratory Elective: (6 Weeks)</u> Design and Production First Aid &amp; Health Careers Leadership and Community Engagement Sculpture</p> <p><u>Elective: (A/B Day)</u> AVID Band Choir Spanish World Cultures</p> <p><u>Intervention: (A/B Day)</u> Literacy Concepts and Skills (Assigned) Math Intervention (Assigned)</p>

**B. Academic Integrity:**

At Saint Peter Middle School, we expect our students to show Saints PRIDE and we hold our students and staff to the highest standards of performance and integrity.

Academic integrity is achieved when a student:

1. Takes full credit for his or her own work, and gives full credit to those who have helped, or influenced him or her.
2. Represents his or her own work honestly and accurately.
3. Collaborates with other students only as specifically directed or authorized.

Student behaviors that promote academic integrity and student achievement:

1. Try to keep a realistic schedule and balance academics, extra-curricular, social and family life and sleep. It may be necessary to limit activities if feeling overwhelmed.

2. Be organized. Keep class notes and handouts in a binder or other organizational tool that is easily accessible. This will reduce anxiety when studying for a test or completing assignments
3. Seek help from teachers. Ask for clarification if you do not understand an assignment.
4. Keep current with assignments. Don't wait until the last minute to study for a test or complete an assignment.
5. Only work with another student if the teacher has specifically given permission.
6. Accept the fact that real learning requires serious and sometimes tedious effort

I. **Academic Integrity Violations**

i. **Level 1 Violations**

Copying another student's homework, class work or ideas without the instructor's permission. Not acknowledging the writer's ideas or direct words within an assignment. Copying or paraphrasing an excerpt from the internet or any other source without citing the source. **(Cheating/Plagiarism)**

Allowing another student to copy homework or class work without the instructor's permission **(Facilitation)**

Misrepresenting oneself to the teacher. **(Falsification)**

ii. **Level 2 Violations**

Cheating on exams, tests or quizzes. Copying or buying an essay, lab report, or project and submitting it as your own. **(Cheating/Plagiarism)**

Using an assignment from a student who previously took the course (cheating) or providing that assignment to a current student. **(Facilitation)**

iii. **Level 1 Consequences**

Teacher confers with the student and notifies the parent.  
 Alternate assignment or no credit for assignment  
 Minor referral to administrator

IV. **Level 2 Consequences**

Teacher confers with student and notifies parent  
 No credit for assignment  
 Major referral to administrator  
 Administrative conference  
 Office consequence

**C. Grading:**

- I. Middle School grades are given each quarter. The grade for each quarter is determined by percentages with a final grade for quarter, semester, or year long course determined by averaging percentages.
- II. Grade marks are an indicator of academic performance; a tool used to determine progress toward a particular skill or knowledge base. Marks are not intended to be used in a punitive manner nor are marks to be lowered because of misconduct. This does not mean that points cannot be awarded for performance.

**D. Incompletes:**

- I. A mark of "Incomplete" may be given to a student who has not completed all the requirements of a course.
- II. All incompletes must be made up within three (3) weeks of the end of the quarter/semester in which they occurred. An incomplete not made up within three (3) weeks will result in the loss of credit for any unfinished work.

**E. Parent/Guardian Contact:**

- I. Report cards are available online to parents, guardians, and students. Paper copies will be mailed per parent/guardian request. Academic progress reports are available online throughout the school year via Infinite Campus.
- II. Parent conferences will be held during each school year. The dates for parent conferences are noted in the school calendar.
- III. In cases when significant academic or social concerns arise, the school will convene a meeting with the student, parent/guardians and teacher to develop an improvement plan.
- IV. The school's Student Support Team monitors progress on each student's improvement plan.
- V. Parents will receive a midterm notification from the school when a student is not passing a class.
- VI. Parents are encouraged to access Infinite Campus as a means of keeping current with their student's progress at school. Infinite Campus provides up to date, online access to student attendance, progress reports, and end of the quarter report cards. For more information or to sign up for parent portal, please contact Kathy Wobbrock at 934-4210 ext. 418 or at [kwobbrock@stpetersschools.org](mailto:kwobbrock@stpetersschools.org)

**F. Summer School/Targeted Services :**

- I. Students who earn two or more FINAL "F" grades in classes will be assigned to attend a three-week, (60 hour) summer school session designed to deliver the math and reading knowledge and skills necessary for students to be successful in their next grade level.
- II. Invites to summer targeted services will also be sent based on math and reading standardized assessment scores.

**G. Guidance and Social Work:**

- I. The School Counseling Program at SPMS is designed to be comprehensive and developmentally appropriate for students at the middle level. The School Counselor and Social Worker assists students with personal and social difficulties, academic challenges, academic and career planning, and connecting students and families with outside resources. School counseling and social work services are available to all students. Students interested in meeting with the school counselor or social worker should come to the counseling office to sign up for an appointment. The ideal time to do this is before school, during passing time, during lunch, after school, or with permission from the classroom teacher. The counselor or social worker will get a pass to the student and will meet with the student as soon as possible.
- II. At times it may be advisable to hold a Student Assistance Team Meeting (S.A.T.) at the request of the counselor, social worker, teacher, principal or parent to address concerns regarding a student's progress in school. This meeting provides the opportunity for people on the student's team to concentrate their efforts in order to better understand, resolve or address a particular student's difficulty. Parents or any staff member who works with the student may request a S.A.T. meeting for that child.
- III. If you have questions about school counseling or social work services, contact Michelle

Doose, school counselor at [mdoose@stpetersschools.org](mailto:mdoose@stpetersschools.org) or Kylie Kuhlman, school social worker at [kkuhlman@stpetersschools.org](mailto:kkuhlman@stpetersschools.org)

- IV. All staff members employed at Saint Peter Public Schools are mandated reporters. Minnesota law requires that in all cases in which there is reason to believe a child is being neglected, or physically or sexually abused, a mandated reporter must be immediately report these concerns to the Department of Human Services in the county in which the child resides.

## SECTION 2: ATTENDANCE

- I. Regular attendance is absolutely essential to progress in schoolwork. It is our goal to help students develop the habit of being on time and prepared; skills that will transfer to their adult life.

### A. School Day:

- I. The instructional school day for Saint Peter Middle School is from 8:30am - 3:35pm.

### B. Building Security/Supervision:

- I. Building doors will open for student entrance at 8:10am. All entrance doors into the building will be locked at 8:30 am except the office entrance doors (Capitol Drive Door A).
- II. Supervision will be provided for students from 8:10 a.m. to the conclusion of the instructional day. Because there is no formal supervision following dismissal at 3:35 p.m., students are encouraged to leave the school grounds unless they are supervised by a staff member (coach, advisor, teacher, etc..)

### C. Drop off/Pick Up

- I. Pick up and drop off locations are designated for the following areas:
  - Football Field Parking lot loop (at the top of Grace Street)
  - Capitol Drive: Reserved for drop off/pick up during school hours and for students with limited mobility.
  - District office Parking Lot (North end of Building): Accessible via Broadway
  - Pool Lot (South end of Building): Accessible via Grace Street
  - Lincoln Drive - **Bus drop off and pick up only**
    - Buses will drop off approximately 8:10 am
    - Buses will pick up approximately 3:35pm - 3:40pm

### D. Absences:

- I. If a student must miss school, a parent/guardian must make contact with the middle school office in order to verify/excuse the absence. If no answer, leave a message with a short description of who you are and why the student will be absent from school (a written description will also be accepted). Please do your best to call the school the morning of the absence. Doing so will help us ensure that all students are safe and accounted for. Absences will be marked unexcused until a parent/guardian has contacted the school.
- II. Although excusing absenteeism and tardiness is at the discretion of the principal, the following reasons are valid and should be used by parents and students as guidelines:
  - A. Illness.
  - B. Serious illness in the student's immediate family.
  - C. A death or funeral in the student's immediate family or of a close friend or relative.
  - D. Medical, dental, or orthodontic treatment, or a counseling appointment.

- E. Court appearances occasioned by family or personal action.
- F. Religious instruction not to exceed three hours in any week.
- G. Observance of religious events
- H. Physical emergency conditions such as fire, flood, storm, etc.
- I. Official school field trip or other school-sponsored outing.
- J. Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
- K. Family emergencies.
- L. Active duty in any military branch of the United States.
- M. A student's condition that requires ongoing treatment for a mental health diagnosis.
- N. The building principal can/may make exceptions for unusual situations.
- O. Family vacations with prior Principal approval; Personal trips to schools or colleges.

### III. Absence Procedure:

- Parents/guardians call the middle school office the morning of absence to verify/excuse the absence. Phone Number: 507-934-4210
- Upon his or her return to school, the student will stop in the office to pick up a blue assignment sheet (designed to help students keep track of any missing work).
- The student will then take the assignment sheet to each of his or her teachers throughout the day and collect any missing work.

### E. Anticipation of Absence:

- I. Students who anticipate an absence should call the school office in advance. In most cases, students will be able to acquire the material they will miss from their teacher ahead of time and be better able to stay current with their course content.
- I. Anticipated absence procedure:
  - Parent/guardian calls the school to inform of upcoming absence
  - Student stops in the office prior to the upcoming absence and obtains a pink assignment sheet.
  - Student takes pink advanced assignment sheet to each of his or her teachers throughout the day and collects advanced assignments.

### F. Leaving School Early:

- I. For the safety of students leaving the building during the school day, a parent/guardian may need to come to the school reception office to meet the student and to sign the student out. If someone other than the parent/guardian or emergency contact will be picking up the student, the office must be notified in advance who will be picking the student up.

### G. Tardies:

- I. Being on time to class encompasses life skills such as organization and time management. Being late to class not only affects the student who is late (Missing instruction), but also distracts those already in the classroom from their learning. In the event that a student does not make it to their assigned class on time, they will be marked tardy. Parents/guardians of students with excessive tardies will be notified and individual behavior plans will be developed by the student and student support team. Failure to meet these behavior plans may result in disciplinary action.

#### **H. Truancy:**

- I. Minnesota State Statute 120.101, subd.5d requires that children under the age of 17 receive instruction.
- II. Students who are absent without a valid excuse are considered truant.
- III. Students with an unexcused absence from any class period(s) on 7 different days are considered habitually truant. Once an unexcused absence has been recorded on 7 different school days, a truancy petition will be filed with the county attorney's office. This may result in the student and parent(s)/guardian being summoned to a formal court proceeding.
- IV. Saint Peter Public Schools work closely with Nicollet County Probation to ensure that students and families receive the support they need in order to maintain appropriate attendance. A member of Nicollet County Probation will contact families if attendance concerns arise.

#### **I. Co-Curricular:**

- I. In order to participate in co-curricular activities, students must be at school during the afternoon (3rd and 4th blocks) on the day of the event/practice unless excused by a doctor's note.

#### **J. Policy on Make-up Work:**

- I. Students who have been absent from school have twice the length of time missed to make up daily work or tests assigned while the student was absent. For example: If a student misses two days of school, the student will have four days to make up any missing work. At the end of the allotted time, the teacher, at her/his own discretion, will award either a letter grade or give an incomplete for the assignment. An assignment not turned in by the end of the allotted time may result in an "F".
- II. In the cases of both excused and unexcused absences, the teacher may assign different or additional materials to cover the material missed during the absence.
- III. Assignments made while students are in attendance should be turned in on time. Example: If an assignment is assigned on Wednesday due on Monday and the student is absent on Friday, the assignment is still due on Monday.
- IV. In the case of unexcused absences, the teacher may choose not to award credit for the work missed during the absence.

### **SECTION 3: STUDENT BEHAVIOR**

#### **A. Behavioral Expectations**

- I. Saint Peter Public Schools utilizes Positive Behavior Interventions and Supports (PBIS). PBIS is a building-Wide approach to explicitly define, teach, practice, and review the positive behaviors we expect from our students. At Saint Peter Middle School, we expect all students to show Saints PRIDE by behaving in ways that exhibit
  - A. Preparedness
  - B. Respect
  - C. Integrity
  - D. Determination
  - E. Empathy

If all involved in the Saint's community have PRIDE, then we can ensure a positive and safe learning environment for all.

#### **II. Bus Behavioral Expectations:**

While on the bus, students are expected to:

- A. Follow all safety procedures

- B. Use appropriate language and volume
  - C. Assist in keeping the bus clean
  - D. Respect the rights of other students to have a safe and enjoyable ride
- \* Failure to meet bus expectations will result in the loss of bus privileges

**III. Cafeteria Behavior Expectations**

While in the cafeteria, students are expected to:

- A. Clean up after themselves.
  - B. Respect one another and wait their turn to receive their food.
  - C. Treat the cafeteria staff with respect at all times.
  - D. Consume their food in the cafeteria.
  - E. Remain in designated areas until released by the lunchroom area supervisors.
- \*Weather permitting, students will be allowed to go outside for recess in designated areas.

**IV. Classroom Behavior Expectations**

When in classrooms, students are expected to:

- A. Participate in class activities in a positive manner.
- B. Arrive on time with the materials specified by the instructor.
- C. Complete coursework to the best of their ability
- D. Respect the learning of others
- E. Abide by the individual classroom teacher's policies and guidelines (i.e., backpacks, headphones, etc.).

**V. Hallway Behavior Expectations**

When in the hallways, students are expected to:

- A. Walk at all times.
- B. Show respect for each other.
- C. Show respect for property.
- D. Use appropriate language and volume.
- E. Assist in keeping the hallways safe and clean.

**VI. Student Assemblies and Events**

When attending assemblies and events, students are expected to:

- A. Be quiet and listen to the person or group who is presenting
- B. Do not talk during the program unless told to do so.
- C. Applaud or clap when appropriate, Never whistle or boo.
- D. Remain seated until dismissed by the person in charge.
- E. Be respectful

**VII. After School Co-Curricular Events**

When attending after school extra-curricular events, Middle School students are expected to:

- A. Sit in the bleachers/stands and watch the event
- B. Be positive
- C. Be respectful to all participants, spectators, officials, and supervisors

**B. Failure to Meet Behavioral Expectations:**

Disciplinary action may be taken against students for any behavior that disrupts good order, impedes the educational process, or violates the rights of others. Disciplinary action may include, but is not limited to the following:

- A. Conference with a teacher, counselor, staff member, dean of students, or principal.
- B. Removal from class.
- C. Detention.
- D. Loss of school privileges.
- E. Co-curricular ineligibility
- F. Parent/guardian conference with school staff.
- G. Modified school schedule.
- H. Suspension.
- I. Exclusion.
- J. Expulsion.
- K. Reasonable restraint for the protection of self or others.

**D. Behavior Referrals (Minors and Majors):**

Saint Peter Middle School will utilize two types of behavioral referrals designed to help staff monitor and support positive student behavior.

- I. Minor behaviors are behaviors of minor consequence, but worthy of taking note. Minor behaviors are handled directly by the adult and student involved. Inappropriate behavior is discussed and expectations are re-taught to each student.
- II. Major behaviors are behaviors which need dealt with outside of the classroom and will involve the dean or principal.

**E. Parent Notification of Behavior:**

- I. Parents will be notified by phone call and/or letter if a minor behavior becomes a pattern (3 or more minors for a similar behavior) or when a major behavior occurs.
- II. Parents will be notified by phone call and/or letter if a major behavior occurs.

**F. Bullying Prohibition:**

- I. An act of bullying, by either an individual student or a group of students, is expressly prohibited on school premises, on school district property, at school functions or activities, 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 or 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.
- II. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.
- III. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.
- IV. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
- V. False accusations or reports of bullying against another student are prohibited.
- VI. A person who engages in an act of bullying, reprisal, retaliation, 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 the school district's policies and procedures, including the school district's discipline policy (See full policy in Appendix).

#### **G. Harassment and Violence:**

- I. The policy of the school district is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability (See full policy in appendix).

#### **H. Hazing Prohibition:**

- I. Hazing activities of any type performed by students, teachers, administrators, volunteers, contractors, or other employees of the school district are inconsistent with the educational goals of the school district and are prohibited at all times (See full policy in appendix).

### **SECTION 4: GUIDELINES AND PROCEDURES**

#### **A. Animals in the Classroom:**

- I. Requests for bringing animals to the classroom require prior approval from the building principal. The request should include the educational purpose, proof of animal health records, as well as guardian consent for each student in the classroom. The consent form will be distributed prior to approval and will include acknowledgement of any known student allergies. If consent is not granted, reasonable accommodations will be made when appropriate. If the animal is staying for an extended time, the teacher is responsible for submitting an animal care plan, which should include allocated responsibility in the event of an absence. The school reserves the right to deny an animal request at any time.

#### **B. Background Checks:**

- I. Background checks are completed on all employees, anyone that provides an extended service involving students in our school district, and parent chaperones/volunteers when students will be left under the supervision of a chaperone (i.e., field trips).

#### **C. Bicycles, Skateboards, and Scooters:**

- I. Students may ride bicycles, skateboards, or scooters to school. Bike racks are provided for parking and bikes. Skateboards and scooters should be stored inside the building. The school is not responsible for bicycles, skateboards, or scooters ridden to school and parked on school property.
- II. For safety, the following rules must be complied with.
  - A. All bicycles must be parked in the bike racks. It is recommended that bicycles be locked and that all safety rules are obeyed.
  - B. Students may not ride their bicycles, skateboards, or scooters during the school day.
  - C. Students should take extra precaution on busy sidewalks by walking their bike.

- D. Students should cross roads only at designated intersections and follow instructions of crossing guards

**D. Dances:**

- I. Only Saint Peter Middle School groups may sponsor dances, which are approved and cleared by the Student Council.
- II. All dances must have the following adults present:
  - A. Principal or advisor
  - B. Eight adult chaperones
  - C. One police officer
  - D. Advisors whose organizations sponsor a dance are expected to attend.
- III. When allowed, students wishing to bring a non-SPMS student to a school dance must obtain a pass from the Principal's office to the dance.
- IV. Any student who leaves the dance will not be readmitted.
- V. Guests, when allowed, are subject to the same rules as students of Saint Peter Middle School.

**E. Elopement Plan:**

- I. Students who have demonstrated a pattern of elopement from the school setting will have a specific elopement plan developed in collaboration with parents, case manager, teacher, principal, social worker, nurse and others as identified.

**F. Emergency Drills:**

- I. Regulations require that emergency drills be conducted during the school year. By law, we are required to run five (5) fire drills, five (5) lockdown drills, and one (1) severe weather drill. When the alarm sounds, each class will follow the directions outlined by the teacher. By practicing emergency procedures, we will be better able to respond if/when an emergency occurs.

**G. Fees and Fines**

- I. No student shall be required to pay a fee for a required program, project, or activity that occurs during the regular school year.
- II. Fees may be charged in the following areas:
  - A. In any program where the resultant product, in excess of minimum requirements and at the student's option, becomes the personal property of the student.
  - B. Admission fees or charges for extracurricular activities where attendance is optional.
  - C. A parking permit fee for any vehicle using the school's parking lot.
  - D. A security deposit to assure the return of materials, supplies or equipment.
  - E. Personal physical education and athletic equipment and apparel.
  - F. Items or products that are purchased for personal use, such as, student publications, class rings, annuals and graduation announcements.
  - G. Fees specifically permitted in any other statute.
  - H. Field trips considered supplementary to a district's educational program and not required or graded.
  - I. Any authorized voluntary student health and accident benefit plan.
  - J. For use of musical instruments that the district owns or rents.
  - K. Students may be required to furnish personal or consumable items including pencils, papers, pens, erasers and notebooks.

- III. Fees may not be charged in the following areas:
- A. Textbooks, workbooks, art materials, laboratory supplies and towels.
  - B. Supplies necessary for participation in any instructional course except as specifically authorized.
  - C. Field trips that are required as a part of a basic educational program or course.
  - D. Graduation caps, gowns or any other specific form of dress necessary for the educational program.
  - E. Instructional costs for necessary school personnel employed in any course or educational program required for graduation.
  - F. Library books required to be utilized for any educational course or program. (A fee may be charged for lost books).
  - G. Admission fees, dues or fees for any activity the student is required to attend.
  - H. Any admission or examination cost of any required educational course or program.
  - I. Locker rentals. (A deposit for a padlock or key is permissible).

#### **H. Field Trips**

- I. Occasionally certain classes offer opportunities for students to visit sites outside the school that are related to the course. These opportunities are a privilege and may be denied for just cause. It is required that students return the signed "parent permission slip" to their teacher before they leave on the field trip. Only school-authorized transportation will be used and at least one faculty member will chaperone each vehicle used for the field trip. Parents are allowed to only take their own child from a school function.

#### **I. Gifts to School District Employees**

- I. The school district recognizes that students, parents, and others may wish to show appreciation to school district employees. The policy of the school district, however, is to discourage gift-giving to employees and to encourage donors instead to write letters and notes of appreciation or to give small tokens of gratitude as memorabilia. Employees may accept items of insignificant value of a promotional or public relations nature. The superintendent has discretion to determine what value is "insignificant."

#### **J. Lost and Found**

- I. Lost and found articles are located in the Middle School Office. Students are encouraged to check this area for items that may have been lost. Unclaimed items will be donated at the end of the school year.

#### **K. Messages and Calls from Home**

- I. Except in cases of emergency, the office does not call students out of classes when parents leave messages for their student. The office will attempt to call students from class at the end of a class period if possible, lunch, or at the end of the school day.

#### **L. Pledge of Allegiance**

- I. The School Board recognizes the need to provide instruction in the proper etiquette, display, and respect of the United States flag. The purpose of this policy is to provide for recitation of the Pledge of Allegiance and instruction in school to help further that end. Students in this School District shall recite the Pledge of Allegiance to the flag of the United States of America one or more times each week. The recitation shall be

conducted by each individual classroom teacher or the teacher's surrogate; or over a school intercom system by a person designated by the school principal or other person having administrative control over the school. Any student or teacher may decline to participate in recitation of the Pledge of Allegiance to the flag. Others must respect the choice not to recite the Pledge. Students will be instructed in the proper etiquette toward, correct display of, and respect for the flag. Students will also be instructed in patriotic exercises.

#### **M. School Closing/Flexible Learning Day Procedures**

- I. School closing: In the event of bad weather, school closings and late start announcements will be made over local television and radio stations beginning about 6:30 a.m. The school district will also activate its emergency communications system (ConnectEd). The same local media and ConnectEd will be used if school must be dismissed early. Each rural student is asked to make prior arrangements to stay in town in case future weather conditions do not permit the buses to follow their routes. Parents/guardians may choose not to send their child to school if, in their estimation, the weather is too severe and school has not been closed.
- II. Flexible Learning Day: Saint Peter Schools utilizes Flexible Learning Days. The term "Flexible Learning Day" refers to a day when school is canceled due to inclement weather and students participate in curriculum-aligned learning opportunities at home.
  - A. Teachers and students at the middle school level use Google Classroom.
  - B. Students will be trained on how to access their teacher's Google Classroom and will be expected to check in for Flexible Learning Day assignments.
  - C. Teachers will have assignments posted on Google Classroom by 10:00 am and will be available for questions and discussion via that space or email throughout the day.
  - D. The district has several internet "hotspots" for students to check out from the media center. Flexibility on assignment deadlines will be granted for students with limited or no access.

#### **N. Searches (Locker, Personal)**

- I. Equipment such as lockers belongs to the school district, but students may be allowed to use the equipment as a convenience. The school insists that lockers be properly cared for and not used for the storage of appropriate school materials. Students are encouraged to use padlocks on their lockers to help protect their belongings. Students may rent padlocks at a fee of \$5.00 at the SPMS office. The money will be refunded on the return of the padlock, at the end of the school year.
- II. Student's Rights
  - A. A search of a student's person should be limited to a situation where the administration has reasonable belief that the student is concealing evidence of an illegal act or school rule violation.
  - B. Dangerous items (such as firearms, weapons, etc.) and other items, which may be used to substantially disrupt the educational process, will be removed from the student's possession.
  - C. A general inspection of school properties including, but not limited to, lockers or desks may be conducted on a regular basis. Illegal items and items belonging to the school or another person will be seized.
  - D. All items seized may be returned to the proper authorities or the true owner.

- E. Students may be given the opportunity to be present when a search of personal possessions is conducted if there is no reason to believe that their presence would be a threat to the safety of themselves or others.
- F. When a custodial interrogation takes place in school (in relation to a locker search) by a law enforcement official or police officer, students should be advised of their rights by the proper authority, including the right to counsel and the right to remain silent.
- G. Lockers may be searched by school authorities for any reason, at any time, without notice, without student consent, and without a search warrant. This is 1995 Minnesota Legislation (HF107, Article 3, Sec. 10-12).
- H. It is a policy of the state of Minnesota (Subdivision 1) that school lockers are the property of the school district. At no time does the school district relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school authorities for any reason at any time, without notice, without student consent, and without a search warrant. These searches may be carried out by a specially trained dog. The personal possessions of students within a school locker may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's personal possessions, the school authorities must provide notice of the search to the students whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials.
- I. School principals will conduct periodic inspections of the school locker areas and/or parking lots on district premises. These inspections may be announced or unannounced and may be carried out using specially trained dogs to sniff out and alert staff to the presence of substances prohibited by law or district police.

#### **O. Student Appearance**

- I. The policy of the school district is to encourage students to be dressed appropriately for school activities and in keeping with community standards. This is a joint responsibility of the student and the student's parent(s) or guardian(s).
- II. Appropriate clothing includes, but is not limited to, the following:
  - A. Clothing appropriate for the weather.
  - B. Clothing that does not create a health or safety hazard.
  - C. Clothing appropriate for the activity (i.e., physical education or the classroom).
- III. Inappropriate clothing includes, but is not limited to, the following:
  - A. Clothing that is not in keeping with community standards.
  - B. Clothing bearing a message that is lewd, vulgar, or obscene.
  - C. Apparel promoting products or activities that are illegal for use by minors.
  - D. Objectionable emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group, evidences gang membership or affiliation, or approves, advances, or provokes any form of religious, racial, or sexual harassment and/or violence against other individuals as defined in the district's harassment and violence policy.
  - E. Any apparel or footwear that would damage school property.
- IV. The intention of this policy is not 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, or do not advocate violence or harassment against others.

- V. When, in the judgment of the administration, a student's appearance, grooming, or mode of dress interferes with or disrupts the educational process or school activities, or poses a threat to the health or safety of the student or others, the student will be directed to make modifications or will be sent home for the day. Parents/guardians will be notified.

#### **P. Visitors**

- I. Students who are interested in enrolling at Saint Peter Middle School are welcome to visit during the school day. Only in cases of emergencies will other student visitors be allowed to visit during the school day. All visitors are to first report to the principal's office to obtain permission to be in the school building during the school day.

#### **Q. Withdrawal Procedure**

- I. Students who plan on withdrawing from Saint Peter Middle School should obtain from the Counselor's office the proper withdrawal form and have each of the teachers sign it. Once all teachers have signed the withdrawal form and collected the books, the withdrawal form should be brought to the counselor's office.

### **SECTION 5: TECHNOLOGY**

#### **A. Personal Electronic Device Expectations**

- I. Cell phones and other personal electronic devices may be used at the following times, providing they are not used for the invasion of personal space and/or property of another person
- A. Before and after school
  - B. During passing times between scheduled classes,
  - C. During a student's own lunch time, and
  - D. When actively advocated for by teaching staff.
- II. Cell Phones and other personal electronic devices may not be used at the following times:
- A. During designated class periods, unless under specific direction of the classroom teacher,
  - B. During assigned Saints Time,
  - C. During excused restroom breaks and/or visits to lockers that fall during scheduled class times, and
  - D. During all testing times, including state-mandated examinations
- III. Students are strongly encouraged to protect their electronic devices against the risk of theft or loss. School personnel will make limited effort to investigate these losses or thefts. The school district assumes no responsibility for lost, stolen, or confiscated devices.

#### **B. Failure to Meet Personal Electronic Device Expectations**

- I. First Violation:
- A. The student's device will be turned into the office.
  - B. The student will be allowed to pick up their device at the end of the school day.
- II. Second Violation:
- A. The student's device will be turned into the office.

- B. A parent/guardian must pick up the device.
- III. Third Violation:
  - A. Conference with parent and administration
  - B. Behavioral plan

## **SECTION 6: HEALTH AND MEDICATION**

### **A. Emergency Care Policy**

- I. In the event of an emergency or serious illness, it is the policy of the School District to provide appropriate medical response and to contact the parent/guardian in a timely manner.
- II. In a life-threatening emergency, the school will contact emergency response personnel immediately. The parent/guardian or designated emergency person will be contacted at the same time.
- III. If the situation is not life threatening, but the student requires urgent care and the school cannot contact a parent/guardian or designee, school personnel will transport the student to the Saint Peter Community Hospital for care. The School District will not provide transportation outside of Saint Peter for care. When parents/guardians arrive at the hospital, they will be able to change health care providers if they so desire. It is the responsibility of the parent/guardian to pay any incurred medical expenses.

### **B. Injuries or Illnesses/Accident Reporting Procedure/Insurance**

- I. Injuries and Illnesses
  - A. Students should notify the nearest teacher in case of injury, illness or emergency.
  - B. Students who become ill should go to the principal's office or the nurse's office. Students who become ill while at school should NOT go to the restroom and sit for the class period. Students who do this will be marked as unexcused.
  - C. When they are due in a class, students should report to class and obtain a pass before going to the nurse's office. This applies to all visits to the school nurse *except emergencies*.
  - D. Students may not leave the school building for illness without first reporting to the principal's office and obtaining a leave school permit. The nurse or principal's office will telephone the parents/guardians to obtain their permission for the student to leave the building.
- II. Accident Reporting Procedure
  - A. Students who suffer injuries from any particular accident should report to their teacher or immediate supervisor. If the supervisor is not available, the student should report to the principal's office, at which time the proper action will be taken.

### **C. Medications**

- I. The School District acknowledges that some students may require prescribed and/or non-prescribed medication during the day. Medication will be administered by the school nurse or her/his designee, such as a trained health assistant, a principal, or a teacher.
  - A. Prescription and non-prescription medication requires a completed, signed authorization from the student's parent or guardian. The School District may rely

on an oral request from the parent or guardian to administer medication for up to two school days, until a written authorization is received.

- B. Prescription and non-prescription medication must come to school in the original prescription container. A medication permission form must be completed annually and/or when a change in the prescription occurs.
- C. Prescribed medication that is to be taken in school requires a written order from the physician. Medications are generally not to be carried by the student. If an exception is to be made, there must be a written agreement between the School District and the parent. Medications will be left with the appropriate School District representative, except as noted in a written agreement between the School District and the parent. Students are allowed by Minnesota statute to carry inhalers for asthma and epi-pens for allergic reactions.
- D. Parents or guardians must notify the school if any change in the student's medication or if the medication is no longer required. For medication dosage changes, the School District must receive written notification from the physician.
- E. For drugs or medicine used by children with a disability, administration of medicine may be provided as specified in the individual education plan (IEP).
- F. The school nurse, or other designated person, shall be responsible for filling out the medication administration forms in the student's health record section of the student file. The school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.

#### **D. Physical Examinations**

- I. For the benefit of the individual student and the protection of other students and school personnel, it is the policy of the Saint Peter Public Schools to recommend periodic physical examinations of all students by a licensed physician. The selection of a licensed physician shall be made by the parents or guardians and the examination shall be at their expense.
- II. A physical examination is recommended for all students prior to entry into kindergarten.
- III. A physical examination is recommended for all students prior to entry into seventh grade.
- IV. Physical examinations are required prior to participating in interscholastic activities.
  - A. The first exam must occur prior to participating in activities in grades 7 – 9.
  - B. The second exam must occur prior to participating in activities in grades 10 – 12.
- V. A student whose parents or guardians object to physical examinations on religious or constitutional grounds shall be exempted from such requirements if a statement signed by the student's parents or guardians requests the exemption and states the ground for the request. Exempting a student from the physical examination does not exempt the student from participating in the program of physical education. If such exemption is utilized, the student or parent (depending upon the student's age) shall furnish a written statement to the School District verifying that either the student has no disabilities and can fully participate or, setting forth the disabilities and limitations of the student. These exemptions do not apply to activities governed by the Minnesota State High School League (MSHSL).

## SECTION 7: CO-CURRICULAR

### A. Co-Curricular Philosophy/Guidelines:

- I. It is the philosophy of Saint Peter Middle School that all students be given the opportunity to participate in co-curricular activities. The purpose of middle level activities is to provide opportunities for students to expand their physical and social growth outside the classroom.
- II. Cuts are not made from athletic teams in seventh and eighth grade. All squad members will receive comparable coaching attention and significant opportunities to participate in practices and games. However, participants will not necessarily play the same amount of time. Every attempt will be made to include all interested students in non-athletic activities.
- III. In order to participate in after-school activities, students must attend their afternoon classes (5th - 8th periods) unless excused by a Dr. note. This pertains to both practices and events.
- IV. Extracurricular activities or practices will finish by 6:00 p.m. on Wednesdays during the school year.
- V. Students who participate in Minnesota State High School League activities will be governed by the rules, regulations, guidelines, and penalties developed by the Minnesota State High School League.
- VI. There is a \$45 for each athletic activity. For a complete list of all other co-curricular fees, please contact the Activities Office.
  - A. There is a maximum \$250 fee per season per family (except hockey).
  - B. Refunds of fees for activities will be made until halfway through the season for those students who cease to participate in the activity.
  - C. There will be no refund of the activity fee in the event a student becomes ineligible to participate as a result of violation of Minnesota State High School League or Saint Peter High School rules and regulations.
  - D. Students from families who determine that a fee is prohibitive may make application to the appropriate building level principal for consideration to waive the fee or reduce it to an amount that the family can provide.
  - E. A maximum of \$250.00 per family per season has been established to provide for participation by a number of students from a family (except hockey).

### B. Co-Curricular Offerings:

Drama		Speech	
Student Council		Math Masters	
Yearbook			
Boys' Football	7 & 8	Girls' Basketball	7 & 8
Boys' Basketball	7 & 8	Girls' Softball	7 & 8
Boys' Wrestling	7 & 8	Girls' Gymnastics	7 & 8
Boys' Cross Country	7 & 8	Girls' Track	7 & 8
Boys' Baseball	7 & 8	Girls' Golf	7 & 8
Boys' Track	7 & 8	Girls' Volleyball	7 & 8
Boys' Golf	7 & 8	Girls' Tennis	7 & 8
Boys' Tennis	7 & 8	Girls' Swimming	7 & 8
Boys' Soccer	7 & 8	Girls' Hockey	7 & 8
		Girls' Soccer	7 & 8

### C. Academic Policy for Co-Curricular Participants:

- I. All students must be passing all classes in order to participate in Co-Curriculars. Any middle school student who earns an "F" grade for a marking period will become ineligible for one week or one event, whichever is longer.
- II. An ineligible student, who can prove he/she is passing after the one-week ineligibility period, will become eligible and put on academic probation until the next marking period.

If a student slips back to an “F” grade during the probationary period, he/she will become ineligible until the next marking period. Prior to serving a period of ineligibility, an Academic Review Meeting will be held with the student, activities director and dean of students.

#### **D. Change of Level of Play of Athlete:**

- I. Certain guidelines should be adhered to when considering the change of level of play of an athlete.
  - A. The coaching staff of that sport shall discuss if the individual athlete is ready for the move to a higher level of competition and whether or not there is a need within the program for such a move.
  - B. The head coach of that sport shall discuss with the activities director the reasons for wanting to implement such a move and pick up the necessary forms that need to be signed.
  - C. The head coach shall contact the parent, explain what the move is that they would like to do, and ask if the parent approves the move. If they do not approve, proceed no further.
  - D. The head coach shall bring the signed paperwork to the activities director for final approval and his signature.
- II. **Advantages of changing levels:**
  - A. The athlete is challenged to play with and against better competition.
  - B. He/she may play for a longer season.
  - C. The frustrations an athlete may have due to the disparity in skill level may be minimized.
  - D. Athletes will be given an opportunity to advance their skill level in a team sport, just as they can in an individual sport.
- III. **Disadvantages of changing levels:**
  - A. Parents and athletes of the team in which the athlete is moving to may feel they are being displaced.
  - B. Athletes/parents from the team the athlete is leaving and team the athlete is going to, could disagree with the move causing socialization issues in school and the community for the athlete.
  - C. Athletes may feel they are not connected to any team.
  - D. The team the athlete leaves may lose a role model and an extra teacher to help them develop better skills.
  - E. Expectations from coaches, parents, teammates and fans may be greater.
  - F. Increased time commitment, more frequent and later home arrivals after games, split shifts in practice, transportation issues, may negatively impact the athlete’s school work and the parental responsibilities.
  - G. The injury risk factor increases due to increased participation.

#### **E. Minnesota State High School League Rules**

Saint Peter Middle School Eligibility Information for participants in Minnesota State High School League Activities

##### **I. Rights and Responsibilities for Students Who Participate in Minnesota State High School League-Sponsored Activities:**

A. Students who participate in Minnesota State High School League activities must abide by the guidelines as published in the Minnesota State High School League eligibility information

bulletin in the area of athletics, speech, and music. Students will not be permitted to begin participation until the eligibility bulletin is signed by the parents/guardians and the student.

B. Students must attend an information session prior to the beginning of the season that addresses rules and the regulations of participation, including the consequences for the use or possession of mood altering chemicals. Although not mandatory, parents/guardians are expected to attend these meetings with their students.

C. The parent/guardian, by signing the bulletin, agrees to work with the school in monitoring the behavior of their student as it relates to violations of Minnesota State High School League Rules and Regulations.

## **II. Rules for Participation:**

Students who participate in Minnesota State High School League activities shall not, at any time, regardless of the quantity:

A. use, consume, possess, buy, sell, or give away a beverage containing alcohol;

B. use, consume, possess, buy, sell, or give away tobacco;

C. use, consume, possess, buy, sell, or give away any other controlled substance (it is not a violation for a student to possess a controlled substance specifically prescribed for the student's own use by her/his doctor); or

D. use, consume, possess, buy, sell, or give away drug paraphernalia

## **III. Category I Activities:**

A. Category I activities at Saint Peter Middle School include athletic and speech activities.

B. Violations

### **1. First Violation**

Penalty: after confirmation of the first violation, the student shall lose eligibility for the next two consecutive interscholastic contests or two (2) weeks of a season in which the student is a participant, whichever is greater. No exception is permitted for a student who becomes a participant in a treatment program.

### **2. Second Violation**

Penalty: after confirmation of the second violation, the student shall lose eligibility for the next six (6) consecutive interscholastic contests or four (4) weeks, whichever is greater, in which the student is a participant. No exception is permitted for a student who becomes a participant in a treatment program.

### **3. Third and Subsequent Violations**

Penalty: after confirmation of the third or subsequent violations, the student shall lose eligibility for the next twelve (12) consecutive interscholastic contests or six (6) weeks, whichever is greater, in which the student is a participant.

If after the third or subsequent violations, the student on her/his own volition becomes a participant in a chemical dependency program or treatment program, the student may be certified for reinstatement in MSHSL activities after a minimum period of six (6) weeks. Only the director or a counselor of a chemical dependency treatment center may issue such certification.

Successful completion of a chemical dependency treatment program will satisfy only the most recent violation. Any other violations for which the penalty has not been satisfied must still be served in full.

D. Penalties are Cumulative

Penalties shall be cumulative beginning with and throughout the student's participation on any 7-12 grade team or activity.

E. Captain Selection

A student shall be disqualified to be a captain of a team if the student serves a penalty during the season of participation in which he/she is serving as captain.

F. If a student denies violation of a bylaw, is allowed to participate and is subsequently found guilty of the violation, the student will be disqualified from all interscholastic activities for nine additional weeks beyond the student's original period of ineligibility.

**IV. Category II Activities:**

A. Category II activities at Saint Peter Middle School include band, choir and drama.

B. Violations

After confirmation of the violation, the student is ineligible to perform at the next regularly scheduled, class-related performance or event (excluding pep band). Penalties shall be cumulative beginning with and throughout the student's participation in a high school activity. *Serving a Category II suspension does not fulfill a Category I suspension. Serving a Category I suspension does not fulfill a Category II suspension.*

**V. Guidelines for Compliance with Minnesota State High School League Rules and Regulations:**

A. Any and all reported violations of Minnesota State High School League rules and regulations must be reported to the athletic director or building principal. Coaches, directors, or advisors cannot declare a participant ineligible. Coaches, directors, or advisors are directed to inform people who report violations to them to take their allegations to the athletic director.

B. Participation in co-curricular activities cannot be denied to an eligible student by a coach, director, or advisor.

C. A coach, director, or advisor who directly witnesses a violation or who has a confession of a violation given to him/her is directed to report such an incident to the athletic director or building level principal.

D. Coaches, directors, and advisors are expected to know the school policies regarding the evaluation and suspicion of chemical abuse problems.

E. Coaches, directors, and advisors are expected to act according to their professional judgment at all times.

**VI. SAINT PETER MIDDLE SCHOOL CO-CURRICULAR CODE OF CONDUCT**

Students from Saint Middle School who participate in co-curricular activities sponsored by Saint Peter Middle School are expected to follow the standards of behavior listed below. Although the standards listed below do not carry a pre-determined ineligibility penalty, the Board of Education, staff and administration of District 508 believe that students who represent Saint Peter Middle School have an obligation to meet the standards listed below:

A. Students are not to involve themselves in behavior that could lead to a criminal charge or court action. Students who are convicted of such a charge during a season of play will have their participation reviewed under the policy stated above; and

B. Students are not to involve themselves in activities that result in vandalism to Saint Peter Middle School or any other school that Saint Peter competes against. Students who are involved in vandalism of Saint Peter Middle School or any other school in which

Saint Peter competes against will have their participation reviewed under the policy stated above.

C. Students are not to involve themselves with any behavior or action that reflects negatively upon themselves, their team or group, or their school.

A student who is under penalty of exclusion, expulsion or suspension or whose character or conduct violates the Code of Conduct is not in good standing and is ineligible for a period of time as determined by the principal.

#### Code of Conduct Review

In addition to the rules and regulations as stated in the Minnesota State High School League eligibility information bulletin, the following procedure for individual student participation shall apply:

A. In the event a serious problem arises in the areas of academic achievement, behavior, attendance or citizenship, a staff member may make a request to the principal that the student's participation in that co-curricular activity be reviewed.

B. Upon receipt of this request from a staff member, the principal will call together a guidance counselor, the staff member who made the request, and the director and/or coach of the co-curricular activity in which the student is involved. The student may be present, with a support person whom she/he chooses.

C. Following a review of the case, this group will make a recommendation to the high school principal in regard to the continued participation of the student in the co-curricular activity in which she/he is involved.

#### **VII. Transfer Students:**

Students who transfer to Saint Peter Middle School from another school and who wish to participate in Minnesota State High School League-sponsored activities must meet specific eligibility requirements. Transfer students who have questions about this policy are encouraged to contact the high school activities director.

#### **F. Parent/Guardian Guide to Statewide Testing: Live link available at [Minnesota Department of Education](#)**



This document provides basic information to help parents/guardians make informed decisions that benefit their children, schools and communities.

#### **Why statewide testing?**

Minnesota values its educational system and the professionalism of its educators. Minnesota educators created the academic standards which are rigorous and prepare our students for career and college.

The statewide assessments are how we as a state measure that curriculum and daily instruction in our schools are being aligned to the academics standards, ensuring all students are being provided an equitable education. Statewide assessment results are just one tool to monitor that we are providing our children with the education that will ensure a strong workforce and knowledgeable citizens.

#### **Why does participation matter?**

A statewide assessment is just one measure of your student's achievement, but your student's participation is important to understand how effectively the education at your student's school is aligned to the academic standards.

- Students who do not participate will receive a score of "not proficient."
- Students who receive a college-ready score on the high school MCA are not required to take a remedial, noncredit course at a Minnesota State college or university in the corresponding subject area.
- Educators and policy makers use information from assessments to make decisions about resources and support provided.
- Parents and the general public use assessment information to compare schools and make decisions about where to

### Why are these assessments effective?

Minnesota believes that in order to effectively measure what students are learning, testing needs to be more than answering multiple choice questions.

- To answer questions, students may need to type in answers, drag and drop images and words, or manipulate a graph or information.
- The reading and mathematics MCAs are adaptive, which means the answers a student provides determine the next questions the student will answer.
- The science MCA incorporates simulations, which require students to perform experiments in order to answer questions.

All of these provide students the opportunity to apply critical thinking needed for success in college and careers and show what they know and can do.

Because test content represents the academic standards as completely as possible, preparing for and taking the assessments uses the very same knowledge, processes and strategies included in the standards.

### Are there limits on local testing?

As stated in 120B.301, for students in grades 1-6, the cumulative total amount of time spent taking locally adopted districtwide or schoolwide assessments must not exceed 10 hours per school year. For students in grades 7-12, the cumulative total amount of time spent taking locally adopted districtwide or schoolwide assessments must not exceed 11 hours per school year.

In an effort to encourage transparency, the statute also requires a district or charter school, before the first day of each school year, to publish on its website a comprehensive calendar of standardized tests to be administered in the district or charter school during that school year. The calendar must provide the rationale for administering each assessment and indicate whether the assessment is a local option or required by state or federal law.

### What if I choose not to have my student participate?

Parents/guardians have a right to not have their student participate in state-required standardized assessments. Minnesota Statutes require the department to provide information about statewide assessments to parents/guardians and include a form to complete if they refuse to have their student participate. This form follows on the next page and includes an area to note the reason for the refusal to participate. Your student's district may require additional information.

A school or district may have additional consequences beyond those mentioned in this document for a student not participating in the state-required standardized assessments. There may also be consequences for not participating in assessments selected and administered at the local level. Please contact your school for more information regarding local decisions.

### When do students take the assessments?

Each school sets their testing schedule within the state testing window. Contact your student's school for information on specific testing days.

- The MCA and MTAS testing window begins in March and ends in May.
- The ACCESS and Alternate ACCESS for ELLs testing window begins at the end of January and ends in March.

### When do I receive my student's results?

Each summer, individual student reports are sent to school districts and are provided to families no later than fall conferences. The reports can be used to see your child's progress and help guide future instruction.

### How much time is spent on testing?

Statewide assessments are taken one time each year; the majority of students test online. On average, the amount of time spent taking statewide assessments is **less than 1 percent of instructional time** in a school year. The assessments are not timed and students can continue working as long as they need.

### Why does it seem like my student is taking more tests?

The statewide required tests are limited to those outlined in this document. Many districts make local decisions to administer additional tests that the state does not require. Contact your district for more information.

### Where do I get more information?

Students and families can find out more on our [Statewide Testing page](#) (education.state.mn.us > Students and Families > Statewide Testing).

## SECTION 8: POLICY

### Contents:

<ul style="list-style-type: none"><li>A. <a href="#">Employment Background Checks: Policy 404</a></li><li>B. <a href="#">Bullying Prohibition: Policy 514</a></li><li>C. <a href="#">Distribution of Nonschool-Sponsored Materials: Policy 505</a></li><li>D. <a href="#">Harassment and Violence: Policy 413</a></li></ul>	<ul style="list-style-type: none"><li>E. <a href="#">Hazing Prohibition: Policy 526</a></li><li>F. <a href="#">Student Attendance: Policy 503</a></li><li>G. <a href="#">Student Discipline: Policy 506</a></li><li>H. <a href="#">Tobacco-Free Environment: Policy 419</a></li><li>I. <a href="#">Unpaid Meal charges: Policy 534</a></li></ul>
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### A. Policy 404: EMPLOYMENT BACKGROUND CHECKS

#### I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment in the school district in order to promote the physical, social, and psychological well-being of its students. To that end, the school district will seek a criminal history background check for applicants who receive an offer of employment with the school district and on all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, regardless of whether any compensation is paid, or such other background checks as provided by this policy. The school district may also elect to do background checks of other volunteers, independent contractors, and student employees in the school district.

#### II. GENERAL STATEMENT OF POLICY

- A. The school district shall require that applicants for school district positions who receive an offer of employment and all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, regardless of whether any compensation is paid, submit to a criminal history background check. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by the school district that an individual's criminal history does not preclude the individual from employment with, or provision of services to, the school district.
- B. The school district specifically reserves any and all rights it may have to conduct background checks regarding current employees, applicants, or service providers without the consent of such individuals.
- C. Adherence to this policy by the school district shall in no way limit the school district's right to require additional information, or to use procedures currently in place or other procedures to gain additional background information concerning employees, applicants, volunteers, service providers, independent contractors, and student employees.

### **III. PROCEDURES**

- A. Normally an individual will not commence employment or provide services until the school district receives the results of the criminal history background check. The school district may conditionally hire an applicant or allow an individual to provide services pending completion of the background check but shall notify the individual that the individual's employment or opportunity to provide services may be terminated based on the result of the background check. Background checks will be performed by the Minnesota Bureau of Criminal Apprehension (BCA). The BCA shall conduct the background check by retrieving criminal history data as defined in Minn. Stat. § 13.87. The school district reserves the right to also have criminal history background checks conducted by other organizations or agencies.
- B. In order for an individual to be eligible for employment or to provide athletic coaching services or other extracurricular academic coaching services to the school district, except for an enrolled student volunteer, the individual must sign a criminal history consent form, which provides permission for the school district to conduct a criminal history background check, and provide payment for conducting the criminal history background check. The cost of the criminal history background check is the responsibility of the individual, unless the school district decides to pay the costs for a volunteer, an independent contractor, or a student employee. If the individual to provide a criminal background check at the time the individual receives a job offer, or permission to provide services, the individual will be considered to have voluntarily withdrawn the application for employment or request to provide services.
- C. When required, individuals must provide fingerprints to assist in a criminal history background check. If the fingerprints provided by the individual are unusable, the individual will be required to submit another set of prints.
- D. Copies of this policy shall be available in the school district's employment office and will be distributed to applicants for employment and individuals who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services upon request. The need to submit to a criminal history background check may be included with the basic criteria for employment or provision of services in the position posting and position advertisements.
- E. The individual will be informed of the results of the criminal background check(s) to the extent required by law.
- F. If the criminal history background check precludes employment with, or provision of services to, the school district, the individual will be so advised.
- G. The school district may apply these procedures to other volunteers, independent contractors, or student employees.
- H. At the beginning of each school year or when a student enrolls, the school district will notify parents and guardians about this policy and identify those positions subject to a background check and the extent of the school district's discretion in requiring a background check. The school district may include this notice in its student handbook, a school policy guide, or other similar communication. A form notice for this purpose is included with this policy.

#### **IV. CRIMINAL HISTORY CONSENT FORM**

A form to obtain consent for a criminal history background check is included with this policy.

### **B. 514 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 a student's ability to learn and/or a 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 to remediate and discipline for 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 disruptive and detrimental 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 school district property, at school functions or activities, 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 or 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 or negate 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, retaliation, 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 the 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 research-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.
- 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 harming 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 harming 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 defined 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 person 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 in 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 responsible 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, 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 officials may take immediate steps, at their discretion, to protect the target or victim of the bullying

or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the 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 an 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; the student discipline policy (See MSBA/MASA Model Policy 506) and other applicable school district policies; and applicable 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 to 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, reprisal, 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 target or victim, and to make resources or referrals to resources available to targets or 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 (See MSBA/MASA Model Policy 515) 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.

**C. 505 DISTRIBUTION OF NONSCHOOL-SPONSORED MATERIALS ON SCHOOL PREMISES BY STUDENTS AND EMPLOYEES**

**I. PURPOSE**

The purpose of this policy is to protect the exercise of students' and employees' free speech rights, taking into consideration the educational objectives and responsibilities of the school district.

**II. GENERAL STATEMENT OF POLICY**

- A. The school district recognizes that students and employees have the right to express themselves on school property. This protection includes the right to distribute, at a reasonable time and place and in a reasonable manner, nonschool-sponsored material.
- B. To protect First Amendment rights, while at the same time preserving the integrity of the educational objectives and responsibilities of the school district, the school board adopts the following regulations and procedures regarding distribution of nonschool-sponsored material on school property and at school activities.

**III. DEFINITIONS**

- A. "Distribute" or "Distribution" means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying material, or placing material in internal staff or student mailboxes.
- B. "Nonschool-sponsored material" or "unofficial material" includes all materials or objects intended for distribution, except school newspapers, employee newsletters, literary magazines, yearbooks, and other publications funded and/or sponsored or authorized by the school. Examples of nonschool-sponsored materials include, but are not limited to, leaflets, brochures, buttons, badges, flyers, petitions, posters, and underground newspapers whether written by students or employees or others, and tangible objects.
- C. "Obscene to minors" means:
  - 1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
  - 2. The material depicts or describes, in a manner that is patently offensive to

prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and

3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- D. "Minor" means any person under the age of eighteen (18).
- E. "Material and substantial disruption" of a normal school activity means:
1. Where the normal school activity is an educational program of the district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
  2. Where the normal school activity is voluntary in nature (including school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

In order for expression to be considered disruptive, specific facts must exist upon which the likelihood of disruption can be forecast including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.

- F. "School activities" means any activity sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods.
- G. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower that individual in the esteem of the community.

#### **IV. GUIDELINES**

- A. Students and employees of the school district have the right to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, nonschool-sponsored material.
- B. Requests for distribution of nonschool-sponsored material will be reviewed by the administration on a case-by-case basis. However, distribution of the materials listed below is always prohibited. Material is prohibited that:
1. is obscene to minors;
  2. is libelous or slanderous;

3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended;
  4. advertises or promotes any product or service not permitted to minors by law;
  5. advocates violence or other illegal conduct;
  6. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religious, or ethnic origin);
  7. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.
- C. Distribution by students and employees of nonschool-sponsored materials on school district property are subject to reasonable time, place, and manner restrictions set forth below. In making decisions regarding the time, place, and manner of distribution, the administration will consider factors including, but not limited to, the following:
1. whether the material is educationally related;
  2. the extent to which distribution is likely to cause disruption of or interference with the school district's educational objectives, discipline, or school activities;
  3. whether the materials can be distributed from the office or other isolated location so as to minimize disruption of traffic flow in hallways;
  4. the quantity or size of materials to be distributed;
  5. whether distribution would require assignment of school district staff, use of school district equipment, or other resources;
  6. whether distribution would require that nonschool persons be present on the school grounds;
  7. whether the materials are a solicitation for goods or services not requested by the recipients.

**V. TIME, PLACE, AND MANNER OF DISTRIBUTION**

- A. No nonschool-sponsored material shall be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.
- B. Distribution of nonschool-sponsored material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the school, and school parking lots. Distribution shall not impede entrance to or exit from school premises in any way.

- C. No one shall coerce a student or staff member to accept any publication.
- D. The time, place, and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy.

## **VI. PROCEDURES**

- A. Any student or employee wishing to distribute (as defined in this policy) nonschool-sponsored material must first submit for approval a copy of the material to the principal at least 24 hours in advance of desired distribution time, together with the following information:
  - 1. Name and phone number of the person submitting the request and, if a student, the room number of his or her first-period class.
  - 2. Date(s) and time(s) of day intended for distribution.
  - 3. Location where material will be distributed.
  - 4. If material is intended for students, the grade(s) of students to whom the distribution is intended.
- B. Within one school day, the principal will review the request and render a decision. In the event that permission to distribute the material is denied or limited, the person submitting the request should be informed in writing of the reasons for the denial or limitation.
- C. If the person submitting the request does not receive a response within one school day, the person shall contact the office to verify that the lack of response was not due to an inability to locate the person.
- D. If the person is dissatisfied with the decision of the principal, the person may submit a written request for appeal to the superintendent. If the person does not receive a response within three (3) school days (not counting Saturdays, Sundays, and holidays) of submitting the appeal, the person shall contact the office of the superintendent to verify that the lack of response is not due to an inability to locate the person.
- E. Permission or denial of permission to distribute material does not imply approval or disapproval of its contents by either the school, the administration of the school, the school board, or the individual reviewing the material submitted.

## **VII. DISCIPLINARY ACTION**

- A. Distribution by any student of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place, and manner of distribution as described above will be halted and disciplinary action will be taken in accordance with the school district's Student Discipline Policy.

- B. Distribution by any employee of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place, and manner of distribution as described above will be halted and appropriate disciplinary action will be taken, in accordance with any individual contract, collective bargaining agreement, school district policies and procedures, and/or governing statute.
- C. Any other party violating this policy will be requested to leave the school property immediately and, if necessary, the police will be called.

**VIII. NOTICE OF POLICY TO STUDENTS AND EMPLOYEES**

A copy of this policy will be published in student handbooks and posted in school buildings.

**IX. IMPLEMENTATION**

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

**D. 413 HARASSMENT AND VIOLENCE**

**I. PURPOSE**

The purpose of this policy is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.

**II. GENERAL STATEMENT OF POLICY**

- A. The policy of the school district is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.
- B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, as defined by this policy. (For purposes of this policy, school district personnel include school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)

- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who is found to have violated this policy.

**III. DEFINITIONS**

- A. "Assault" is:
  - 1. an act done with intent to cause fear in another of immediate bodily harm or death;
  - 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
  - 3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability when the conduct:
  - 1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
  - 2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
  - 3. otherwise adversely affects an individual's employment or academic opportunities.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions
  - 1. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:
    - a) has a physical, sensory, or mental impairment which materially limits one or more major life activities;
    - b) has a record of such an impairment; or
    - c) is regarded as having such an impairment.

2. "Familial status" means the condition of one or more minors being domiciled with:
    - a) their parent or parents or the minor's legal guardian; or
    - b) the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
  3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
  4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
  5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
  6. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.
  7. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.
- E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.
- F. Sexual Harassment; Definition
1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:
    - a) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
    - b) submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
    - c) that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile,

or offensive employment or educational environment.

2. Sexual harassment may include, but is not limited to:
  - a) unwelcome verbal harassment or abuse;
  - b) unwelcome pressure for sexual activity;
  - c) unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
  - d) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
  - e) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
  - f) unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.

G. Sexual Violence; Definition

1. Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minn. Stat. § 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
2. Sexual violence may include, but is not limited to:
  - a) touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
  - b) coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
  - c) coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
  - d) threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

H. Violence; Definition

1. Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to, race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including

gender identity or expression, or disability.

#### **IV. REPORTING PROCEDURES**

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct which may constitute harassment or violence 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. Nothing in this policy shall prevent any person from reporting harassment or violence 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 the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. 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 a primary contact on policy and procedural matters.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written

complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.

- G. In the District. The school board hereby designates Kelly Jensen as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.<sup>1</sup>
- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. 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.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

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

## **V. INVESTIGATION**

- A. By authority of the school district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- F. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

## **VI. SCHOOL DISTRICT ACTION**

- A. Upon completion of an investigation that determines a violation of this policy 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 behavior. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school district policies and regulations.
- B. 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 targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.

- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) 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 to engage in acts of harassment or violence.

**VII. RETALIATION OR REPRISAL**

The school district will discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged harassment or violence prohibited by this policy, who testifies, assists, or participates in an investigation of retaliation or alleged harassment or violence, or who testifies, assists, or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, 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 harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

**VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

**IX. HARASSMENT OR VIOLENCE AS ABUSE**

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minn. Stat. § 626.556 may be applicable.
- B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

**X. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members.
- B. This policy shall be given to each school district employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- C. This policy shall appear in the student handbook.
- D. The school district will develop a method of discussing this policy with students and employees.
- E. The school district may implement violence prevention and character development education programs to prevent and 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, resourcefulness, and/or sexual abuse prevention.

- F. This policy shall be reviewed at least annually for compliance with state and federal law.

## **E. 526 HAZING PROHIBITION**

### **I. PURPOSE**

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. Retaliation against a victim, good faith reporter, or a witness of hazing is prohibited.
- E. False accusations or reports of hazing against a student, teacher, administrator, volunteer, contractor, or other employee are prohibited.
- F. A person who engages in an act of hazing, reprisal, retaliation, or false reporting of hazing or permits, condones, or tolerates hazing shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, tolerate, or are a party to prohibited acts of hazing may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

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

- G. This policy applies to hazing that occurs during and after school hours, on or off school premises or property, at school functions or activities, or on school transportation.
- H. 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.

- I. 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 school-related 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 student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
  3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the student 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, that 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. "Immediately" means as soon as possible but in no event longer than 24 hours.
- C. "On school premises or school district property, or 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 hazing at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.
- D. "Remedial response" means a measure to stop and correct hazing, prevent hazing from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of hazing.

- E. "Student" means a student enrolled in a public school or a charter school.
- F. "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 target or 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. A person may report hazing 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 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.

The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of hazing at the building level. Any adult school district personnel who receives a report of hazing prohibited by this policy shall inform the building report taker immediately. 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 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 a primary contact on policy and procedural matters.

- C. A teacher, administrator, volunteer, contractor, and other school employees shall be particularly alert to possible situations, circumstances, or events which might include hazing. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct which may constitute hazing shall make reasonable efforts to address and resolve the hazing and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute hazing or who fail to make reasonable efforts to address and resolve the 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, work assignments, or educational or work environment.
- E. 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 building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of hazing and the record of any resulting investigation.
- F. 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. Within three (3) days of the 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 building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the hazing, the complainant, the reporter, and students or others pending completion of an investigation of alleged hazing prohibited by this policy.
- C. The alleged perpetrator of the hazing 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 an investigation that determines hazing 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 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; and applicable 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 or victims of hazing and the parent(s) or guardian(s) of alleged perpetrators of hazing who have been involved in a reported and confirmed hazing incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or to respond to hazing committed by or directed against a child with a disability, the school district shall, where 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 to engage in hazing.

#### **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 hazing, who provides information about hazing, who testifies, assists, or participates in an investigation of alleged hazing, or 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, 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.

**VII. DISSEMINATION OF POLICY**

- A. This policy shall appear in each school’s student handbook and in each school’s building and staff handbooks.
- B. The school district will develop a method of discussing this policy with students and employees.

**F. 503 STUDENT ATTENDANCE**

**I. PURPOSE**

- A. The school board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.
- B. This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher, and administrators. This policy will assist students in attending class.

**II. GENERAL STATEMENT OF POLICY**

A. Responsibilities

1. Student’s Responsibility

It is the student’s right to be in school. It is also the student’s responsibility to attend all assigned classes and study halls every day that school is in session and to be aware of and follow the correct procedures when absent from an assigned class or study hall. Finally, it is the student’s responsibility to request any missed assignments due to an absence.

2. Parent or Guardian’s Responsibility

It is the responsibility of the student’s parent or guardian to ensure the student is attending school, to inform the school

in the event of a student absence, and to work cooperatively with the school and the student to solve any attendance problems that may arise.

3. Teacher’s Responsibility

It is the teacher’s responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. It is also the teacher’s responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher’s responsibility to provide any student who has been absent with any missed

assignments upon request. Finally, it is the teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.

4. Administrator's Responsibility

- a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.
- b. In accordance with the Minnesota Compulsory Instruction Law, Minn. Stat. § 120A.22, the students of the school district are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

B. Attendance Procedures

Attendance procedures shall be presented to the school board for review and approval.

1. Excused Absences

- a. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.
- b. Although excusing absenteeism and tardiness is at the discretion of the principal, the following reasons are valid and should be used by parents and students as guidelines:
  - (1) Illness.
  - (2) Serious illness in the student's immediate family.
  - (3) A death or funeral in the student's immediate family or of a close friend or relative.
  - (4) Medical, dental, or orthodontic treatment, or a counseling

appointment.

- (5) Court appearances occasioned by family or personal action.
- (6) Religious instruction not to exceed three hours in any week.
- (7) Observance of religious events
- (8) Physical emergency conditions such as fire, flood, storm, etc.
- (9) Official school field trip or other school-sponsored outing.
- (10) Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
- (11) Family emergencies.
- (12) Active duty in any military branch of the United States.
- (13) A student's condition that requires ongoing treatment for a mental health diagnosis.
- (14) The building principal can/may make exceptions for unusual situations.
- (15) Family vacations with prior Principal approval; Personal trips to schools or colleges.

c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.
- (2) Work missed because of absence must be made up as indicated in each School's handbook. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

2. Unexcused Absences

a. The following are examples of absences which will not be excused:

- (1) Truancy. An absence by a student which was not approved by the parent and/or the school district.
- (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance

procedures.

- (3) Work at home.
- (4) Work at a business, except under a school-sponsored work release program.
- (5) Vacations with family.
- (6) Personal trips to schools or colleges.
- (7) Any other absence not included under the attendance procedures set out in this policy.

b. Consequences of Unexcused Absences

- (1) Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.
- (2) Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.
- (3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.
- (4) Students with unexcused absences shall be subject to discipline in the following manner:
  - (a) In cases of unexcused absences, the student may be allowed to make up work missed due to such absence.
  - (b) After the \_\_\_\_\_ cumulated unexcused absence in a [quarter or semester], a student's parent or guardian will be notified by certified mail that his or her child is nearing a total of \_\_\_\_\_ unexcused absences and that, after the \_\_\_\_\_ unexcused absence, the student's grade shall be reduced by one increment for each unexcused absence thereafter.
  - (c) After such notification, the student or his or her parent or guardian may, within a reasonable time, request a conference with school officials regarding the student's absences and the prescribed discipline. The notification will state that the school strongly urges the student's parent or guardian to request such a conference.
  - (d) After \_\_\_\_\_ cumulative unexcused absences in a [quarter or semester] the teacher will reduce the

student's letter grade by one increment for each unexcused absence thereafter (i.e. A to A-). However, prior to reducing the student's grade, an administrative conference must be held among the principal, student, and parent.

- (e) After \_\_\_\_\_ cumulated unexcused absences in a [quarter or semester], the administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior to loss of credit, an administrative conference must be held among the principal, student, and parent.
- (f) If the result of a grade reduction or loss of credit has the effect of an expulsion, the school district will follow the procedures set forth in the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

C. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness.

2. Procedures for Reporting Tardiness

- a. Students tardy at the start of school must report to the school office for an admission slip.
- b. Tardiness between periods will be handled by the teacher.

3. Excused Tardiness

Valid excuses for tardiness are:

- a. Illness.
- b. Serious illness in the student's immediate family.
- c. A death or funeral in the student's immediate family or of a close friend or relative.
- d. Medical, dental, orthodontic, or mental health treatment.
- e. Court appearances occasioned by family or personal action.
- f. Physical emergency conditions such as fire, flood, storm, etc.
- g. Any tardiness for which the student has been excused in writing by an administrator or faculty member.

4. Unexcused Tardiness

- a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
- b. Parents/guardians of students with excessive tardiness will be notified and an individual behavior plan will be developed with the student support team. Failure to meet these plans may result in disciplinary action

D. Participation in Extracurricular Activities and School-Sponsored On-the-Job Training Programs

- 1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.
- 2. In order to participate in co-curricular activities, students must be in attendance at school during the afternoon on the day of the event/practice unless excused by a doctor's note. Individuals with unexcused absences on the day of the event/practice may not participate.
- 3. School-initiated absences will be accepted and participation permitted.
- 4. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
- 5. If a student is suspended from any class, he or she may not participate in any activity or program that day.
- 6. If a student is absent from school due to medical reasons, he or she must present a physician's statement or a statement from the student's parent or guardian clearing the student for participation that day. The note must be presented to the coach or advisor before the student participates in the activity or program.

**III. DISSEMINATION OF POLICY**

Copies of this policy shall be made available to all students and parents at the commencement of each school year. This policy shall also be available upon request in each principal's office.

**IV. REQUIRED REPORTING**

A. Continuing Truant

Minn. Stat. § 260A.02 provides that a continuing truant is a student who is subject to the compulsory instruction requirements of Minn. Stat. § 120A.22 and is absent from instruction in a school, as defined in Minn. Stat. § 120A.05, without valid excuse within a single school year for:

- 1. Three days if the child is in elementary school; or

2. Three or more class periods on three days if the child is in middle school, junior high school, or high school.

B. Reporting Responsibility

When a student is initially classified as a continuing truant, Minn. Stat. § 260A.03 provides that the school attendance officer or other designated school official shall notify the student's parent or legal guardian, by first class mail or other reasonable means, of the following:

1. That the child is truant;
2. That the parent or guardian should notify the school if there is a valid excuse for the child's absences;
3. That the parent or guardian is obligated to compel the attendance of the child at school pursuant to Minn. Stat. § 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under Minn. Stat. § 120A.34;
4. That this notification serves as the notification required by Minn. Stat. § 120A.34;
5. That alternative educational programs and services may be available in the child's enrolling or resident district;
6. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
7. That if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minn. Stat. Ch. 260;
8. That if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to Minn. Stat. § 260C.201; and
9. That it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

C. Habitual Truant

1. A habitual truant is a child under the age of 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school, junior high school, or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year and who has not lawfully withdrawn from school.

2. A school district attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minn. Stat. Ch. 260A.

## **G. 506 STUDENT DISCIPLINE**

### **I. PURPOSE**

The purpose of this policy is to ensure that students are aware of and comply with the school district's expectations for student conduct. Such compliance will enhance the school district's ability to maintain discipline and ensure that there is no interference with the educational process. The school district will take appropriate disciplinary action when students fail to adhere to the Code of Student Conduct established by this policy.

### **II. GENERAL STATEMENT OF POLICY**

The school board recognizes that individual responsibility and mutual respect are essential components of the educational process. The school board further recognizes that nurturing the maturity of each student is of primary importance and is closely linked with the balance that must be maintained between authority and self-discipline as the individual progresses from a child's dependence on authority to the more mature behavior of self-control.

All students are entitled to learn and develop in a setting which promotes respect of self, others, and property. Proper positive discipline can only result from an environment which provides options and stresses student self-direction, decision-making, and responsibility. Schools can function effectively only with internal discipline based on mutual understanding of rights and responsibilities.

Students must conduct themselves in an appropriate manner that maintains a climate in which learning can take place. Overall decorum affects student attitudes and influences student behavior. Proper student conduct is necessary to facilitate the education process and to create an atmosphere conducive to high student achievement.

Although this policy emphasizes the development of self-discipline, it is recognized that there are instances when it will be necessary to administer disciplinary measures. The position of the school district is that a fair and equitable district-wide student discipline policy will contribute to the quality of the student's educational experience. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

In view of the foregoing and in accordance with Minn. Stat. § 121A.55, the school board, with the participation of school district administrators, teachers, employees, students, parents, community members, and such other individuals and organizations as appropriate, has developed this policy which governs student conduct and applies to all students of the school district.

### **III. AREAS OF RESPONSIBILITY**

- A. The School Board. The school board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.
- B. Superintendent. The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students, and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines

and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.

- C. Principal. The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of behavior referrals and shall make use of those agencies

appropriate for assisting students and parents. A principal, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

- D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.
- E. Other School District Personnel. All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.
- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the academic progress, behavior, and attendance of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

#### **IV. STUDENT RIGHTS**

All students have the right:

- A. to an education and ~~the right~~ to learn.
- B. to feel safe and included.
- C. to think freely and ask questions

#### **V. STUDENT RESPONSIBILITIES**

All students, as appropriate for their grade level and individual programs, have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
- B. To attend school daily, except when excused, and to be on time to all classes and other school functions;
- C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the school staff in maintaining a safe school for all students;
- F. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H. To be aware of and comply with federal, state, and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;
- L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M. To conduct themselves in an appropriate physical or verbal manner; and
- N. To recognize and respect the rights of others.

## **VI. CODE OF STUDENT CONDUCT**

- A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; 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 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 unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.
  - 1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate

for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;

2. The use of socially offensive language, or the possession of obscene materials;
3. Gambling, including, but not limited to, playing a game of chance for monetary stakes;
4. Violation of the school district's Hazing Prohibition Policy;
5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
6. (Violation of the school district's Student Attendance Policy)
7. Opposition to authority using physical force or violence;
8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices Policy;
9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district's Weapons Policy;
14. Violation of the school district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
19. Violation of any local, state, or federal law as appropriate;

20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;
23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district's Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
31. Criminal activity;
32. Falsification of any records, documents, notes, or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other school district personnel;
36. Violation of the school district's Harassment and Violence Policy;
37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise

endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;

38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
40. Verbal assaults or verbally abusive behavior including, but not limited to, use of words, symbols, acronyms, or language, whether oral or written, that are discriminatory, abusive, obscene, threatening, intimidating, degrading to other people, or threatening to school property;
41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;
43. Violation of the school district's Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees Policy;
44. Violation of the school district's one-to-one device rules and regulations;
45. Violation of school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
46. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or employees.

## **VII. DISCIPLINARY ACTION OPTIONS**

The general policy of the school district is to utilize progressive discipline to the extent reasonable and appropriate based upon the specific facts and circumstances of student misconduct. The specific form of discipline chosen in a particular case is solely within the discretion of the school district. At a minimum, violation of school district rules, regulations, policies, or procedures will result in discussion of the violation and a verbal warning. The school district shall, however, impose more severe disciplinary sanctions for any violation, including exclusion or expulsion, if warranted by the student's misconduct, as determined by the school district. Disciplinary action may include, but is not limited to, one or more of the following:

- A. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;
- B. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.

- C. Parent contact;
- D. Parent conference;
- E. Removal from class;
- F. In-school suspension;
- G. Suspension from extracurricular activities;
- H. Detention or restriction of privileges;
- I. Loss of school privileges;
- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;
- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or
- U. Other disciplinary action as deemed appropriate by the school district.

### **VIII. REMOVAL OF STUDENTS FROM CLASS**

- A. The teacher of record shall have the general control and government of the classroom. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean any actions taken by a teacher, principal, or other school district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

Grounds for removal from class shall include any of the following:

- 1. Willful conduct that significantly disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn;

2. Willful conduct that endangers surrounding persons, including school district employees, the student or other students, or the property of the school;
3. Willful violation of any school rules, regulations, policies or procedures, including the Code of Student Conduct in this policy; or
4. Other conduct, which in the discretion of the teacher or administration, requires removal of the student from class.

Such removal shall be for at least one (1) activity period or class period of instruction for a given course of study and shall not exceed five (5) such periods.

A student must be removed from class immediately if the student engages in assault or violent behavior. "Assault" is an act done with intent to cause fear in another of immediate bodily harm or death; or the intentional infliction of, or attempt to inflict, bodily harm upon another. The removal from class shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.

- B. If a student is removed from class more than ten (10) times in a school year, the school district shall notify the parent or guardian of the student's tenth removal from class and make reasonable attempts to convene a meeting with the student's parent or guardian to discuss the problem that is causing the student to be removed from class.

**C. Procedures for Removal of a Student From a Class.**

1. A student will be removed from class only upon agreement of the appropriate teacher and Principal or Principal's designee resulting in an informal conference with the student. The decision to remove a student will ultimately be the responsibility of the Principal or Principal's designee. All attempts should be made to keep the student in class by redirecting, providing space, time, and positive reinforcement before seeking approval to remove the student.
2. Staff will attempt to follow the procedures above; however, a student can be removed without an informal conference if the student has or will create an immediate and substantial danger to himself/herself or to persons or property. The teacher will need to notify the office immediately for assistance or to let the office know the student has been removed.
3. The length of the removal is at the discretion of the principal or principal's designee after consultation with the teacher, subject to the provisions of Minn. Pupil Fair Dismissal Act.
4. All classroom removals are documented within each school. Major infractions will be documented in Infinite Campus.

**D. Responsibility for and Custody of a Student Removed From Class.**

1. Each building will have designated spaces for students to go to when removed from class. Upon approval from Principal or Principal's designee, the teacher will direct the student to the appropriate space.
2. The teacher will notify the appropriate support staff or principal if the student is on the way.
3. The teacher will seek assistance from support staff or principal if the student needs to be supervised.

4. Students will be directed to the appropriate space for a conference with support staff, principal or principal's designee.
  5. A student removed from class is the responsibility of the principal or principal's designee.
- E. Procedures for Return of a Student to a Class From Which the Student Was Removed.**
1. The principal or principal's designee will use PBIS strategies and restorative approaches to develop a readmission plan in addition to completing the necessary disciplinary consequences and appropriate documentation.
  2. The principal or principal's designee readmits the student pursuant to the readmission plan.
- F. Procedures for Notification.**
1. The principal or designee will determine the need for and method of notification to parent or guardian.
  2. The principal or principal's designee will work with the teacher to notify the student of the violation of the discipline rules, resulting disciplinary action, and readmission plan.
- G. Students with an Individual Education Plan (IEP)**
1. The principal or principal's designee will determine whether the student's removal from class requires a meeting to review the adequacy of the student's current IEP or whether there is need for further assessment. The principal or principal's designee is encouraged to consult with the superintendent and/or director of special education.
  2. The principal or principal's designee will notify the case manager of the removal from class, reason(s) for removal, and determine if there is a need for any IEP services or a need for an IEP meeting to be scheduled.
- H. Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises.**
1. Principal or principal's designee will notify support services personnel of any chemical abuse problems. Administration is encouraged to work with the school health staff throughout the process.
  2. Teachers with concerns of student(s) chemical abuse will notify principal, principal's designee or support services personnel of their concerns pursuant to Minn. Stat. § 121A.29.
    - a. Establishment of a chemical abuse pre assessment team pursuant to Minn. Stat. § 121A.26;
    - b. Establishment of teacher reporting procedures to the chemical abuse pre assessment team pursuant to Minn. Stat. § 121A.29.
- I. Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student Conduct.**
1. Principal or principal's designee will make the necessary arrangements with the appropriate staff for immediate interventions tied to the violation of the code of student conduct.

J. **Any Procedures Determined Appropriate for Encouraging Early Involvement of Parents or Guardians in Attempts to Improve a Student's Behavior.**

1. The principal or designee will review the following:
  - a. Any procedures or services appropriate for encouraging early involvement of parents or guardians to improve the student's behavior;
  - b. Any procedures or services determined appropriate for encouraging early detection of behavioral problems should be discussed with the parent or guardians;

K. **Any Procedures Determined Appropriate for Encouraging Early Detection of Behavioral Problems.**

1. Whether the student may need to be referred to the MTSS team for further interventions ties to increasing positive behaviors;
2. The appropriateness of referring the student to the chemical abuse pre assessment team;
3. The appropriateness of studying the student's behavior through a functional behavioral assessment.

**IX. DISMISSAL**

- A. "Dismissal" means the denial of the current educational program to any student, including exclusion, expulsion and suspension. Dismissal does not include removal from class.

The school district shall not deny due process or equal protection of the law to any student involved in a dismissal proceeding which may result in suspension, exclusion or expulsion.

The school district shall not dismiss any student without attempting to provide alternative educational services before dismissal proceedings, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

- B. Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:

1. Willful violation of any reasonable school board regulation, including those found in this policy;
2. 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
3. Willful conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.

C. Suspension Procedures

1. "Suspension" means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of

suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.

2. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the student's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration 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. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.
4. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP 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 IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6<sup>th</sup>) consecutive day of suspension or the tenth (10<sup>th</sup>) cumulative day of suspension has elapsed.
5. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. 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 assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the student to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.
6. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except

where it appears that the student 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. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.

7. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:
  - a. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
  - b. petition the juvenile court that the student is in need of services under Minn. Stat. Ch. 260C.
8. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
9. 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 the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference.
10. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
11. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) days.

D. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.

5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56; describe alternative educational services accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district shall advise the student'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 Minnesota Department of Education (MDE).
6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.
8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.
10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.
13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.
14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.

15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation 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 (Commissioner) of the basis and reason for the decision.
18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minn. Stat. § 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.
19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student 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. The dismissal report must include state student identification numbers of affected students.
21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school district.

#### **X. ADMISSION OR READMISSION PLAN**

A school administrator shall prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan may include measures to improve the student's behavior, including completing a character education program consistent with Minn. Stat. § 120B.232, Subd. 1, and require parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

#### **XI. NOTIFICATION OF POLICY VIOLATIONS**

Notification of any violation of this policy and resulting disciplinary action shall be as provided herein, or as otherwise provided by the Pupil Fair Dismissal Act or other applicable law. The teacher, principal or other school district official may provide additional notification as deemed appropriate.

In addition, the school district must report, through the MDE electronic reporting system, each physical assault of a school district employee by a student within thirty (30) days of the assault. This report must include a statement of the alternative educational services or other sanction, intervention, or resolution given to the student in response to the assault and the reason for, the effective date, and the duration of the exclusion or expulsion or other sanction, intervention, or resolution. The report must also include the student's age, grade, gender, race, and special education status.

## **XII. STUDENT DISCIPLINE RECORDS**

The policy of the school district is that complete and accurate student discipline records be maintained. The collection, dissemination, and maintenance of student discipline records shall be consistent with applicable school district policies and federal and state law, including the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13.

## **XIII. DISABLED STUDENTS**

Students who are currently identified as eligible under the IDEA or Section 504 will be subject to the provisions of this policy, unless the student's IEP or 504 plan specifies a necessary modification.

Before initiating an expulsion or exclusion of a student with a disability, relevant members of the child's IEP team and the child's parent shall, consistent with federal law, conduct a manifestation determination and determine whether the child's behavior was (i) caused by or had a direct and substantial relationship to the child's disability and (ii) whether the child's conduct was a direct result of a failure to implement the child's IEP. If the student's educational program is appropriate and the behavior is not a manifestation of the student's disability, the school district will proceed with discipline – up to and including expulsion – as if the student did not have a disability, unless the student's educational program provides otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team shall conduct a functional behavioral assessment and implement a behavioral intervention plan for such student provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that resulted in a change of placement. Where a behavioral intervention plan previously has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior.

When a student who has an IEP is excluded or expelled for misbehavior that is not a manifestation of the student's disability, the school district shall continue to provide special education and related services during the period of expulsion or exclusion.

## **XIV. OPEN ENROLLED STUDENTS**

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minn. Stat. § 124D.03) or Enrollment in Nonresident District (Minn. Stat. § 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minn. Stat. Ch. 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of seventeen (17) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

## **XV. DISTRIBUTION OF POLICY**

The school district will notify students and parents of the existence and contents of this policy in such manner as it deems appropriate. Copies of this discipline policy shall be made available to all students and parents at the commencement of each school year and to all new students

and parents upon enrollment. This policy shall also be available upon request in each principal's office.

## **XVI. REVIEW OF POLICY**

The principal and representatives of parents, students and staff in each school building shall confer at least annually to review this discipline policy, determine if the policy is working as intended, and to assess whether the discipline policy has been enforced. Any recommended changes shall be submitted to the superintendent for consideration by the school board, which shall conduct an annual review of this policy.

## **H. 419 TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION**

### **I. PURPOSE**

The purpose of this policy is to maintain a learning and working environment that is tobacco free.

### **II. GENERAL STATEMENT OF POLICY**

- A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the school district, or person smokes or uses tobacco, tobacco-related devices, or carries or uses an activated electronic delivery device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- B. A violation of this policy occurs when any elementary school, middle school, or secondary school student possesses any type of tobacco, tobacco-related devices, or electronic delivery devices in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.

### **III. DEFINITIONS**

- A. "Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of aerosol or vapor from the product. Electronic delivery devices includes but is not limited to devices manufactured, marketed, or sold as electronic cigarettes, electronic cigars,

electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.

- B. "Heated tobacco product" means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.
- C. "Tobacco" means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- D. "Tobacco-related devices" means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- E. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.
- F. "Vaping" means using an activated electronic delivery device or heated tobacco product."

#### **IV. EXCEPTIONS**

- A. A violation of this policy does not occur when an Indian adult lights tobacco on school district property as a part of a traditional Indian spiritual or cultural ceremony
- B. A violation of this policy does not occur when an adult nonstudent possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on school property or at off- campus events sponsored by the school district.

It shall not be a violation of this policy for an Indian adult or student to carry loose tobacco in a tobacco pouch intended for spiritual or cultural ceremonial support with

the permission of the student's parent or guardian and the written or verbal notice to the site administrator.

**V. VAPING PREVENTION INSTRUCTION**

- A. The school district must provide vaping prevention instruction at least once to students in grades 6 through 8.
- B. The school district may use instructional materials based upon the Minnesota Department of Health's school e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as part of the school district's locally developed health standards.

**VI. ENFORCEMENT**

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.
- C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.
- D. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and school district policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other school district supervisory personnel responsible for the area or program at which the violation occurred.
- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.
- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

**VII. DISSEMINATION OF POLICY**

- A. This policy shall appear in the student handbook.
- B. The school district will develop a method of discussing this policy with students and employees.

**I. 534 UNPAID MEAL CHARGES**

**I. PURPOSE**

The purpose of this policy is to ensure that students receive healthy and nutritious meals

through the school district's nutrition program and that school district employees, families, and students have a shared understanding of expectations regarding meal charges. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day and minimize identification of students with insufficient funds to pay for school meals as well as to maintain the financial integrity of the school nutrition program.

## **II. PAYMENT OF MEALS**

- A. Families can pay for meals online via Infinite Campus at no charge or submit a check or cash at any school office or cafeteria.
- B. All students, regardless of their lunch account balance, shall be offered a reimbursable school breakfast and lunch each school day.
- C. Students with a negative meal account balance of -\$20.00 or more are not allowed to charge for additional items, however students may purchase extra items with cash.
- D. The school district may provide an alternate meal that meets federal and state requirements to a student who does not have sufficient funds in the student's account or cannot pay cash for a meal. The school district will accommodate special dietary needs with respect to alternate meals. The cost of the alternative meal will be charged to the student's account or otherwise charged to the student.
- E. When a student has a negative account balance, the student will not be allowed to charge a snack item.
- F. If a parent or guardian chooses to send in one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the students' accounts. Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.

## **III. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION**

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free and reduced-price meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than \$200, not paid prior to the end of the school year will be turned over to the superintendent or superintendent's designee for collection. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not deny any student the opportunity to participate in graduation ceremonies or other commencement activities due to unpaid meal charges.

## **IV. UNPAID MEAL CHARGES**

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- C. Negative balances of more than \$200, not paid prior to the end of the school year, will be turned over to the superintendent or superintendent's designee for collection. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.
- E. The school district may not deny any student the opportunity to participate in graduation ceremonies or other commencement activities due to unpaid meal charges.

**V. COMMUNICATION OF POLICY**

- A. This policy and any pertinent supporting information shall be provided in writing (i.e., mail, email, back-to-school packet, student handbook, etc.) to:
  - 1. all households at or before the start of each school year;
  - 2. students and families who transfer into the school district, at the time of enrollment; and
  - 3. all school district personnel who are responsible for enforcing this policy.
- B. The school district may post the policy on the school district's website, in addition to providing the required written notification described above.

SAINT PETER HIGH SCHOOL  
STUDENT - PARENT HANDBOOK  
2022-2023



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## **SECTION 1: Academics**

### **Academic Requirements**

#### **A. Graduation Requirements**

The following policy shall serve as basic requirements for any student wishing to graduate from Saint Peter High School.

1. Each student shall have completed twenty-seven (27) credits earned in the ninth, tenth, eleventh, and twelfth years of secondary school in required and elective courses.
2. Such credits shall include:
  - a. Four and one-half credit courses in English.
  - b. Three and one-half credit courses in social studies.
  - c. Four credits in mathematics.
  - d. Four credits in science.
  - e. One credit in ninth-grade physical education, one-half credit in tenth-grade physical education, one-half credit in tenth-grade health.
  - f. One credit in the fine arts (band, choir, art).
  - g. Eight additional credit courses from any of the approved curriculum of the School District
3. The basis of a credit course in grades nine, ten, eleven, and twelve shall be the satisfactory completion of a course on the secondary level covering a minimum of 120 clock hours. Credits are awarded in one-half credit increments.
4. Students in their sophomore year will take the Reading MCA III standardized test. Students in their junior year will take the math MCA III standardized test. Students will take the MCA III science test during the year in which they take biology.
5. Students in their junior year will have the opportunity to take the ACT on a designated day during the school year. Saint Peter Schools will cover the cost of testing for those students of economic need.

#### **B. Academic Recognition**

1. Graduating seniors with high scholastic achievements will be recognized as follows:

A- Average -	High Honors
B+ Average -	Honors
2. Students in grades 9 - 12 who achieve the status of high honor (A- average) or honors (B+ average) for a given semester will be recognized by the school.
3. Students who have maintained an A- average during their freshmen and sophomore years will be awarded an academic achievement letter at the completion of their sophomore year. Gold bars will be awarded to students who repeat or continue to perform during their junior and/or senior years. A student in grade eleven or twelve may earn an academic achievement letter for the first time upon the successful completion of four semesters of A- work.
4. High honors distinction at graduation will identify those students who have a 4.0 GPA or greater. The honor distinction at graduation will identify those students who have an A- average or better. Students with grades averaging B+ and above will continue to be recognized as part of the high school honor roll.

C. Marking and Reporting Procedure

1. Saint Peter High School uses letter marks as a marking system as described:

A	Excellent	D	Poor	NC	No Credit
B	Good	F	Failure		
C	Average	I	Incomplete		

Pluses and minuses may be used at the discretion of the teacher.

2. Marks are earned on a nine-week basis. Final marks are awarded at the end of each grading period.
3. Final examinations are recommended for all courses when practical.
4. Marks are awarded for academic achievement only. Marks are not to be used in a punitive manner nor are marks to be lowered because of misconduct. This does not mean that points cannot be awarded for performance.
5. Teachers must be able to explain to students and parents/guardians the reasons for a particular mark given.
6. The teacher should give a reasonable explanation for an abnormal mark distribution.
7. Teachers must explain how marks are determined and what is expected of a student who is to receive each of the marks. A handout to students is recommended.
8. Students and parents/guardians are to be notified of student progress periodically, as provided by School Board Policy.
9. Incomplete marks may be given at the teacher's discretion, but they must encourage students to complete all outstanding work, as provided by Administration Rules and Regulations.
10. Teachers are to allow appropriate time for daily make-up work or tests that were assigned while the student was absent, as provided by Administrative Rules and Regulations.
11. A student at any level of the senior high program may receive the full range of marks A-F and I or NC, provided that the level is identified and recorded.
12. A student who gives forth to the best of her/his capacity to learn as judged by the professional staff shall be promoted through the school program at the normal rate and shall be given passing marks.
13. Teachers record all marks in an electronic class record book that is organized, accurate and legible. This book becomes the official source for the school for student marks.
14. There is a semester honor roll for grades 9-12.

D. Incompletes

1. A mark of "Incomplete" may be given to a student who has not completed all the requirements of a course.
2. All incompletes must be made up within three (3) weeks of the end of the quarter/semester in which they occurred. An incomplete not made up within three (3) weeks will result in the semester grade being changed to "F" for students in grades 9-12.
3. Students may resolve their incompletes at any time prior to the above-mentioned date by completing the work and then the teacher will assign a grade of "A", "B", "C", "D", or "F", whichever is appropriate for the quality of the work.
4. Teachers may require that students make up incomplete work at any time prior to the end of the three (3) week period provided that the student has had twice the length of time missed to make up work or tests which were assigned while the student was absent.
5. If any incomplete work in any course that is required for graduation remains outstanding after the date of the final examinations for twelfth graders, it shall prevent participation in graduation ceremonies and prevent receipt of a diploma until such work is completed.
6. Incomplete grades shall not be considered in determining a student's rank in class.
7. Parents/guardians shall be informed of their student's status regarding incomplete work.

#### E. Drop-Add Procedures

Students seeking to add a course to their schedule must do so within the first five (5) school days of the semester. No additional courses will be added after the first five (5) days. The only exception to this regulation would be the addition of a course that is to be audited and not taken for credit. Courses may be dropped within the first five (5) school days of a semester without penalty. After five (5) school days, any course that is dropped will result in a letter grade of "F" being recorded for the dropped course.

#### F. Final Examinations

Students may not take final examinations prior to their normally scheduled time. If students will be absent on the date when final examinations are administered, they will need to schedule a time after this date to make up their tests. A mark of "I" (Incomplete) will be recorded on the student's report card until the examinations have been completed. Failure to complete any final examinations after a semester ends will result in the incomplete mark being changed to "NC" (No Credit), except in unusual circumstances, as determined by a principal.

### **Academic Integrity Policy**

At Saint Peter High School we act responsibly, live with integrity and show respect. We hold our students to the highest standards of performance and integrity and expect each student and staff member to maintain these standards and strive for continuous improvement. We expect our students to take responsibility for their actions and thus maintain academic integrity and a respectful learning environment for our school.

#### **To act with academic integrity students must value and demonstrate positive regard for:**

- Intellectual honesty
- Personal truthfulness
- Learning for its own sake
- The creation/ work of others
- Academic honor and trust

#### **Academic integrity is achieved when a student:**

1. Takes full credit for his or her own work, and gives full credit to those who have helped, or influenced him or her.
2. Represents his or her own work honestly and accurately.
3. Collaborates with other students only as specifically directed or authorized.

#### **Student behaviors that promote genuine student achievement:**

1. Try to keep a realistic schedule and balance academics, extracurricular, social and family life, and sleep. It may be necessary to limit activities if feeling overwhelmed.
2. Be organized. Keep class notes and handouts in a folder that is easily accessible. This will reduce anxiety when studying for a test or writing a paper.
3. Seek help from teachers. Ask for clarification if you do not understand an assignment.
4. Keep current with assignments. Don't wait until the last minute to study for a test or write a paper.
5. Only work with another student if the teacher has specifically given permission.
6. Accept the fact that real learning requires serious and sometimes tedious effort

### **Academic Integrity Violations**

**Cheating:** Seeking to obtain credit or improved scores through the use of deception. Examples include:

- Copying homework,
- Looking at another student's quiz or test,
- Asking a student what was on a quiz or test,
- Using secretive methods including putting information on phones or calculators, and using electronic foreign language translators instead of teacher approved materials,
- Using a former student's work and claiming it as one's own,
- Using study aids such as Cliff notes or Spark notes instead of reading assigned materials.

**Facilitation:** Helping another student obtain credit or improved scores through the use of deception.

Examples include:

- Allowing another student to copy your homework,
- Allowing another student to look at your test or quiz,
- Reporting to another student what is on test or quiz,
- Working with another student on an assignment and submitting the same answers without the permission of the instructor,
- Texting answers to another student.

**Falsification:** Fabrication. Examples include:

- Misrepresenting yourself in any way to your teacher regarding the work you have done including saying you turned in an assignment when you have not,
- Forging a parent’s signature on a document required for class,
- Missing class in order to avoid turning in a paper or taking a test,
- Submitting the same work to two instructors without the express permission from both instructors,
- Making up information/data or a citation in any paper or project,
- Gaining unauthorized access to tests.

**Plagiarism:** Representing the words or ideas of another as one’s own in any paper or assignment.

Examples include:

- Copying information off the internet or any other printed material and pretending this information is your own writing. Everything on the internet is not public domain. You must credit the source of those who created them or you are, essentially, stealing.
- Failure to cite sources properly including not using quotation marks when needed and not acknowledging sources when paraphrasing.

### **Level 1 Violations**

- Copying another student’s homework, classwork, or ideas without the instructor’s permission.

#### **(Cheating/Plagiarism)**

- Allowing another student to copy homework or classwork without the instructor’s permission.

#### **(Facilitation)**

- Not acknowledging the writer’s ideas or direct words within an assignment. **(Plagiarism)**
- Copying or paraphrasing an excerpt from the internet or any other source without citing the source.

#### **(Plagiarism)**

- Misrepresenting oneself to the teacher. **(Falsification)**

### **Level 2 Violations**

- Cheating on exams, tests, or quizzes **(Cheating)**
- Copying or buying an essay, lab report, or project and submitting it as your own. **(Cheating/Plagiarism)**
- Using an assignment from a student who previously took the course (cheating) or providing that assignment to a current student. **(Facilitation)**
- Using a computer translator in a World Language class without the teacher’s permission. **(Cheating)**

### **Level 1 Consequences**

- Teacher confers with student and notifies the parent
- 0 on assignment
- Disciplinary referral sent to an administrator

### **Level 2 Consequences**

- Teacher confers with student and notifies the parent
- 0 on assignment
- Disciplinary referral sent to an administrator

- Administrative conference
  - Office consequence (see Student Conduct policy for listing of consequences)
- (Parts of this policy are adapted from the academic integrity policies of Atholton High School, Littleton High School, York High School, and Piedmont High School.)

### **Commencement**

In order to be eligible to participate in commencement exercises, students must have completely finished all credit & graduation requirements set forth by the state of Minnesota and ISD 508. Participation in commencement exercises is voluntary. Students who do not wish to participate in the commencement exercises should inform the principal as soon as possible. A student's failure to attend the scheduled graduation practice may result in their not being allowed to participate in the commencement exercises themselves. Additionally, all obligations (library books returned, fines paid, detention completed, etc.) must be cleared before a student will be eligible to participate in commencement exercises. A dress code for all participants is enforced.

### **Structured/Guided Study Hall**

- a. Guided study halls are to be quiet and conducive to study. Talking should be done quietly.
- b. Students are allowed out of study halls only with a pass. Students leaving the study hall with a pass must sign out, indicating where they are going. Students must return to their study hall by the end of the period. ~~Failure to return to study hall will result in being assigned to a structured study hall during Saints Time.~~

### **Flexible Study Hall**

- a. Flexible study hall is available to those who meet academic requirements and have not lost privileges due to excessive tardies or truancy.
- b. Students are not assigned a study hall room; rather, they must check in each day at an assigned location, and then they may utilize their work time where they would like. The locations where students may go during this time are the Media Center, the Commons, ~~the resource rooms, and the locker bays~~. Students may not go into the Gymnasium, Fine Arts, or Industrial Technology wings without a teacher pass. Doing so could result in loss of flexible study hall privileges and being assigned to a structured study hall.

### **Scholarships**

There are several scholarship opportunities available to students at St. Peter High School. Scholarships range in programming from community group organizations, memorial funds, special group populations as well as local, regional, statewide, and national sponsored scholarships. Beyond St. Peter High School, our local Dollars for Scholars affiliate, the St. Peter-Kasota Chapter of Dollars for Scholars, awards graduating high school seniors with scholarships to be used for post-secondary education and training. Students should visit the school counselor for scholarship information and opportunities. The announcement of recipients for local scholarship opportunities will be made at Senior Awards Night at the end of the school year.

### **Guidance and Counseling Services**

1. Although the terms "guidance" and "counseling" are often used synonymously, there is in reality a significant difference. "Guidance" is a philosophy of approach to an individual, which emphasizes full development of the individual's potential. The process by which this philosophy is carried out is also

termed "guidance". All school staff members working with students carry on this process. This includes the classroom teacher, the principal, the nurse, and others, such as the speech clinician or the remedial reading teacher.

2. The counselor is responsible for advising students and helping them with problems or questions. Students desiring such help are urged to come to the counselor's office. The counselor is also responsible for administering the cumulative record files and the occupational information files. Teachers are urged to discuss individual students with the counselors and attend all case conferences involving their students.

3. Teachers are urged to make arrangements for conferences with the parents/guardians of students who are having difficulty in their classes. Teachers are also urged to make arrangements for individual conferences with students who are not getting along well, or who show a tendency toward becoming behavioral problems. Such conferences can be scheduled during the teacher's preparation period by making arrangements to have the student excused from another teacher's class. The complicated nature of a problem occasionally makes it advisable to call a case conference. The case conference provides an opportunity for school personnel to concentrate their efforts in order to better understand, resolve, or modify a particular student's difficulty. The counselor has been delegated the responsibility for arranging case conferences.

#### 4. Testing

Guidance involves, among other things, discovering the needs and abilities of students. Standardized tests are essentially an attempt to serve this guidance function. Iowa Test of Educational Development - 9th through 12th grade will be administered in September.

Personality and individual intelligence tests are available on an individual basis through the counselor's office.

#### 5. Postsecondary Education and Occupational Information

Material on colleges, area vocational-technical schools, private trade schools, on-the-job and apprenticeship training, military service, financial aid to students, and scholarships are available through the counselor's office.

#### 6. Guidance Materials

The following materials are available for teacher use:

- a. Cumulative records - (including personal information, test results, interview notes, grade records, personality ratings, anecdotal records, health records). NOTE: These records should not be taken out of the administration office.
- b. Occupational Materials
- c. Information on personal problems
- d. Special tests - Personality and interest inventories that may be used in identifying and helping students with special needs.
- e. Information on the development of good study habits.
- f. Reports on local follow-up studies.

#### 7. Rockbend High School

The Alternative School is a highly structured program for students, grades nine through 12, whose behavior affects their learning at school and affects their relationship with other students, teachers, parents, and friends. Through a variety of techniques and strategies, the program is designed to assist the participating student in cooperation and communication with others, understanding oneself, understanding and developing control of one's own behavior, and greater achievement.

#### 8. Child Abuse

Minnesota law requires that all cases where there is a reasonable cause to believe a child is being neglected or physically or sexually abused shall immediately be reported to the local welfare agency of residence.

## Physical Education

### 1. Participation in Physical Education

It is important to the health, physical and social development of students that they participate in physical education classes regularly. However, if a student must be excused for some reason, she/he must bring a note from her/his parent(s)/guardian(s) or family doctor to the school nurse or to the high school office. If it is necessary to be excused from physical education classes for more than one day, a note from the family doctor must be presented stating the reason and the approximate length of time to be excused.

### 2. Proper Attire for Physical Education

All students are required to be dressed in an appropriate physical education uniform. Appropriate dress is important for students to adequately participate in their physical education class.

## SECTION 2: ATTENDANCE

### Attendance

#### 1. General Statement

Regular attendance is absolutely essential to progress in schoolwork. Students should develop the habit of being on time and prepared for the day's work. Parents and students are expected to cooperate in the matter of attendance. Students who are missing from school and are unexcused will not be permitted to participate in any school-sponsored activities on the day of their absence. Students not under the supervision of a faculty member are to leave the school building and grounds after school is out.

#### 2. Anticipation of Absence

Students who anticipate being gone for one or more days should first secure an advance notice of absence form from the office and take it to each of their teachers.

#### 3. Valid Absences and Exceptions

a. Although excusing absenteeism and tardiness is at the discretion of the principal, the following reasons are valid and should be used by parents and students as guidelines:

1. Illness of the student.
2. Serious illness or death of a member of the student's family.
3. Dental and medical appointments - A signed slip from the health facility is required for those participating in extracurriculars.
4. School sponsored activities.
5. Severe weather conditions, according to the merits of the case.
6. Religious holidays.
7. College visit, vacation or other pre-planned event (Please provide the school 5 days advance notice so staff can make educational plans for student)
8. A suspended absence.
9. Court appointments that are verified.
10. The building principal can/may make exceptions for unusual situations.

***Students are reminded that a parent note is required to excuse valid absences outlined above, and a doctor's note excuses illnesses/appointments from the attendance policy.***

- b. Absences that will be marked as UNEXCUSED
  - 1. Late to school - tardy
  - 2. Missing the bus / missing your ride
  - 3. Truancy
  - 4. School office not notified of the absence
  - 5. Parent not aware of the absence

5. Policy on Make-up Work

- a. Students who have been excused absent from school have twice the length of time missed to make up daily work or tests assigned while the student was absent. At the end of the allotted time, the teacher, at her/his own discretion, will award either a letter grade or give an incomplete for the assignment. Any assignment not turned in by the end of the allotted time may result in an "F".
- b. In the cases of both excused and unexcused absences, the teacher may assign different or additional materials to cover the material missed during the absence.
- c. Assignments made while students are in attendance should be turned in on time. Example: If an assignment is assigned on Wednesday due on Monday and the student is absent on Friday, the assignment is still due on Monday.
- d. In the case of unexcused absences, the teacher may choose not to award credit for the work missed during the absence.
- e. Students who obtain advance leave forms and receive assignments from teachers prior to an extended absence may be required to turn in these assignments upon their return or at a date specified by the teacher, at the teacher's discretion.

6. Leaving the School Building

Students who need to leave the school anytime during the course of the school day must secure a leave school permit from the office. Failure to secure a blue leave school permit may result in the assignment of detention or loss of privileges. The only exceptions to obtaining a leave school permit before school are for illnesses or for an emergency. This policy also applies to the noon hour if the student will not be returning for afternoon classes. Should a student leave school for PSEO or an appointment and suddenly becomes ill and is unable to return to school, the office should be notified BEFORE the start of the next class. Afternoon leave school permits will not be issued without verbal contact with the student's parent/guardian. Written notes will not be accepted.

7. Co-Curricular participation

- a. In order to participate in co-curricular activities, students must attend their blocks three and four classes.
- b. If a student is suspended from any class, he or she may not participate in any activity or program that day.
- c. If a student is unexcused absent from any class, he or she may not participate in any activity or program that day.

8. Truancy and Unexcused Absences

Absence from school or a class without parent/guardian permission may be considered truancy. State law (MN Statute 260A.02) provides that a continuing truant is a student who is subject to the Compulsory Instruction Law and is absent from instruction in school without a valid excuse within a single school year for 3 or more class periods on 3 days.

Habitual truant means a child under the age of 17 years who is absent from attendance at school without

lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school, junior high school, or high school or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year and who has not lawfully withdrawn from school under section MN Statute section 120A.22, subdivision 8. After 7 different days of unexcused absences, a Truancy Petition may be filed with the county attorney's office.

A note from a health care provider may be required where excessive absences are attributed to a health condition. The school nurse may also be able to provide a valid reason for these absences.

9. Tardiness

Students who are more than 15 minutes late to a class will be marked absent, not tardy.

10. Visits to Nurse's Office

Students may be issued an excused absence from class while visiting the nurse's office.

### **SECTION 3: GUIDELINES AND PROCEDURES**

#### **Bicycles**

The school is not responsible for bicycles ridden to school and parked on school property. Bicycles parked at school should be locked in the bicycle racks.

#### **Emergency Evacuation Procedures**

##### **FIRE**

- a. As soon as the alarm is sounded, teachers will take their positions at the exits from their rooms and remain until all students have passed out of the room. If there is time, teachers are to close doors and bring class rosters with them.
- b. As soon as the alarm is sounded, students should rise and pass in a rapid, orderly manner from the room by the exit used for regular dismissal. An orderly dismissal with minimal talking is expected. Maintaining a minimal noise level will allow for emergency instructions or changes in regular procedures to be heard. The first students to arrive at any exit should hold the door open until teachers arrive to relieve them.
- c. Students should not take their coats, jackets, or books with them.
- d. As soon as all students have exited the building, the teachers will take their positions at the exit, and, under no circumstances, allow any of them to enter the building until the "all clear" has been given by the designated staff.
- e. Have students move into the parking lots or Community Spirit Park. The space near the building should be absolutely clear. Students should return to the building after a drill by the same route that they left the building.
- f. Where to go from classrooms: Each room will have a fire escape assignment posted in the room and teachers will explain fire drill exit procedures during the first week of school.
- g. Do not leave the school grounds during a drill or emergency unless you are directly supervised by a high school staff member.

##### **ARMED INTRUDER**

Students and staff will follow ALICE training protocol in the event of an armed intruder.

## CIVIL DEFENSE ALERT

Students will be sent home when official civil defense communications indicate there is sufficient time to arrive home before dangerous conditions develop. (Information will be released by the proper authorities to all communications media). If conditions will not allow time for students to be dismissed, students will be assembled in designated areas in the building.

Tornadoes: Public warning signal - 5 minutes steady blast on the civil defense siren and repeated if necessary. Staff should proceed with all students to a pre-designated tornado shelter.

FIRE EXTINGUISHERS, SMOKE/HEAT SENSORS, AND FIRE ALARMS ARE APPARATUS, WHICH ARE TO ONLY BE USED IN THE EVENT OF EMERGENCIES. PEOPLE WHO INTENTIONALLY MISUSE THIS EQUIPMENT WILL BE REFERRED TO THE PROPER AUTHORITIES.

## Fees and Fines

1. No student shall be required to pay a fee for a required program, project, or activity that occurs during the regular school year.
2. Fees may be charged in the following areas:
  - a. In any program where the resultant product, in excess of minimum requirements and at the student's option, becomes the personal property of the student.
  - b. Admission fees or charges for extracurricular activities where attendance is optional.
  - c. A parking permit fee for any vehicle using the school's parking lot.
  - d. A security deposit to assure the return of materials, supplies, or equipment.
  - e. Personal physical education and athletic equipment and apparel.
  - f. Items or products that are purchased for personal use, such as, student publications, class rings, annuals, and graduation announcements.
  - g. Fees specifically permitted in any other statute.
  - h. Field trips that are considered supplementary to a district's educational program and not required or graded.
  - i. Any authorized voluntary student health and accident benefit plan.
  - j. For use of musical instruments that the district owns or rents.
  - k. Students may be required to furnish personal or consumable items including pencils, papers, pens, erasers, and notebooks.
3. Fees may not be charged in the following areas:
  - a. Textbooks, workbooks, art materials, laboratory supplies, and towels.
  - b. Supplies necessary for participation in any instructional course except as specifically authorized.
  - c. Field trips that are required as a part of a basic educational program or course.
  - e. Instructional costs for necessary school personnel employed in any course or educational program required for graduation.
  - f. Library books that are required to be utilized for any educational course or program. (A fee may be charged for lost books).
  - g. Admission fees, dues or fees for any activity the student is required to attend.
  - h. Any admission or examination cost of any required educational course or program.
  - i. Locker rentals. (A deposit for a padlock or key is permissible).
4. Payment of Obligations  
Students who have end-of-the-semester obligations (library fines, lost books, missing athletic equipment, etc.) will have their final grades withheld until all obligations are met.

## **Field Trips**

Occasionally certain classes offer opportunities for students to visit sites outside the school that are related to the course. These opportunities are a privilege and may be denied for just cause. It is required that students return the signed "parent permission slip" to their teacher before they leave on the field trip. Only school-authorized transportation will be used and at least one faculty member will chaperone each vehicle used for the field trip. Parents are allowed to only take their own child from a school function.

## **Grievance Procedure**

In an attempt to give Saint Peter students an opportunity to present a legitimate grievance, they may have access to the following grievance procedure, which has been adopted:

1. A student with a particular grievance or complaint is urged to first try to resolve the problem with the other party involved on a one-to-one basis (i.e., grades, discipline, school policy, etc.).
2. If the problem cannot be resolved at level one, the student should then bring that problem to the attention of the dean of students who will call together the grievant, the other party involved and will attempt to mediate and resolve the problem.
3. If the problem is not resolved at level three, the student may again present it to the principal, who will review all the information related to the problem and promptly render a decision.
4. If, after the final decision of the principal, the grievant still believes the problem is unresolved, further appeal may be granted through request made to the principal for review by the Superintendent of Schools.

## **Lost and Found**

Lost and found articles are located near the office.

## **Lunch**

1. Students are to eat meals in the Commons area or when weather permits, the courtyard.
2. Students are expected to clean up after themselves.
3. Lunch accounts:
  - a. Students will have a lunch account number.

5. Closed campus lunch period:

High school students have a closed lunch period. Students are not allowed to leave the school for lunch. Those students with Junior or Senior Privilege who have a study hall during block three are allowed to leave the high school.

## **Media Center Procedures**

The Media Center is open from 7:30 a.m. to 3:30 p.m. Monday – Thursday, and 7:30 a.m. – 3:00 p.m. Friday. The Media Center may be open for evening hours near the end of each quarter. The Media Center is to be used as a working/studying area. Students who do not comply will be removed.

## **Parking Regulations**

### Student Parking on School Grounds

Parking Permits:

Students shall be permitted to drive automobiles and/or motorcycles to and from school. However, students desiring to use any of the high school parking facilities will be required to purchase a parking permit. Cars,

vans, trucks, motorcycles, and mopeds must all have the required Saint Peter High School permit in order to use school parking lots. Permits are available in the high school office. Violators may lose all parking privileges on school grounds.

Students will be issued one student-parking sticker for \$25.00. A \$5.00 fee will be charged for every lost parking sticker issued thereafter. Parking stickers must be attached to each vehicle's inside rearview mirror. The parking sticker must be clearly visible from the outside of the vehicle. Student vehicles need a new parking sticker each school year.

#### Parking Rules:

1. The student parking lot is the west lot, adjacent to the tennis courts and the entrance to the gymnasium area.
2. Students driving automobiles and/or motorcycles to school must park their vehicles in the parking lots in areas designated as student parking. Vehicles must be parked in marked parking spots or this can impede the safe coming and going of other vehicles.
3. Students driving automobiles and/or motorcycles to school must drive safely at all times.
4. Students who are authorized to leave during the day (PSEO, Junior/Senior Privilege, CIA) will be issued a different color parking pass that will allow them to park in designated areas on the east side (staff lot/media center side).
5. Students who leave during the day for appointments will be issued a temporary parking pass for that day, which will allow them to park in the staff lot upon their return.
6. Students using automobiles improperly may forfeit the right to use school parking lots.
7. Students who park on school grounds understand that their vehicle may be searched by school personnel at any time while parked on school grounds, provided that the high school personnel has reason to believe that the vehicle contains contraband.

#### **Pledge of Allegiance**

The School Board recognizes the need to provide instruction in the proper etiquette, display, and respect of the United States flag. The purpose of this policy is to provide for the recitation of the Pledge of Allegiance and instruction in school to help further that end. The recitation shall be conducted by each individual classroom teacher or the teacher's surrogate; or over a school intercom system by a person designated by the school principal or other person having administrative control over the school. Any student or teacher may decline to participate in the recitation of the Pledge of Allegiance to the flag. Others must respect the choice not to recite the Pledge.

#### **Reporting to Parents**

It is School District policy to inform parents at regular intervals of their student's attendance, academic, and disciplinary matters. Consequently, the following reports will be available at appropriate times to parents:

##### 1. Attendance Notices

Notices of irregular attendance practices will be forwarded to parents/guardians at appropriate intervals. Should poor attendance continue, a conference with the student's parents/guardians will be necessary. Continued poor attendance could result in the student's forfeiting credit in the particular class.

##### 2. Academic Reports

The grading system is A, B, C, D, F, No Credit, and Incomplete. Report cards are available online to parents, guardians, and students at the end of each grading period. On-line access can be

obtained by contacting Kathy Wobbrock at 934-4210 ext 418, or kwobbrock@stpetersschools.org. Paper copies will be mailed per parent/guardian request.

3. Academic progress reports are available online throughout the school year.

4. Parent conferences will be held during each school year. The dates for parent conferences are noted in the school calendar.

5. Discipline Referrals

Whenever any form of disciplinary action is necessary, a discipline referral will be sent to the parents/guardians informing them of the misconduct as well as the administrative action taken.

### **School Closing Procedures**

School closings and late start announcements will be made over local television and radio stations, as well as with automated calls, beginning about 6:30 a.m. The school district will also activate its emergency communications system (ConnectEd). The same local media and ConnectEd will be used if school must be dismissed early. Each rural student is asked to make prior arrangements to stay in town in case future weather conditions do not permit the buses to follow their routes. Parents/guardians may choose not to send their child to school if, in their estimation, the weather is too severe and school has not been closed.

### **Searches (Locker, Vehicle, Personal)**

Equipment such as lockers belongs to the school district, but students may be allowed to use the equipment as a convenience. The school insists that lockers be properly cared for and not used for the storage of illegal items such as firearms, liquor, cigarettes, illegal drugs, etc. Students will each be issued a locker and its combination. Students are encouraged to keep their locker locked at all times and not share their locker combination with others.

#### **1. Student's Rights**

a. A search of a student's person should be limited to a situation where the administration has a reasonable belief that the student is concealing evidence of an illegal act or school rule violation.

b. Dangerous items (such as firearms, weapons, etc.) and other items, which may be used to substantially disrupt the educational process, will be removed from the student's possession.

c. A general inspection of school properties including, but not limited to, lockers or desks may be conducted on a regular basis. Illegal items and items belonging to the school or another person will be seized.

d. All items seized may be returned to the proper authorities or the true owner.

e. Students may be given the opportunity to be present when a search of personal possessions is conducted if there is no reason to believe that their presence would be a threat to the safety of themselves or others.

f. When a custodial interrogation takes place in school (in relation to a locker search) by a law enforcement official or police officer, students should be advised of their rights by the proper authority, including the right to counsel and the right to remain silent.

g. Lockers may be searched by school authorities for any reason, at any time, without notice, without student consent, and without a search warrant. This is 1995 Minnesota Legislation (HF107, Article 3, Sec. 10-12).

h. It is a policy of the state of Minnesota (Subdivision 1) that school lockers are the property of the school district. At no time does the school district relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school authorities for any reason at any time, without notice, without student consent, and without a search warrant. These searches may be carried out by a specially trained dog. The

personal possessions of students within a school locker may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's personal possessions, the school authorities must provide notice of the search to the students whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials.

i. School principals will conduct periodic inspections of the school locker areas and/or parking lots on district premises. These inspections may be announced or unannounced and may be carried out using specially trained dogs to sniff out and alert staff to the presence of substances prohibited by law or district police.

### **Junior and Senior Privilege**

Junior & Senior Privilege is available to those juniors and seniors who qualify during the first, second, third, and fourth quarters of the school year. This privilege will allow qualifying students the ability to leave school during their study hall. In order to qualify for this privilege, students must meet the following standards/criteria:

1. Students must be in good academic standing.
  - Students must be on track to graduate with their class and seniors must be making progress on their senior achievement paper and project.
  - If the student has had a **C+, C, C-, D+, D, D-, F, Incomplete, or No Credit (NC) grade** on a previous quarter's grade report in any class, **he/she will not qualify**. If there are extenuating circumstances involving an incomplete (i.e.: serious illness, etc.), the principals will evaluate the situation on a case-by-case basis.
2. Students must have met all school obligations including Media Center and Lunchroom debt.
3. Students must not have ANY major disciplinary referrals, behavior issues, or unexcused absences in the quarter preceding or during the quarter of Privilege.
4. Students must be registered for seven credits.
5. Students may not drop a class to gain Privilege.
6. Students may not be tardy to the class that follows their Privilege time. (3 violations of this rule will result in the loss of Privilege)
7. Students must attend homeroom on days that a homeroom schedule is in place.
8. During scheduled Privilege time, students may use the Commons, locker bay area, media center, resource spaces, or leave the building.
9. A parent's signature of approval must be signed on the application form unless the student is 18 and has the appropriate form on file in the High School office.
10. Applications must be completed and returned to the senior high office by no later than the date posted in the MS/HS office and in the bulletin. Late Privilege Applications will be dealt with on an individual basis. Privilege continues into subsequent quarters unless it is revoked.
13. The Privilege begins on the date posted in the MS/HS office. If a student did not have Privilege the previous quarter, he/she may not take Privilege until they have been notified that they have qualified.

### **Student Appearance**

1. Students do not have a formal dress code. However, in order to provide the very best learning environment, clothing or hairstyles deemed disruptive or which cause a distraction to the educational process will not be allowed. Teachers and other staff will make the determination of disruption or distraction.

The school prohibits objectionable emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to a protected class, evidences gang

membership or affiliation, or approves, advances, or provokes any form of religious, racial, or sexual harassment and/or violence against other individuals as defined in MSBA/MASA Model Policy 413.

If a student's appearance is determined to be inappropriate in the school setting, the student will be responsible to correct the situation by:

- a. Changing the attire
- b. Covering the attire or distraction, or
- c. Removing the attire or distraction.
- d. Go home to change

\*Students who continually refuse to comply with requests to dress accordingly will be subject to all discipline procedures.

2. Appropriate hats and caps and other head coverings will be allowed in the high school; however, classroom protocol will be at the discretion of the teacher. Teachers will have the right to allow or not allow hats in their classes. Failure to follow classroom rules will be considered insubordination.

### 3. Student Rights and Responsibilities

- a. Student dress and grooming are the responsibility of the student and her/his parent/guardian.
- b. Dress and grooming shall be clean and in keeping with health and sanitary practices.
- c. Students should not wear clothing or hairstyles that can be hazardous to them in their school activities such as shop, lab work, physical education, and art.
- d. Dress and grooming shall not disrupt the educational process.
- e. Students whose dress is in violation of these standards will be subject to dismissal.

### **Student Assemblies, Meetings, and Dances**

The First Amendment right to free speech and assembly are honored, provided that the exercise of a right does not substantially disrupt the educational process.

#### 1. Student Meeting Rights

- a. Students are permitted to hold student meetings on school property within the limitation applicable to all groups under Minnesota Statute 123.36 (5).
- b. Students have the right to gather informally.

#### 2. Rules for a Student Meeting

- a. Meetings should be scheduled in advance.
- b. Normal class activities may not be disrupted.
- c. The meeting shall not be such as may be likely to create a substantial danger to persons or property.
- d. If a crowd is anticipated, a crowd control plan shall be filed in the Principal's office in advance of the meeting.

#### 3. Rule for an Informal Gathering

- a. Students gathered informally shall not subsequently disrupt the educational process.
- b. Students who willfully disregard this rule may be subject to dismissal.

#### 4. Dances

- a. Only Saint Peter High School groups may sponsor dances, which are approved and cleared by the Student Council and building principal.
- b. All dances must have the following adults present:
  1. Principal, dean of students, or advisor
  2. Eight adult chaperones
  3. One police officer

- 4. Advisors whose organizations sponsor a dance are expected to attend
  - c. Students wishing to bring an outsider to a school dance must obtain a pass from the High School office to the dance.
  - d. Any student who leaves the dance will not be readmitted.
  - e. Guests are subject to the same rules as students of Saint Peter High School.
  - f. Prom
- Prom is a special dance, which is sponsored by the Junior class in honor of the Seniors. The dance is open to Juniors and Seniors and their guests. However, participants must be at least of Junior class status and no older than age 20.

### **Telephone Use, Messages, and Calls from Home**

#### 1. Telephone Use

Telephone use in the classroom will be allowed per teacher discretion. In those classes where phones are not allowed, a box may be made available to place the phone in prior to the start of class. It may then be retrieved at the end of class.

#### 2. Messages and Calls from Home

Except in cases of emergencies, the office does not call students out of classes when parents leave messages for their students. The office will attempt to call students from class at the end of a class period if possible, or students will be called to the offices at the end of the school day.

### **Transportation**

#### 1. School Bus and Bus Stop Rules

The School District school bus safety rules are to be posted on every bus. If these rules are broken, the School District's discipline procedures are to be followed. Consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the School District's Transportation Office/School Office.

#### 2. Expectations at the Bus Stop

- a. Get to the bus stop five minutes before your scheduled pick-up time. The school bus will not wait for late students.
- b. Respect the property of others while waiting at the bus stop.
- c. Keep your arms, legs, and belongings to yourself.
- d. Use appropriate language.
- e. Stay away from the street, road, or highway when waiting for the bus.
- f. Wait until the bus stops before approaching the bus.
- g. After getting off the bus, move away from the bus.
- h. If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
- i. No fighting, harassing, intimidating, or horse playing.
- j. No use of alcohol, tobacco, or drugs.

#### 3. Expectations on the Bus

- a. Follow the driver's direction right away.
- b. Sit in the seat facing forward.
- c. Talk quietly and use appropriate language.
- d. Keep all parts of your body inside the bus.
- e. Keep your arms, legs, and belongings to yourself.
- f. No fighting, harassment, intimidating, or horse playing.
- g. Do not throw any object.

- h. No eating, drinking or using tobacco or drugs.
- i. Do not bring any weapon or dangerous objects on the school bus.
- j. Do not damage the school bus.

#### 4. Consequences

Consequences for school bus/bus stop misconduct will apply to all regular and late routes. Decisions regarding a student's privilege to ride the bus in connection with co-curricular and extracurricular events (for example, field trips or competitions) will be at the sole discretion of the school district. Parents or guardians will be notified of any suspension of bus privileges.

##### A. Discipline

1. The first time a student violates any of the rules of the bus, the student responsible will be warned, his or her parents/guardians will be notified, and the student may face school-assigned detention.
2. The second time an incident occurs, the parents/guardians of the student will be notified. The student may face in-school detention or removal from the bus for up to five days.
3. The third time an incident occurs, the student responsible will be removed from the bus for five or more days, and his or her parents/guardians will be notified.
4. The fourth time an incident occurs, the student responsible may be removed from the bus for the remainder of the year.
5. Any infraction serious enough in nature may be cause for immediate removal from the bus.

##### B. Records

Records of school bus/bus stop misconduct will be forwarded to the individual school building and will be retained in the same manner as other student discipline records. Reports of serious misconduct will be provided to the Department of Public Safety. Records may also be maintained in the transportation office.

##### C. Vandalism/Bus Damage

Students damaging school buses will be held responsible for the damages. Failure to pay for repairs (or make arrangements to pay) within two weeks may result in the loss of bus privileges until damages are paid.

##### D. Notice

Students will be given a copy of school bus and bus stop rules during the school bus safety training. Rules are to be posted on each bus and the driver will periodically review both rules and consequences with students.

##### E. Criminal Conduct

In cases involving criminal conduct (assault, weapons, possession, or vandalism), the Superintendent, local law enforcement officials, and the Department of Public Safety will be informed.

#### 5. Transportation to and from Activities

A. All students will ride school-provided transportation to and from school events. An exception may be made, at the school employee's discretion, if a student is turned over directly to a parent/guardian who submits a written request.

B. Students will be dropped off only at the school after events. Students will not be dropped off at their homes or any other location for any reason.

#### 6. Use of School Buses

##### A. General Rule

The School District uses school buses as transportation for all co-curricular activities.

##### B. Exceptions

1. Coach buses may be substituted for school buses during the summer months if requested by the building level principal.

2. Those students who directly participate in the tournament may use coach buses for transportation to and from state tournaments. The request must be made by the coach of the activity or the director of activities.
3. A coach, director, or teacher may make a request in writing to the building level principal that a coach bus be substituted for a school bus for any particular activity. The principal, at his or her discretion, may substitute a bus coach for a school bus. The decision should be based upon the number of students being transported, the distance to the activity, the type of equipment that will accompany the group and other factors that may affect the safety of the students.  
A copy of the school district school bus and bus stop rules will be provided to each family at the beginning of the school year or when a child enrolls during the school year. Parents and guardians are asked to review the rules with their students.

Parent/Guardian responsibilities for transportation safety.

- Become familiar with district rules, policies, regulations, and principles of school bus safety.
- Assist students in understanding safety rules and encourage them to abide by them.
- Recognize their own responsibility for the actions of their children.
- Support safe riding practices and reasonable discipline efforts.
- When appropriate, assist students in safely crossing local streets before boarding and after leaving the bus.
- Support emergency evacuation procedures as set up by the school district.
- Respect the rights and privileges of others.
- Communicate safety concerns to school administrators.
- Monitor bus stops, if possible.
- Support all efforts to improve school bus safety.

### **Visitors**

Students who are interested in enrolling at Saint Peter High School are welcome to visit during the school day. Only in cases of emergencies will other student visitors be allowed to visit during the school day. All visitors are to first report to the principal's office to obtain permission to be in the school building during the school day.

### **Withdrawal Procedure**

Students who plan on withdrawing from Saint Peter High School should obtain from the Counselor's office the proper withdrawal form and have each of the teachers sign it. Once all teachers have signed the withdrawal form and collected the books, the withdrawal form should be brought to the counselor's office.

## **SECTION 4: TECHNOLOGY**

### **Cell Phones and Electronic Devices**

Cell phones and other personal electronic devices may be used at the following times, providing they are not used for the invasion of personal space and/or property of another person:

- Before and after school
- During passing times between scheduled classes,
- During a student's own lunchtime,
- During one's flex study hall, and
- When actively advocated for by teaching staff.

Cell Phones and other personal electronic devices may not be used at the following times:  
During all testing times, including state-mandated examinations.

Any movie or photo that is taken during instructional time may not be used and must be approved by the dean of students or principal. Students have been strongly encouraged to protect their electronic devices against the risk of theft or loss. School personnel will make limited effort to investigate these losses or thefts. The school assumes no responsibility for confiscated items.

### **Saints Digital Learning Initiative (Ipad)**

Through the Saints Digital Learning Initiative, Saint Peter High School continues its commitment to offering students and teachers access to best-practice strategies and modern equipment to improve the classroom experience.

Please consult the *Saints Digital Learning Initiative 1-to-1 Handbook* for program details, expectations, and terms and conditions. Handbooks are available upon request from the high school office.

## **SECTION 5: STUDENT CONDUCT & DISCIPLINE POLICY**

### **STUDENT RIGHTS**

All students have the right to an education and the right to learn.

### **STUDENT RESPONSIBILITIES**

All students have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
- B. To attend school daily, except when excused, and to be on time to all classes and other school functions;
- C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the school staff in maintaining a safe school for all students;
- F. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H. To be aware of and comply with federal, state, and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;

- K. To dress and groom in a manner that meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;
- L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M. To conduct themselves in an appropriate physical or verbal manner; and
- N. To recognize and respect the rights of others.

## **CODE OF STUDENT CONDUCT**

A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; 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 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 unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.

The School Board considers the following behaviors to be unacceptable behaviors that may be subject to disciplinary action. These behaviors are defined more thoroughly in the Student Handbook, and will be reviewed annually.

1. Acts of dishonesty.
2. Any criminal activity or violation of the law. 506-5
3. Attendance issues, including failure to attend class, tardiness, and leaving class without permission.
4. Cheating and plagiarism.
5. Damage to or misuse of property, including misuse of technology or use of technology in a way that causes property damage
6. Failing to follow the instructions of an administrator, teacher, or other School District representative.
7. Gang activity.
8. Inappropriate physical contact with another person, as well as acts of physical aggression, fighting, horseplay and play fighting.
9. Possession, distribution, or use of alcohol, drugs, vapes and other tobacco products (including look alike substances and synthetic substances) or paraphernalia.
10. Possessions of weapons (as defined in School Board Policy 501) explosives, incendiary devices, or any type of combustible substances.
11. Substantially interrupting the learning environment.
12. Sexual misconduct and sexual assault.
13. Theft.
14. Threats of violence.
15. Trespassing.

16. Using language that is not appropriate in a school setting or possessing materials containing language that is not appropriate in a school setting. Inappropriate language includes abusive, profane, obscene, or threatening language. Inappropriate language also includes language that constitutes cyberbullying, bullying, discrimination, harassment, or hazing. Teasing and name-calling may also be considered inappropriate language.

17. Violations of other School Board Policies setting forth expectations for student behavior including:

- a) School Board Policy 102, Equal Educational Opportunity;
- b) School Board Policy 413, Harassment and Violence;
- c) School Board Policy 417, Chemical Use and Abuse
- d) School Board Policy 419, Tobacco-Free Environment;
- e) School Board Policy 501, Weapons;
- f) School Board Policy 502, Search of Student Lockers, Desks, Personal Possessions, and Student's Person
- g) School Board Policy 503, Student Attendance;
- h) School Board Policy 504, Student Dress and Appearance;
- i) School Board Policy 505, Distribution of Non-School Sponsored Materials on School Premises by Students and Employees
- j) School Board Policy 514 Bullying Prohibition;
- k) School Board Policy 521, Student Disability Nondiscrimination
- l) School Board Policy 526, Hazing Prohibition;
- m) School Board Policy 527, Student Use and Parking of Motor Vehicles, Patrols, Inspections, and Searches;
- n) School Board Policy 528, Student Parental, Family and Marital Status Nondiscrimination;
- o) School Board Policy 536, Student Internet Acceptable Use and Safety Policy;
- p) School Board Policy 627, Academic Honesty;
- q) School Board Policy 709, Student Transportation Safety

## Rules of Conduct

Disciplinary action may be taken against students for any behavior that disrupts good order, impedes the educational process, or violates the rights of others.

- A. DISCIPLINARY ACTION may include but is not limited to:
1. Meeting with the teacher, counselor, dean of students or principal;
  2. Detention/School-After-Hours;
  3. Loss of school privileges;
  4. Parental conference with school staff;
  5. Modified school programs;
  6. Removal from class;
  7. Co-Curricular ineligibility
  8. Suspension;
  9. Exclusion;
  10. Expulsion; and
  11. Reasonable restraint for self-protection or protection of others.

B. The principal may impose or recommend a longer suspension, expulsion, or any other discipline as appropriate on a case-by-case basis (i.e. school service or restitution). The principal may require that the student enter into a behavior contract.

C. It is the policy of the School District to follow the Minnesota Pupil Fair Dismissal Act in the suspension, exclusion, and expulsion of students. The basic provisions of the Pupil Fair Dismissal Act shall be published in the Student Handbook. The handbook will be made available to all students during the first month of the school year.

**ACTIONS SUBJECT TO DISCIPLINE and DISCIPLINE GUIDELINES**

**Attendance**

**1. TRUANCY AND UNEXCUSED ABSENCES**

1. As required by current law, regulations of the State Department and School Board Policy, students shall attend each day that school is in session. The authority to decide whether an absence is excused or unexcused rests with the principal. Students returning to school following an absence will be expected to complete all missed assignments in accordance with district policy and as stated in the Student-Parent Handbook.
2. Truancy is missing school or class without school permission.
3. When a student under 18 reaches three unexcused absences, the principal will notify the student’s parents/guardians.
4. When a student reaches seven unexcused absences on seven different days, county and court/social services authorities will be notified.
5. Students under the age of eighteen will be classified as habitual truants when absent for one or more class periods on seven or more school days if the student has not lawfully withdrawn from school.
6. If a student develops a pattern of tardiness to school or class, disciplinary action will be taken.

**CHEMICAL INFRACTIONS**

\*\* See Appendix C for complete Drug/Alcohol and Assault Policy

**2. ALCOHOL OR CHEMICALS, POSSESSION OR USE**

The possession or use of any alcohol, narcotic, illegal substance, controlled substance, or drug paraphernalia is prohibited while on district property, participating in a district-sponsored activity, or traveling in a district vehicle.

<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>Grades 9-12</b>	<b>5-day suspension Police referral</b>	<b>5-day suspension Police referral</b>	<b>10-day suspension Expulsion recommendation Police referral</b>

**3. ALCOHOL OR CHEMICALS, POSSESSION WITH INTENT TO DISTRIBUTE OR SELL**

Selling, distributing, delivering, exchanging, or intending to sell, deliver, exchange or distribute any alcoholic, narcotic, illegal substance, or controlled substance on district property, while participating in a district-sponsored event or traveling in a district vehicle is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	10-day suspension Expulsion recommendation Police referral		

#### 4. MEDICATION MISUSE (OVER THE COUNTER)

Any student in possession of or using an “over-the-counter” medication must do so in a manner consistent with district policy (see Policy 516 – Student Medication). Selling, distributing, delivering, exchanging, or intending to sell, deliver, exchange or distribute any “over-the-counter” medication is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	1-3 day suspension Police referral	5-day suspension Police referral	10-day suspension Expulsion recommendation Police referral

#### 5. MEDICATION MISUSE (PRESCRIPTION)

Any student in possession of or using prescription medication must do so in a manner consistent with district policy.. Selling, distributing, delivering, exchanging, or intending to sell, deliver, exchange or distribute any prescription medication is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	3-5 day suspension Police referral	10-day suspension Expulsion recommendation Police referral	

#### 6. TOBACCO USE OR POSSESSION

Possession or use of tobacco is prohibited, including e-cigarettes and other items used for the use of tobacco or other illegal substances.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	1-day suspension Police referral	2 day suspension Police referral	3-day suspension Police referral

### Dangerous and/or Nuisance Items

\*\* See Appendix B for complete WEAPONS POLICY

**WEAPONS, EXPLOSIVES, INCENDIARY DEVICES, AMMUNITION, AND OTHER DANGEROUS ITEMS**

"Weapon" means any firearm, whether loaded or unloaded, any device or instrument designed as a weapon or through its use is capable of threatening or producing great bodily harm or death, or any device or instrument that is used to threaten or cause bodily harm or death. "Weapon" includes, but is not limited to, guns (including BB and pellet guns, look-alike guns, and non-functioning guns that could be used to threaten others), knives, clubs, metal knuckles (used in a threatening manner), nunchucks, throwing stars, explosives, stun guns, ammunition, chains, and chain wallets.

- "Possession" refers to having a weapon on one's person or in an area subject to one's control on school property or at a school-sponsored activity.
- Possession of a weapon in school or on school grounds will result in confiscation of the weapon and referral to the police and may result in an initial out-of-school suspension for five (5) days and a recommendation to the Superintendent of Schools that the student is expelled.
- A student who finds a weapon on the way to school or in the school building and takes the weapon immediately to the principal's office shall not be considered in possession of a weapon.

**7. FIREARMS**

Minnesota state law requires that school boards must expel for a period of at least one year, a student who is determined to have brought a firearm to school. The definition of a firearm is found at 18 U.S.C. § 921. The school board may modify this expulsion requirement on a case- by-case basis.

<b>Grades</b>	<b>First Offense</b>
<b>Grades 9-12</b>	<b>10-day suspension Expulsion recommendation Police referral</b>

**8. FIREWORKS**

Possession, distribution or use of any type of fireworks (sparklers, firecrackers, smoke bombs) or ammunition is prohibited. Use of any fireworks that creates a serious disturbance or safety hazard may be considered a violation of "Weapons, Explosives, Incendiary Devices, Ammunition, and Other Dangerous Items."

<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>Grades 9-12</b>	<b>5-day suspension</b>	<b>5-10 day suspension</b>	<b>10-day suspension Expulsion recommendation</b>

**9. NUISANCE OBJECTS**

Misuse or distribution of any object that causes distractions or a nuisance is prohibited. These objects may include but are not limited to, laser pointers, lighters, radios, squirt guns, video games, snaps, stink bombs, bolt cutters, and crowbars.

<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>Grades 9-12</b>	<b>**</b>	<b>1-day suspension</b>	<b>3-day suspension</b>

(\*\*) Indicates disciplinary action assigned by building administration.

**10. POTENTIALLY DANGEROUS ITEMS**

Possessing potentially dangerous items that if misused may be considered dangerous, illegal or could possibly cause harm are prohibited. If it is discovered that a student has accidentally brought such an item to school, the student may not be considered in possession of a weapon.

Nonetheless, because students are responsible for what they bring to school and possession of these items is prohibited, the consequences outlined below apply. If a student directly or indirectly threatens another person or persons with such an object, the student will be determined to be in possession of a weapon and appropriate action will be taken in accordance with district policy.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	1-day suspension	3-day suspension	5-day suspension

**Driving Infractions and Transportation**

**11. DRIVING, CARELESS OR RECKLESS**

Driving any motorized or non-motorized vehicle on district property in such a manner as to endanger people or property is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	Parking permit revoked for the identified time period Possible Police referral	3-day suspension Parking permit permanently revoked Police referral	5-day suspension Police referral

**12. TRANSPORTATION**

All rules that apply to building and classroom behavior apply while riding a school bus. Therefore, students may be administered consequences consistent with other school discipline procedures and in accordance with district policy. **Students endangering persons or property may lose bus riding privileges immediately and for an indefinite period.** Students, grades 9-12, who commit a fourth offense, will be suspended from riding the bus for the remainder of the school year.

Grades	First Offense	Second Offense	Third Offense	Fourth Offense
Grades 9-12	Verbal Warning	1-5 day bus suspension	Loss of bus riding privilege for 10 days	Loss of bus riding privileges for one calendar year

**13. VEHICLE UNAUTHORIZED PARKING, DISPLAY OF PARKING PERMIT**

Students desiring to use any of the high school parking facilities will be required to purchase a parking permit. Cars, vans, trucks, motorcycles and mopeds must all have the required Saint Peter High School permit in order to use

school parking lots. Permits are available in the high school office. Violators may lose all parking privileges on school grounds.

Students will be issued one student-parking sticker for \$25.00. A \$5.00 fee will be charged for every lost parking sticker issued thereafter. Parking stickers must be attached to each vehicle’s inside rearview mirror. The parking sticker must be clearly visible from outside of the vehicle. Student vehicles need a new parking sticker each school year.

**Parking Rules:**

1. The student parking lot is the west lot, adjacent to the tennis courts and the entrance to the gymnasium area.
2. Students must park their vehicles in the parking lots in areas designated as student parking. Vehicles must be parked in marked parking spots or this can impede the safe coming and going of other vehicles.
3. Students must drive safely at all times.
4. Students who are authorized to leave during the day (PSEO, Junior/Senior Privilege, CIA) will be issued a different color parking pass that will allow them to park in designated areas on the east side (staff lot / media center side).
5. Students who leave during the day for appointments will be issued a temporary parking pass for that day, which will allow them to park in the staff lot upon their return.
6. Students using automobiles improperly may forfeit the right to use school parking lots.
7. Students who park on school grounds understand that their vehicle may be searched by school personnel at any time while parked on school grounds, provided that the high school personnel have reason to believe that the vehicle contains contraband.

<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>Grades 10-12</b>	<b>\$10 fine</b>	<b>\$10 fine</b>	<b>Suspension of parking privileges for the remainder of the year</b>

\*\*Vehicles on school grounds after parking privileges have been revoked are subject to immediate towing.

**14. VEHICLE, STEALING PERMIT, FORGING PERMIT, FALSE PERMIT**

Stealing, forging, or using a false permit may result in a school suspension and the loss of parking privileges.

**Physical Infractions**

\*\* See Appendix C for complete Drug/Alcohol and Assault Policy

**15. ASSAULT**

Committing an act with intent to cause fear in another person of immediate bodily harm or death or attempting to or threatening to inflict bodily harm upon another person is prohibited.

<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>Grades 9-12</b>	<b>Up to 3-day suspension Police referral</b>	<b>5-day suspension Police referral</b>	<b>10-day suspension Expulsion recommendation Police referral</b>

**16. ASSAULT, AGGRAVATED**

Committing an assault upon another person with a weapon or an assault that inflicts great bodily harm upon another person is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	10-day suspension Expulsion recommendation Police referral		

**17. FIGHTING**

Engaging in any form of fighting where blows are exchanged is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	5 day suspension Police referral	5-day suspension Police referral	10-day suspension Police referral Expulsion recommendation

**18. PUSHING, SHOVING, SCUFFLING**

Physical contact that could harm others, but is not defined as an assault or fighting, is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	**	1-3 day suspension	3-5 day suspension

(\*\*) Indicates disciplinary action assigned by building administration.

**19. SEXUAL MISCONDUCT**

Engaging in non-consensual sexual intercourse or sexual contact with another person including intentional touching of clothing covering a person’s intimate parts, intentional removal or attempted removal of clothing covering a person’s intimate parts or clothing covering a person’s undergarments, if the action is performed with sexual or aggressive intent, is prohibited. Indecent exposure is also prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	10-day suspension Expulsion recommendation Police referral		

## PROPERTY INFRACTIONS

### 20. ARSON

The intentional setting of a fire that results in, or could have potentially resulted in, the destruction or damage to district property or other property or that endangers or potentially endangers others by means of fire is prohibited.

Grades	First Offense
Grades 9-12	10-day suspension Expulsion recommendation Police referral

### 21. BREAKING AND ENTERING

Entering a secured district location, after school hours, using an unauthorized mechanism of entering is prohibited.

Grades	First Offense	Second Offense
Grades 9-12	5-day suspension Police referral	10-day suspension Expulsion recommendation Police referral

### 22. FIRE EXTINGUISHER, UNAUTHORIZED USE

Fire extinguishers are important tools that are needed in potentially life-threatening fires. All other uses are prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	**	3-5 day suspension Police referral	10-day suspension Expulsion recommendation Police referral

(\*\*) Indicates disciplinary action assigned by building administration.

### 23. ROBBERY OR EXTORTION

Taking property from another person by the use of force, the threat of force compelling acquiescence, or under false pretenses is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	1-3 day suspension Police referral	5-10 day suspension Police referral	10-day suspension Expulsion recommendation Police referral

**24. SECURITY SYSTEM TAMPERING -**

Any action that is intended to deactivate, damage, or destroy any security system of the district is prohibited. This action includes, but is not limited to, the disabling of or tampering with a district security camera or an automatic locking door apparatus.

<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>Grades 9-12</b>	<b>1-3 day suspension Police referral</b>	<b>3-5 day suspension Police referral</b>	<b>10-day suspension Expulsion recommendation Police referral</b>

**25. THEFT, RECEIVING OR POSSESSING STOLEN PROPERTY**

The unauthorized taking, using, transferring, hiding or possessing of property of another person without the consent of the owner or the receiving of such property is prohibited. Restitution, when appropriate, will be required.

<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>Grades 9-12</b>	<b>1-3 day suspension Police referral</b>	<b>3-5 day suspension Police referral</b>	<b>10-day suspension Expulsion recommendation Police referral</b>

**26. TRESPASSING**

Remaining on school property without authorization is prohibited. Students are not to go into other district buildings unless they have permission from the building administrator or attending a district-sponsored event. Any student on suspension who goes to a district location without permission is subject to being charged with trespassing and an increase in suspension time. Admitting others through a locked or secured entrance without the permission of district employees is also classified as trespassing.

<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>Grades 9-12</b>	<b>1-day suspension</b>	<b>3 day suspension</b>	<b>5-10 day suspension</b>

**27. VANDALISM, MINOR ACTS (LESS THAN \$500)**

Littering, defacing (including placement of graffiti), cutting, damaging or destroying property that belongs to the district or other individuals/entities is prohibited. Vandalism is prohibited.

<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>Grades 9-12</b>	<b>1-3 day suspension Police referral</b>	<b>5-day suspension Police referral</b>	<b>10-day suspension Expulsion recommendation Police referral</b>

**28. VANDALISM, MAJOR ACTS (MORE THAN \$500)**

Littering, defacing (including placement of graffiti), cutting, damaging, or destroying property that belongs to the district or other individuals/entities is prohibited. Vandalism is prohibited.

<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>Grades 9-12</b>	<b>10-day suspension Expulsion recommendation Police referral</b>		

**TECHNOLOGY INFRACTIONS**

\*\* See Appendix H for complete ACCEPTABLE USE OF THE COMPUTER NETWORK AND INTERNET

**29. ELECTRONIC DEVICES, MISUSE OF**

High school students may use cell phones or personal electronic mobile devices at the discretion of a teacher and in a way that is not disruptive to the educational process including use in class or in any way that sacrifices, or potentially sacrifices, academic integrity (see also Dishonesty, Scholastic and Photographic Device Misuse).

<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>Grades 9-12</b>	<b>Device confiscated Pick up at the end of the day either from the teacher or office.</b>	<b>Device confiscated 1 unit of Saints Time detention Parent must pick up phone</b>	<b>Repeat Offense #2 with Additional units of detention</b>

**30. PHOTOGRAPHIC OR RECORDING DEVICE MISUSE**

Use of any photographic or recording device that impinges upon the rights of others is prohibited. This prohibition includes the distribution or receipt of a picture(s)/recording that impinges upon the personal privacy of another. Misuse of any device in a school locker room, school bathroom or elsewhere in a way that violates the personal privacy of the individual may result in the immediate initiation of the expulsion process.

<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>Grades 9-12</b>	<b>1-2 day suspension</b>	<b>3-5 day suspension</b>	<b>5-day suspension</b>

**31. TECHNOLOGY AND TELECOMMUNICATIONS, MISUSE**

Misuse of technologies, equipment, or network; deletion or violation of password-protected information, computer programs, data, passwords, or system files; inappropriate accessing of files, directories, and Internet sites; deliberate contamination of the system; unethical use of information; or violation of copyright laws is prohibited. In addition, network access may be monitored and/or limited as a result of technology and/or telecommunication misuse.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	**	3-5 day suspension	10-day suspension and access limited or monitored indefinitely. Expulsion recommendation.

(\*\*) Indicates disciplinary action assigned by building administration.

### 33. TECHNOLOGY & TELECOMMUNICATIONS, BREACH OF

The deliberate breach of the school district network and technology resources is prohibited and may result in disciplinary actions, including but not limited to suspension, police referral, and recommendation for expulsion.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	5 day suspension. Police referral. Social worker referral.	10-day suspension. Police referral. Recommendation for expulsion.	

## THREATENING AND/OR DISRUPTIVE BEHAVIOR

\*\* See Appendix D for complete HARASSMENT AND VIOLENCE POLICY

\*\* See Appendix E for complete BOMBS AND BOMB THREATS POLICY

\*\* See Appendix G for complete HAZING POLICY

\*\* See Appendix I for complete BULLYING PROHIBITION POLICY

### 34. ABUSE, VERBAL

The use of language that is obscene, threatening, intimidating, or inflammatory or that degrades other people is prohibited. Verbal abuse may also be addressed under the guidelines for harassment and/or bullying, when appropriate.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	**	3-5 day suspension	10-day suspension Expulsion recommendation

(\*\*) Indicates disciplinary action assigned by building administration.

**35. BOMB THREAT OR TERRORISTIC THREAT**

Making, publishing or conveying in any manner a bomb threat or any other type of terroristic threat pertaining to a school location or event is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	10-day suspension Expulsion recommendation Police referral		

**36. BULLYING OR INTIMIDATING BEHAVIOR**

Bullying or intimidating behavior of any type, including through the use of technology and the Internet, is prohibited. Bullying or intimidating behavior may also be addressed under the guidelines for harassment and/or verbal abuse, when appropriate.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	**	1-3 day suspension Social worker intervention	2-10 day suspension Social worker intervention

(\*\*) Indicates disciplinary action assigned by building administration.

**37. DISORDERLY CONDUCT**

Disorderly conduct is prohibited. Disorderly conduct is an act that the student knows or has reasonable grounds to know will alarm, anger, disturb others or provoke an assault or breach of the peace. Disorderly conduct may also be engaging in offensive, obscene, abusive, boisterous or noisy conduct or gestures or offensive, obscene or abusive language tending reasonably to arouse alarm, anger or resentment in others.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	**	2-5 day suspension	10-day suspension Expulsion recommendation

(\*\*) Indicates disciplinary action assigned by building administration.

**38. DISRUPTIVE OR DISRESPECTFUL BEHAVIOR**

Disruptive or disrespectful behavior is prohibited. Disruptive or disrespectful behavior is language or behavior that disrupts or threatens to disrupt the school environment.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	**	1-day suspension	3-day suspension

(\*\*) Indicates disciplinary action assigned by building administration.

**39. FIRE ALARM, FALSE**

Intentionally giving a false alarm of a fire or tampering or interfering with any fire alarm, fire alarm system or sprinkler system is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	5-day suspension Police referral	10-day suspension Expulsion recommendation Police referral	

**40. GAMBLING**

Gambling, including but not limited to, playing a game of chance for stakes or possession of gambling devices (including machines, video games, and other items used to promote a game of chance) is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	**	1-3 day suspension	3-5 day suspension

(\*\*) Indicates disciplinary action assigned by building administration.

**41. HARASSMENT OR RETALIATION**

Harassment and violence because of race, color, creed, religion, national origin, sex, marital status, parental status, status with regard to public assistance, disability, sexual orientation, or age, as defined in the district policy, are prohibited. Reprisal or retaliation for a complaint of harassment is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	1-3 day suspension	3-5 day suspension	10-day suspension Expulsion recommendation

**42. HAZING**

Hazing activities of any type are prohibited at all times. 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. Hazing, by its very nature, often occurs off school grounds, after school hours, on non-school days, and during summer months. Students are advised that hazing is prohibited whenever and wherever it occurs.

Grades	First Offense	Second Offense	Third Offense[bo10]
Grades 9-12	3-5 day suspension	10-day suspension Expulsion recommendation	

#### 43. INSUBORDINATION

A deliberate refusal to follow an appropriate direction or to identify one's self when requested is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	**	1-3 day suspension	3-5 day suspension

(\*\*) Indicates disciplinary action assigned by building administration.

#### 44. THREATENING GROUP ACTIVITY

Threatening group-related activity, the use of graffiti emblems, symbolism, hand signs, slang, tattoos, jewelry, discussion, clothing, etc. are prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	3-day suspension Social worker intervention	5-day suspension	10-day suspension Expulsion recommendation

#### 45. THREATS OF PHYSICAL HARM TOWARD STUDENTS, EMPLOYEES, OR OTHER PERSONS

The use of language that is blatantly threatening or intimidating that could be interpreted as a death threat or insinuating the infliction of serious bodily harm upon students, employees or other persons is prohibited.

Making comments that could be interpreted as death threats or insinuating the infliction of serious bodily harm upon students, employees or other persons is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	10-day suspension Expulsion recommendation Police referral		

### OTHER BEHAVIOR INFRACTIONS

#### 46. DRESS AND APPEARANCE

Inappropriate clothing or appearance is prohibited. Administrators reserve the right to deny admission to school functions based on dress or appearance determined to be inappropriate or disruptive to the educational process. When a student is found in violation of these guidelines, the student will be directed to make modifications or be sent home for the day.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	**	**	1-3 day suspension

(\*\*) Indicates disciplinary action assigned by building administration.

#### 47. FALSE REPORTING

Intentionally reporting false information about the behavior of a student or employee is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	1-3 day suspension	3-day suspension	3-5 day suspension

#### 48. RECORDS OR IDENTIFICATION FALSIFICATION

Falsifying signatures or data, misrepresenting identity, or forging notes is prohibited[bo11].

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	**	1-day suspension	3-day suspension

(\*\*) Indicates disciplinary action assigned by building administration.

(\*\*) Indicates disciplinary action assigned by building administration.

#### 50. INAPPROPRIATE USE OF SINGLE-PERSON RESTROOMS

Single user restrooms are to be used only by one person at a time. Entering and closing the door to utilize the restroom as pairs, regardless of gender is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	3-day suspension	5-day suspension	5-day suspension

#### 51. UNIQUE SITUATIONS

Discipline situations not covered by these guidelines will be handled on a case-by-case basis. Behaviors that are willful and disruptive or potentially harmful are included. Unique or special situations at a particular school may call for an adjustment in the discipline policies to meet the school or district's needs.

### SECTION 6:

#### Classroom and Office Disciplinary Plans

##### A. Classroom Discipline Plan

1. The Classroom Discipline Plan is for Minor Discipline Referrals, which are handled in the classroom by the teacher. Each teacher does the following within the first two days that class is in session:
  - a. Discuss and explain the rights and responsibilities of students within each classroom.
  - b. Develop/discuss rules within each general category in each classroom (see classroom rules),
  - c. Explain how student rights and responsibilities are balanced.
  - d. Discuss the range of consequences for violations of rules.
  - e. These rules should be specific to each classroom.
2. Classroom Disciplinary Action

- a. The teacher will communicate to the student what she/he is doing that violates a rule and what the rule says. The teacher will determine whether the rule has been followed and whether the student understands the circumstances. The teacher will be responsible for this communication.
- b. For group disruptions, there will be administrative intervention.
- c. Students shall be removed from class for:
  1. Chemical use or possession (tobacco, drugs, paraphernalia, under the influence);
  2. Physical violence;
  3. Inappropriate language;
  4. Possession of a weapon; and
  5. Gross insubordination (defiance or continued lack of compliance with teacher requests).

#### **B. Office Discipline Plan**

1. The Office Discipline Plan is for Major Discipline Referrals.
2. Level Two incidents (as defined by the discipline chart) may result in a student's assignment to:
  - a. Detention;
3. Students may be disciplined for off-campus conduct that disrupts, interferes, or otherwise affects the environment, activities, or operation of the school.
4. Students who are removed from a class for disruptive or inappropriate behavior may be ineligible to participate in after school extra-curricular activities on the date of the violation.

#### **C. Elopement Plan**

Students who have demonstrated a pattern of elopement from the school setting will have a specific elopement plan developed in collaboration with parents, case manager, teacher, principal, social worker, nurse, and others as identified.

#### **D. Detention**

1. Detention Assigned Through the Dean of Students or Principal's Office
  - a. Students who earn detention from office administration must complete their detention within 2 school days (in other words, within 2 available detention sessions). A student will receive 1 additional detention unit for each day they are late in fulfilling their detention obligation. Blatant insubordination in regard to this policy will result in escalated discipline, not excluding suspension.
2. Detention Assigned by the Teacher and conducted by the teacher
  - a. Teachers have the right to assign detention to students to be served with them in a determined classroom and at a determined time.
  - b. If the person who assigned the detention has contacted the student's parent/guardian, the student may be detained the same day the detention is assigned. Otherwise, the student will be allowed one day in order to notify her/his parent/guardian and make the necessary arrangements for transportation.
  - c. Students may be expected to serve detention before school as well as after school.
  - d. Students failing to attend assigned detention from a teacher will be referred to the principal for further disciplinary action.

## **E. Removal of Students from Class**

1. The teacher of record shall have the general control and government of the classroom. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean any actions taken by a teacher, principal, or other school district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

Grounds for removal from class shall include any of the following:

- a. Willful conduct that significantly disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn;
- b. Willful conduct that endangers surrounding persons, including school district employees, the student or other students, or the property of the school;
- c. Willful violation of any school rules, regulations, policies, or procedures, including the Code of Student Conduct in this policy; or
- d. Other conduct, which in the discretion of the teacher or administration, requires removal of the student from class.

A student must be removed from class immediately if the student engages in assault or violent behavior. "Assault" is an act done with intent to cause fear in another of immediate bodily harm or death; or the intentional infliction of, or attempt to inflict, bodily harm upon another. The removal from class shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.

### **2. Procedures for Removal of a Student From a Class.**

- a. The Teacher shall notify the office that said student has been removed from class.
- b. Removal from class is at the discretion of the classroom teacher based on the event.
- c. The Teacher must enter the event into Infinite Campus as a behavior incident by the end of the school day or not later than 8am the following school day.

### **3. Responsibility for and Custody of a Student Removed From Class.**

- a. Based on the incident involved, the teacher has the option to ask the student to sit outside the room or out of an activity or send them to the office. In the event the student is asked to sit outside the room or out of an activity, the teacher still maintains responsibility for the custody of the student.
- b. In the event the student is required to go to the office, the teacher is responsible for deciding the manner in which the student should go to the office.

- i. The teacher can call the office to notify the staff that a student is on their own walking to the office.
  - ii. The teacher can call the office to notify the staff that an escort is needed to walk a student down to the office.
  - iii. The teacher has responsibility for the student until the student has been released to an office staff member or has reached the office.
- c. Students and office staff must be instructed as to what the student is to do when removed from the class.

**4. Procedures for Return of a Student to a Class From Which the Student Was Removed.**

- a. For removals that do not mean removal to the high school office, the teacher will meet with the student prior to the next class period to discuss the incident. It is at the teacher's discretion whether the incident warrants notification of the parents/guardians.
- b. For removals that result in the student being sent to the high school office, the Dean or Principal will meet with the student.
  - i. The administrative staff will assess the situation based on known information and discuss with the student.
  - ii. The office staff will confer with the reporting staff member to collaborate information and assess the incident.
  - iii. The administrative staff will follow the Student Handbook policy regarding student behavior and subsequent actions by the school.
  - iv. The administrative staff will bring in counseling services as needed to assist students who are experiencing challenges that are leading to any behavioral issues.
  - v. For instances that result in office suspensions or expulsions, the school administration will contact the parents/guardians. For all other instances, the teacher will notify the parents/guardians of the incident.

**5. Procedures for Notification.**

- a. For instances that result in office suspensions or expulsions, the school administration will contact the parents/guardians by phone. Return to school policy following a suspension / expulsion will be followed.
- b. The high school administration will contact the parents/guardians for situations that may display a pattern of inappropriate or repeated behaviors. Parents / guardians will also be notified if the event causes concern for the safety of the student or others.
- c. For all other instances, the teacher will notify the parents/guardians of the removal.

**6. Disabled Students; Special Provisions**

- a. When a student to be disciplined is receiving special education services, a review of the student's IEP will be conducted. The administrative procedure outlined in 007.271 identifies the interventions that may be used as well as defines the procedures necessary to implement certain behavior programs.

1. Removal from class is the short-term exclusion of a student from a class. The school retains custody of and responsibility for the student in the event of removal.

Students shall be removed from a class only upon the agreement of the appropriate teacher and the principals and upon an informal administrative conference with the pupil. The terms of the removal shall be established at the informal administrative conference; the terms may include completion of classwork that is missed. Removal may be imposed without an informal administrative conference when an immediate and substantial danger exists to the student, to another person, or to property.

The length of removal shall be at the principals' discretion upon consultation with the teacher. Removal from class shall not exceed five consecutive class periods. Students shall be returned to class upon completion of the terms of the removal.

### 2. In-School Suspension (ISS)

Definition: This is a short-term exclusion from classes, not from the school. The student will be assigned to a workroom where assignments will be brought and the student will work on school work in a supervised environment.

### 3. Out of School Suspension

Definition: An out of school suspension is the short-term exclusion of the student from school. The school is relieved of custody of and responsibility for the student.

Procedure:

Suspension, exclusion, and expulsion shall be implemented in accordance with the Pupil Fair Dismissal Act.

## G. Disciplinary Action and Special Services

When a student to be disciplined is receiving special education services, a review of the student's IEP will be conducted. The administrative procedure outlined in 007.271 identifies the interventions that may be used as well as defines the procedures necessary to implement certain behavior programs.

## H. Pupil Fair Dismissal Act

Nothing in this policy is intended to conflict with the Pupil Fair Dismissal Act.

### 1. Parent/Guardian Notification:

Parents/guardians shall be notified in writing of violation of the rules of conduct and resulting disciplinary actions by first-class mail except as provided otherwise by the Pupil Fair Dismissal Act. Disciplinary referrals will be mailed from the Senior High School office.

### 2. Student Notification:

Students shall be notified of violations of the Rules of Conduct and resulting disciplinary actions verbally except as provided otherwise by the Pupil Fair Dismissal Act.

## I. Corporal Punishment

The Board of Education prohibits the use of corporal punishment. However, reasonable force may be used by a teacher or other member of the instructional, support or supervisory staff upon or toward a student when necessary to restrain the student from self-injury or injury to any other person or property.

## J. Grounds for Dismissal

A student may be dismissed on the following grounds:

### 1. Willful violation of any reasonable school board regulation. This includes offenses such as:

- a. Using, possessing, or distributing tobacco products, alcohol or drugs on school grounds or in the school building.
- b. Using inappropriate language.

- c. Excessive class skipping or truancy.
  - d. Excessive tardiness.
  - e. Insubordination with a teacher or other school employee.
  - f. Missing detention.
  - g. Other potentially dangerous activities.
2. Willful conduct that materially and substantially disrupts the rights of others to an education. This includes such offenses as:
- a. Class or school disruption.
  - b. Harassment of other students.
  - c. False fire alarms.
  - d. Bomb threats.
3. Willful conduct, which endangers the pupil or other pupils, or the property of the school. This includes such offenses as:
- a. Fighting.
  - b. Vandalism or theft on school property.
  - c. Carrying or using dangerous instruments.
  - d. Aggravated assault.
  - e. Exploding of fireworks or explosives.
  - f. Possession or use of drugs or alcohol.
  - g. Arson.
4. Direct defiance or refusal to comply with a direction by a Principal or Superintendent. This includes such offenses as:
- a. Insubordination.
    - 1. Students who choose to display disorderly conduct or behavior which is insubordinate to school staff may be suspended from school and may be referred to local law enforcement authorities.
  - b. Riot, strike or walkout.

K. Suspension

Students who are suspended from the regular school program may be suspended either in-school or out-of-school. At the time of dismissal, the students will be informed as to their status with the school. The type of suspension program used will depend upon the nature of the offense and the circumstances involved. The in-school suspension program will be used for most suspendable offenses.

1. *In-School Suspension Program*

This refers to an action taken by the school administration under the rules of the school board prohibiting a pupil from attending one or more classes for a period of no more than five school days. A student suspended in-school will be placed in a room under the direct supervision of a school authorized adult.

Suspended students will have the following responsibilities:

- a. Students will be expected to follow the directions of the in-school suspension supervisor at all times.
- b. Students are expected to bring all books and necessary materials with them to the in-school suspension room.
- c. Students are expected to work on all assigned work and will not be permitted to sleep.
- d. Students will be expected to remain quiet and no unnecessary talking or noisemaking will be permitted.
- e. Students will not be permitted to chew gum, eat candy or other food items or drink pop within the in-school suspension room.
- f. Students are expected to be on time to the in-school suspension room.

- g. Students will not be permitted to leave the in-school suspension room unless an emergency occurs or the office requests that they do so.
- h. A lunch break in the in-school suspension room will be provided at midday to accommodate those who desire to eat lunch.
- i. Students will not be permitted to participate in any school-related activities on the day(s) of suspension unless authorized to do so by the school administration. This means a student is ineligible to practice or to participate in any extra or co-curricular activities or events during the school day(s) or during the evening(s) of the suspension period.
- j. Students may not go to their lockers during their lunch hour because regular classes are in session and may not be disrupted.
- k. Students may not be removed from in-school suspension by a teacher for any reason.

The students suspended in the in-school suspension program are required to follow all the rules and regulations of this program. If these suspended students do not follow these rules and regulations, and out-of-school suspension program may be provided.

## 2. *Out-of-School Suspension Program*

This refers to an action taken by the school administration under the rules of the school board prohibiting a pupil from attending school for a period of time of no more than five school days. This suspension program will primarily be used for those students who endanger themselves or others, vandalize the property of the school, or commit excessive violations of any suspendable offenses.

The suspended students will have the following responsibilities:

- a. Students will be expected to leave the school grounds as soon as requested to do so.
- b. Students will be expected to remain off the school grounds unless otherwise authorized, until the suspension period is over.
- d. Students will be required to meet with the assistant principal or high school dean, at the conclusion of the suspension period.
- e. Students will be provided with all make-up work. Two days for each day of absence will be provided for the completion of all make-up work.
- f. Students will not be permitted to participate in any school-related activities on the day(s) of suspension, unless authorized to do so by the school administration. This means a student is ineligible to practice or participate in any extra or co-curricular activities or events during the school day(s), or during the evening(s) of the suspension period.

School suspension provides the structure for helping to both correct and protect students. The intent of out-of-school suspension is not only to remove the student from the setting where the infraction has occurred, but also to diagnose the behavior and prescribe what might be done to prevent such behavior from reoccurring.

## L. Exclusion and Expulsion

1. Exclusion is an action taken by the school board to prevent enrollment or re-enrollment of a student for a period, which shall not extend beyond the school year.
2. Expulsion is an action taken by the school board to prohibit an enrolled student from further attendance for a period, which shall not extend beyond the school year.

### 3. *Exclusion or Expulsion Procedures:*

No exclusion or expulsion shall be imposed without a hearing unless the right to a hearing is waived in writing by the student and parent/guardian. The school board or its agent shall initiate the action.

Written notice of intent to take action shall:

- a. Be served upon the student and her/his parent/guardian by certified 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 M.S. 121A.40 to 121A.56 of The Pupil Fair Dismissal Act of 1999.
- e. Describe alternative educational programs accorded the student prior to commencement of the expulsion or exclusion proceeding.
- f. Inform the student and parent/guardian of the right to:
  1. Have legal counsel at the hearing.
  2. Examine the student's records before the hearing.
  3. Present evidence.
  4. Confront and cross-examine all witnesses.

## **SECTION 6: CO-CURRICULAR**

### **Academic Policy for Co-Curricular Participants**

All students must be making progress toward graduation and be in line to graduate with their class. Any high school student who earns an “F” grade for a marking period will become ineligible for two weeks. Any middle school student who earns an “F” grade for a marking period will become ineligible for one week or one event, whichever is longer. An ineligible student, who can prove he/she is passing after the one- or two-week ineligibility period, will become eligible and put on academic probation until the next marking period. If a student slips back to an “F” grade during the probationary period, he/she will become ineligible until the next marking period. Prior to serving a period of ineligibility, an Academic Review Meeting will be held with the student, activities director, and dean of students.

### **Sportsmanship**

Courtesy, fairness, and respect characterize sportsmanship. It is interpreted in the conduct of the participants, coaches, cheerleaders, school administrators, and spectators. It is with this philosophy in mind that we of Saint Peter High School are striving to maintain and improve upon these qualities through the implementation of our sportsmanship project.

1. Show respect for opponents by:
  - a. Standing for opponent's school song;
  - b. Avoiding a temptation to boo an opponent's successes.
  - c. Sitting in Saint Peter's student area and not in the opponent's section.
2. Show respect for officials, participants and cheerleaders by:
  - a. Accepting a referee's judgment call.
  - b. Avoiding harassment to the opposing team players or coaches.
  - c. Applauding well-performed plays or routines by both Saint Peter athletes and their opponents.
  - d. Sitting in the stands and watching -- leaving only at period breaks or at half time.
3. Show respect for the flag by:
  - a. Standing for the National Anthem.
  - b. Singing the National Anthem.
  - c. Removing caps/hats during the National Anthem.
4. Show respect for the adult spectators by:
  - a. Being polite to all citizens.
  - b. Avoiding running and pushing in the lobby.

5. Show respect for each other by:
  - a. Making room for other students to be seated.
  - b. Avoiding obstructing each other's view of the performance.
  - c. Refraining from making fun of other's cheering or singing.
6. Acts of Misconduct
  - a. Uses of noisemakers- examples: compressed air horns, whistles, cowbells, and firecrackers.
  - b. Use of inappropriate banners or placards.
  - c. Throwing of objects – examples: coins, pop cans, folded programs as airplanes.
  - d. Use of obscene or abusive language that seeks to offend, intimidate, or show prejudice toward a player, official, or spectator.
  - e. Being on the premises of the scheduled contest while under the influence of alcohol or chemicals.
  - f. Unauthorized entry into any scheduled contest.
  - g. Behaving in a manner that violates the sportsmanship code.
7. Should a student be banned from attending events due to inappropriate conduct and/or poor sportsmanship, the following requirements must be fulfilled prior to reinstatement of attendance privileges:
  - a. Contact and discuss the breaking of the Sportsmanship Policy with the Activities Director or Principal in a timely manner.
  - b. A written apology to all schools involved.
  - c. Contact the Big South Conference Executive Secretary to be and allowed back to activities.
  - d. In the event that the infraction occurred against a Big South Conference school, the individual must contact and apologize to that school (s) to be reinstated.
  - e. In the event that the infraction is against a non-conference school the student must contact a principal to be reinstated.

### **Student Council**

#### 1. Senior High School Student Council (Grades 9-12)

Members are elected toward the end of the previous school year. Each grade level (9-12) will elect 10 representatives. At-large representatives may also be elected later in the school year.

#### 2. Student Representatives

Students, who correspond with agencies outside of this school, signing or stating that they are representatives of Saint Peter High School, must have the authorization of their advisor or from the building principal.

#### 3. Memorials

The senior high student council serves as the school organization that sends memorials on behalf of the senior high school to students and families who have suffered the loss of a family member.

### **CHANGE OF LEVEL OF PLAY OF ATHLETE**

Certain guidelines should be adhered to when considering the change of level of play of an athlete.

1. The coaching staff of that sport shall discuss if the individual athlete is ready for the move to a higher level of competition and whether or not there is a need within the program for such a move.
2. The head coach of that sport shall discuss with the activities director the reasons for wanting to implement such a move and pick up the necessary forms that need to be signed.
3. The head coach shall contact the parent, explain what the move is that they would like to do, and ask if the parent approves the move. If they do not approve, proceed no further.
4. The head coach shall bring the signed paperwork to the activities director for final approval and his signature.

**Advantages of changing levels:**

- a. The athlete is challenged to play with and against better competition.
- b. He/she may play for a longer season.
- c. The frustrations an athlete may have due to the disparity in skill level may be minimized.
- d. Athletes will be given an opportunity to advance their skill level in a team sport, just as they can in an individual sport.

**Disadvantages of changing levels:**

- a. Parents and athletes of the team in which the athlete is moving to may feel they are being displaced.
- b. Athletes/parents from the team the athlete is leaving and team the athlete is going to, could disagree with the move causing socialization issues in school and the community for the athlete.
- c. Athletes may feel they are not connected to any team.
- d. The team the athlete leaves may lose a role model and an extra teacher to help them develop better skills.
- e. Expectations from coaches, parents, teammates and fans may be greater.
- f. Increased time commitment, more frequent and later home arrivals after games, split shifts in practice, transportation issues, may negatively impact the athlete’s school work and the parental responsibilities.
- g. The injury risk factor increases due to increased participation.

**Activities and Organizations**

Football	Volleyball	Golf (Boys and Girls)
Wrestling	Soccer (Boys and Girls)	Tennis (Boys and Girls)
Baseball	Softball	Basketball (Boys and Girls)
Swimming	Gymnastics	Hockey (Boys and Girls)
Speech	Track (Boys and Girls)	First Tech Challenge
Mock Trial	Knowledge Bowl	Cross Country (Boys and Girls)
Adapted Bowling	Math League	National Honor Society
Academic Decathlon	Respecters of Diversity	Ecology Club
Student Council	Theater (Musical, One Act Play, Spring Play)	

**Fees**

Football	\$125	Wrestling	\$125	One Act Play	\$60
Volleyball	\$125	Gymnastics	\$125	Academic Decathlon	\$60
Swimming	\$105	Baseball	\$105	Adapted Bowling	\$60
Soccer	\$105	Softball	\$105	Speech	\$60
Tennis	\$105	Track	\$105	Knowledge Bowl	\$60
Cross Country	\$105	Golf	\$125	Fall Play/Musical	\$60
Basketball	\$125	Mock Trial	\$60	Spring Play	\$60
Hockey (7-12)	\$250	Math League	\$60	First Tech Challenge	\$60

**The activity fee for 7-9 grade participants is \$45 regardless of the level in which they compete (except hockey).**

There is a maximum \$250 fee per season per family (except hockey).

- a. Refunds of fees for activities will be made until halfway through the season for those students who cease to participate in the activity.

- b. There will be no refund of the activity fee in the event a student becomes ineligible to participate as a result of violation of Minnesota State High School League or Saint Peter High School rules and regulations.
- c. Students from families who determine that a fee is prohibitive may make application to the appropriate building level principal for consideration to waive the fee or reduce it to an amount that the family can provide.
- d. A maximum of \$250.00 per family per season has been established to provide for participation by a number of students from a family (except hockey).

**B. Activities Participation Rule**

Students must be in attendance during their afternoon classes, block three and four, in order to participate in any co-curricular activities. This pertains to both practices and events. Special consideration may be given for pre-approved absences. In that event, it is up to the individual student to contact the principal or Activities Director for permission to participate.

**C. Award Policy/Awards of Letters**

**1. Awards**

- a. First award earned - certificate and chenille letter.
- b. Succeeding awards earned - certificate.
- c. Members of a South Central Conference Championship Team - certificate.
- d. Awards will be presented to the athlete at the Athletic Banquet at the end of each season.
- e. The participants will be invited to the Banquet if they are in good standing according to the Saint Peter High School Athletic code. Athletes who are invited are varsity letter winners, varsity team members and managers.
- f. Spring sports awards will be announced only at the Athletic Banquet, but the individual coaches at the completion of that spring sport will present the awards.

**2. Participation required to qualify for a Saint Peter High School Letter  
(During a complete sport season)**

*Football*

- a. Actively participate in one-fourth of the total quarters played by the varsity squad during the regular season, or
- b. By the Coaches and Activities Director's judgment in special cases.

*Basketball*

- a. Actively participate in one-fourth of the total quarters played by the varsity squad during the regular season. Tournament games do not count as a season game, but tournament halves count toward earning a letter, or
- b. By the Coaches and Activities Director's judgment in special cases.

*Wrestling*

- a. Must accumulate 16 letter points. Letter points are awarded based on the result of each participant's varsity match. Ex. 9 points are earned for a fall.
- b. By the Coaches and Activities Director's judgment in special cases.

*Baseball or Softball*

- a. Actively participate in one-fourth of the total innings played by the varsity squad during the regular season, or
- b. By the Coaches and Activities Director's judgment in special cases.

*Track*

- a. Must score points equal to the number of meets in which the varsity team participates during the regular season. These points can be scored during the regular season meets and/or conference and district meets, or
- b. By the Coaches and Activities Director's judgment in special cases.

*Golf*

- a. Perform at the varsity level for at least one half of regularly scheduled meets:
- b. By the Coaches and Activities Director's judgment in special cases.

*Tennis*

- a. Must play one-half of the dual meets during the regular season
- b. Play in conference meet, section or state meet
- c. By the Coaches and Activities Director's judgment in special cases.

*Cross Country*

- a. Perform at the varsity level for at least one half of regularly scheduled meets;
- b. By the coaches and Activities Director's judgment in special cases.

*Hockey*

- a. Must play in one-third of the total periods in the regular season, or
- b. By the Coaches and Activities Director's judgment in special cases.

*Gymnastics*

- a. Must place (1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> or 4<sup>th</sup>) in at least one event. The total times placed by the individual should equal the number of scheduled meets during the regular season
- b. By the Coaches and Activities Director's judgment in special cases.

*Volleyball*

- a. Must play in as many games as there are matches, must have played in three-fourths of the matches, exclusive of tournaments, or
- b. By the Coaches and Activities Director's judgment in special cases.

*Managers*

- a. Must act as manager for two sport seasons, or
- b. By the Coaches and Activities Director's judgment in special cases.

*Swimming*

- a. Score points equal to the number of meets in which the varsity time participates. Points can be earned during regular meets, and/or conference and sectional meets.
- b. By the Coaches and Activities Director's judgment in special cases.

*Soccer*

- a. Participate in 40% of total halves played by the varsity squad during the regular season
- b. By the Coaches and Activities Director's judgment in special cases

*Band*

- a. Four years participation in grade 9 through 12 band
- b. Successful participation (75% of events) in pep and marching band in one school year
- c. Superior rating in a solo/ensemble at the regional music concert
- d. By the Director's and Activities Director's judgment in special cases

*Speech*

- a. Participate in at least 2/3rds of the invitational tournaments
- b. Participate in the subsection tournament if qualified.
- c. Earn a minimum of 25 national Forensic League points
- d. Practice weekly with a Saint Peter High School coach
- e. Pay any invitational fines, if necessary
- f. Coaches reserve the right to award a letter in special circumstances.

*Choir*

- a. Participate in Solo/Ensemble Concert
- b. Be a member of the Chamber Singers
- c. Serve as an officer of the choir
- d. Serve as an accompanist

*Knowledge Bowl*

- a. Attend all meets
- b. Attend 85% of practices
- c. By Advisor and Activities Director's judgment in special cases

*National Honor Society*

- a. Students receive a collar upon graduation for maintaining active status in National Honor Society.

*Mock Trial*

- a. Students need to be involved in two competitions in which they have played one of the following major roles: Attorney, Witness, Plaintiff, Timekeeper.

*Visual Arts*

- a. The visual arts competition is open to high school students in grade 9-12 Competition categories include: Sculpture, Drawing, Painting, Mixed Media, Printed Media.
- b. Participate in the MSHSL contest

*Theater (Fall, Spring, One Act Play)*

- a. Earn 4 Thespian points
- b. State entrant in One Act Play
- c. By play director or Activities Director's judgment in special cases

*Adapted Bowling*

- a. Participant must play an active part on team for two years

*Student Council*

- a. Student council members must be making satisfactory progress toward successfully meeting the requirements to graduate with their class from Saint Peter High School
- b. Representatives must participate in at least eight activities or committees/projects during the school year
- c. Officers must participate in at least five activities or committees/projects during the school year
- d. Members at Large must participate in at least 8 activities or committees/projects during the school year
- e. No student council members may earn more than two units of detention for behavior/attendance (skipping) reason during the semester or more than four units of detention in any quarter for excessive tardiness
- f. No student council member may fail a semester course
- g. No student council member may have more than one unexcused absence from meetings during the school year

*Trap Team*

Team member must be in grades 7-12 at Saint Peter Middle/High School AND meet at least one of the following:

- a. Finish in the top six (6) on the team for any given week's competition.
- b. Finish in the top 20 on the team by average for the season. (Must shoot all competitive weeks)
- c. Be ranked in the top 25 of the conference during any given week's competition within their class/gender.
- d. Place in the top 100 in their class at the State Tournament.

- e. Finish in the Top 100 any given week in the state.
- f. Hit 25 targets consecutively in any competition.
- g. Average 19 or above for the season. (Must shoot all competitive weeks)
- h. Or by the coaches' and the Activities Director's judgment in special cases.

**D. Special Recognition**

The school may hold an assembly to recognize teams or individuals who have participated in state tournaments or meets. Interested community organizations, groups or individuals may participate in this assembly by making such a request to the principal.

**E. Wednesday Night Practice/Rehearsal**

It is the policy of Independent School District 508 not to hold any type of co-curricular activity or practice after 6:00 p.m. on Wednesdays during the school year. If there are any exceptions, the administration will contact the Ministerial Board.

**F. Tournament Attendance Policy**

If Saint Peter High School has a team participating in a State Tournament, the following shall apply:

- a. Team members who are on the official group which represents Saint Peter High School (team members, statisticians, scorers, etc.) will be excused from the attendance policy on all days of the tournament.
- b. Students who are not on the list of representatives to the tournament will be excused from the attendance policy, provided they bring back a ticket stub from the tournament which verifies their attendance and provided that we have a team participating in that specific tournament.
- c. Students will not be excused from the attendance policy if Saint Peter High School does not have a team in competition in the tournament. However, the attendance may be excused by a parent for the absence, but it will still count toward the six-day attendance policy.
- d. Students may be excused from the attendance policy for attendance at only one tournament per school year. If Saint Peter High School has a team in competition at more than one tournament during the school year (example: football in the fall, basketball in the winter, and tennis in the spring) only one state tournament attendance per school year will be excused from the six-day attendance policy.

**G. Activity Tickets**

Activity passes can be purchased in the Activities office. The pass will admit patrons to all activities with the exception of the fall play, section, and state tournaments.

**Minnesota State High School League Rules**

Saint Peter High School Eligibility Information for participants in Minnesota State High School League Activities

**I. RIGHTS AND RESPONSIBILITIES FOR STUDENTS WHO PARTICIPATE IN MINNESOTA STATE HIGH SCHOOL LEAGUE-SPONSORED ACTIVITIES**

- A. Students who participate in Minnesota State High School League activities must abide by the guidelines as published in the Minnesota State High School League eligibility information bulletin in the area of athletics, speech, and music. Students will not be permitted to begin participation until the eligibility bulletin is signed by the parents/guardians and the student.
- B. Students must attend an information session prior to the beginning of the season that addresses rules and the regulations of participation, including the consequences for the use or possession of

mood altering chemicals. Although not mandatory, parents/guardians are expected to attend these meetings with their students.

C. The parent/guardian, by signing the bulletin, agrees to work with the school in monitoring the behavior of their student as it relates to violations of Minnesota State High School League Rules and Regulations.

## **II. RULES FOR PARTICIPATION**

Students who participate in Minnesota State High School League activities shall not, at any time, regardless of the quantity:

- A. use, consume, possess, buy, sell, or give away a beverage containing alcohol;
- B. use, consume, possess, buy, sell, or give away tobacco;
- C. use, consume, possess, buy, sell, or give away any other controlled substance (it is not a violation for a student to possess a controlled substance specifically prescribed for the student's own use by her/his doctor); or
- D. use, consume, possess, buy, sell, or give away drug paraphernalia

## **III. CATEGORY I ACTIVITIES**

A. Category I activities at Saint Peter High School include athletic and speech activities.

B. Violations

### **1. First Violation**

Penalty: after confirmation of the first violation, the student shall lose eligibility for the next two consecutive interscholastic contests or two (2) weeks of a season in which the student is a participant, whichever is greater. No exception is permitted for a student who becomes a participant in a treatment program.

### **2. Second Violation**

Penalty: after confirmation of the second violation, the student shall lose eligibility for the next six (6) consecutive interscholastic contests or four (4) weeks, whichever is greater, in which the student is a participant. No exception is permitted for a student who becomes a participant in a treatment program.

### **3. Third and Subsequent Violations**

Penalty: after confirmation of the third or subsequent violations, the student shall lose eligibility for the next twelve (12) consecutive interscholastic contests or six (6) weeks, whichever is greater, in which the student is a participant.

If after the third or subsequent violations, the student on her/his own volition becomes a participant in a chemical dependency program or treatment program, the student may be certified for reinstatement in MSHSL activities after a minimum period of six (6) weeks. Only the director or a counselor of a chemical dependency treatment center may issue such certification.

Successful completion of a chemical dependency treatment program will satisfy only the most recent violation. Any other violations for which the penalty has not been satisfied must still be served in full.

D. Penalties are Cumulative

Penalties shall be cumulative beginning with and throughout the student's participation on any 7-12 grade team or activity.

Captain Selection:

E. A student who serves a penalty will be ineligible for being a captain for one calendar year including violations committed over the summer months.

F. If a student denies violation of a bylaw, is allowed to participate and is subsequently found guilty of the violation, the student will be disqualified from all interscholastic activities for nine additional weeks beyond the student's original period of ineligibility.

#### **IV. CATEGORY II ACTIVITIES**

A. Category II activities at Saint Peter High School include band, choir, and drama.

##### **B. Violations**

After confirmation of the violation, the student is ineligible to perform at the next regularly scheduled, class-related performance or event (excluding pep band). Penalties shall be cumulative beginning with and throughout the student's participation in a high school activity. *Serving a Category II suspension does not fulfill a Category I suspension. Serving a Category I suspension does not fulfill a Category II suspension.*

#### **V. GUIDELINES FOR COMPLIANCE WITH MINNESOTA STATE HIGH SCHOOL LEAGUE RULES AND REGULATIONS**

A. Any and all reported violations of Minnesota State High School League rules and regulations must be reported to the athletic director or building principal. Coaches, directors, or advisors cannot declare a participant ineligible. Coaches, directors, or advisors are directed to inform people who report violations to them to take their allegations to the athletic director.

B. Participation in co-curricular activities cannot be denied to an eligible student by a coach, director, or advisor.

C. A coach, director, or advisor who directly witnesses a violation or who has a confession of a violation given to him/her is directed to report such an incident to the athletic director or building level principal.

D. Coaches, directors, and advisors are expected to know the school policies regarding the evaluation and suspicion of chemical abuse problems.

E. Coaches, directors, and advisors are expected to act according to their professional judgment at all times.

#### **VI. SAINT PETER HIGH SCHOOL CO-CURRICULAR CODE OF CONDUCT**

Students from Saint Peter High School who participate in co-curricular activities sponsored by Saint Peter High School are expected to follow the standards of behavior listed below. Although the standards listed below do not carry a pre-determined ineligibility penalty, the Board of Education, staff, and administration of District 508 believe that students who represent Saint Peter High School have an obligation to meet the standards listed below:

A. Students are not to involve themselves in behavior that could lead to a criminal charge or court action. Students who are convicted of such a charge during a season of play will have their participation reviewed under the policy stated above; and

B. Students are not to involve themselves in activities that result in vandalism to Saint Peter High School or any other school that Saint Peter competes against. Students who are involved in vandalism of Saint Peter High School or any other high school against which Saint Peter competes will have their participation reviewed under the policy stated above.

C. Students are not to involve themselves with any behavior or action that reflects negatively upon themselves, their team or group, or their school.

A student who is under penalty of exclusion, expulsion, or suspension or whose character or conduct violates the Code of Conduct is not in good standing and is ineligible for a period of time as determined by the principal.

#### Code of Conduct Review

In addition to the rules and regulations as stated in the Minnesota State High School League eligibility information bulletin, the following procedure for individual student participation shall apply:

- A. In the event a serious problem arises in the areas of academic achievement, behavior, attendance, or citizenship, a staff member may make a request to the principal that the student's participation in that co-curricular activity be reviewed.
- B. Upon receipt of this request from a staff member, the principal will call together the activities director, a school counselor, the staff member who made the request, and the director and/or coach of the co-curricular activity in which the student is involved. The student may be present, with a support person whom she/he chooses.
- C. Following a review of the case, this group will make a recommendation to the high school principal in regard to the continued participation of the student in the co-curricular activity in which she/he is involved.

### **VII. TRANSFER STUDENTS**

Students who transfer to Saint Peter High School from another school and who wish to participate in Minnesota State High School League-sponsored activities must meet specific eligibility requirements. Transfer students who have questions about this policy are encouraged to contact the high school activities director.

## **Section 7: Health and Medication**

### **Emergency Care Policy**

In the event of an emergency or serious illness, it is the policy of the School District to provide appropriate medical response and to contact the parent/guardian in a timely manner.

In a life-threatening emergency, the school will contact emergency response personnel immediately. The parent/guardian or designated emergency person will be contacted at the same time.

If the situation is not life threatening, but the student requires urgent care and the school cannot contact a parent/guardian or designee, school personnel will transport the student to the Saint Peter Community Hospital for care. The School District will not provide transportation outside of Saint Peter for care. When parents/guardians arrive at the hospital, they will be able to change health care providers if they so desire. It is the responsibility of the parent/guardian to pay any incurred medical expenses.

### **Injuries or Illnesses/Accident Reporting Procedure/Insurance**

1. Injuries and Illnesses
  - a. Students should notify the nearest teacher in case of injury, illness or emergency.
  - b. Students who become ill should go to the principal's office or the nurse's office. Students who become ill while at school should NOT go to the restroom and sit for the class period. Students who do this will be marked as absent unexcused and detention will be assigned.
  - c. When they are due in a class, students should report to class and obtain a pass before going to the nurse's office. This applies to all visits to the school nurse *except emergencies*.

- d. Students may not leave the school building for illness without first reporting to the principal's office and obtaining a leave school permit. The nurse or principal's office will telephone the parents/guardians to obtain their permission for the student to leave the building.
  - e. Attendance in the nurse's office counts as an absence from class and counts toward the 6-day policy.
2. Accident Reporting Procedure
- Students who suffer injuries from any particular accident should report to their teacher or immediate supervisor. If the supervisor is not available, the student should report to the principal's office, at which time the proper action will be taken.

### **Medications**

The School District acknowledges that some students may require prescribed and/or non-prescribed medication during the day. Medication will be administered by the school nurse or her/his designee, such as a trained health assistant, a principal, or a teacher.

- A. Prescription and non-prescription medication requires a completed, signed authorization from the student's parent or guardian. The School District may rely on an oral request from the parent or guardian to administer medication for up to two school days, until written authorization is received.
- B. Prescription and non-prescription medication must come to school in the original prescription container. A medication permission form must be completed annually and/or when a change in the prescription occurs.
- C. Prescribed medication that is to be taken in school requires a written order from the physician.
- D. Medications are generally not to be carried by the student. If an exception is to be made, there must be a written agreement between the School District and the parent. Medications will be left with the appropriate School District representative, except as noted in a written agreement between the School District and the parent. Students are allowed by Minnesota statute to carry inhalers for asthma and epi-pens for allergic reactions.
- E. Parents or guardians must notify the school if any change in the student's medication or if the medication is no longer required. For medication dosage changes, the School District must receive written notification from the physician.
- F. For drugs or medicine used by children with a disability, administration of medicine may be provided as specified in the individual education plan (IEP).
- G. The school nurse, or other designated person, shall be responsible for filling out the medication administration forms in the student's health record section of the student file. The school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.

### **Physical Examinations**

For the benefit of the individual student and the protection of other students and school personnel, it is the policy of the Saint Peter Public Schools to recommend periodic physical examinations of all students by a licensed physician. The selection of a licensed physician shall be made by the parents or guardians and the examination shall be at their expense.

- A. A physical examination is recommended for all students prior to entry into kindergarten.
- B. A physical examination is recommended for all students prior to entry into seventh grade.
- C. Physical examinations are required prior to participating in interscholastic activities.
  - 1. The first exam must occur prior to participating in activities in grades 7 – 9.
  - 2. The second exam must occur prior to participating in activities in grades 10 – 12.

A student whose parents or guardians object to physical examinations on religious or constitutional grounds shall be exempted from such requirements if a statement signed by the student's parents or guardians requests the exemption and states the ground for the request. A student age 18 or over who objects to physical examinations on religious or constitutional grounds shall be exempted from such requirements by requesting the exemption and stating the grounds for the request in a written statement signed by the student. Exempting a student from the physical examination does not exempt the student from participating in the program of physical education. If such exemption is utilized, the student or parent (depending upon the student's age) shall furnish a written statement to the School District verifying that either the student has no disabilities and can fully participate or, setting forth the disabilities and limitations of the student. These exemptions do not apply to activities governed by the Minnesota State High School League (MSHSL).

## **Section 8: Policy**

### **Anti-Discrimination Policy**

It is the intent of the School Board Policy to comply with federal and state law prohibiting discrimination to the end that no person shall, on the grounds of race, color, national origin, creed, religion, sex, marital status, status with regard to public assistance, age or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any educational program; or in employment or recruitment, consideration or selection thereof; whether full-time or part-time, under any educational program or activity operated by the district for which it receives federal financial assistance.

The School District has a written plan to help assure that curriculum and materials, which are used in the district educational program, are designed to ensure that staff and students gain an understanding and appreciation of diverse persons. In addition, special emphasis is placed on understanding the cultural diversity of the United States of America. A complete copy of this plan is on file at the district office.

### **Background Checks**

All employees of Saint Peter Public Schools are required to pass criminal background checks. These checks include the Minnesota Bureau of Criminal Apprehension check and also the nationwide Orange Tree employment screening.

### **Eighteen-Year-Old Student's Rights and Responsibilities**

Students who are 18 years old or older, regardless of adult status granted by state statute, are still obligated to abide by all school district policies and regulations. Eighteen-year-old students may write their own excuses, but it is still at the discretion of a principal or dean as to whether or not the absence or tardiness is excused or unexcused. Eighteen-year-old students will not be permitted to write their own excuses until they have returned an age verification form signed by their parent/guardian. The school may legally share all education information with an eighteen-year-old's parent/guardian.

### **Freedom of Expression**

One of the basic purposes of education is to prepare students for responsible self-expression in a democratic society. Citizens in our democracy are permitted free expression under the First and Fourteenth

Amendments. Students do not leave their rights at the schoolhouse door. They have the right to free expression as long as they do not substantially interrupt the educational process.

### 1. Students Rights

- a. Students have the right to express personal opinions in student publications and in participating in publishing such publications.
- b. Students may not be required to participate in patriotic exercises.
- c. Students may wear distinctive insignias, such as buttons and armbands, so long as they do not substantially interfere with the educational process. This freedom shall not interfere with the freedom of others to express themselves.

### 2. School Publications

A student publication is designed to serve as a vehicle for instruction and is, in addition, a means of communication. The student publication staff produces it with input from the student body and counsel from the publications advisor.

A school publication can best function when it provides a full opportunity for students to inquire, question and exchange ideas. Articles should reflect all areas of student interest, including topics about which there may be dissent and controversy. It is the intent of the board that students be provided with avenues for the research of ideas and causes of interest to them and be allowed to express their opinions. Controversial subjects should be presented with consideration for a variety of viewpoints. Nothing in this policy is intended to allow censoring of any article merely because it is controversial or because it criticizes a particular school, a school procedure, school administrators, teachers, or the school system itself.

### 3. Student Right to Petition

Students shall retain the right of petition within the school system. The issued petition and the signatures attached shall be presented to the principal, who will study and act upon the petition.

## **Student Assistance Program**

The School District recognizes that there is a responsibility shared among parents/guardians, community members, and professional school staff for the educational development of students. Whenever student behaviors or physical appearances indicate potentially serious problems which adversely affect educational growth or negatively influence the educational climate, it becomes the responsibility of the school to provide assistance.

The state of Minnesota has mandated by law that professional educators who have knowledge or reasonable cause to believe a student is being neglected or physically/sexually abused, shall report such information immediately to the appropriate authorities.

- A. Child abuse or neglect and chemical abuse may be revealed by a variety of symptoms in school, such as absenteeism or truancy, inability to concentrate on tasks, low achievement, or signs of excessive aggression.
- B. No student with chemical dependency, mental or physical problems, or serious personal problems, will have his/her student status affected for seeking and/or accepting diagnosis and treatment. If the student refuses to accept assistance or continually does not respond to treatment, or if significant indications of chemical abuse or other problems persist Policy 007.2 (Student Conduct) will be implemented.

The professional staff of each building or division in the School District shall establish a Student Assistance Team (SAT), which shall consist of the building principal, the school nurse, the school social worker or counselor, and two professional staff members appointed by the principal. This team will make supportive consultation and technical assistance available to the employee making the referral. In the case of a concern of

probable child abuse or neglect, the staff member with the knowledge of the incident is responsible for making the report to the police or county officials. The staff member should consult with either the School Social Worker or the School Counselor for assistance in making the report to the proper agency. In the case of chemical abuse, the team, along with the referring employee, will decide if further intervention is warranted.

### **Student Records**

1. It is the policy of the Saint Peter Public Schools to release school records to a new school that a Saint Peter student attends. Records to be released include:

- a. health record;
- b. A transcript, which includes grades, attendance, and standard group test scores;
- c. Special education records, including the current I.E.P., individual testing results (psychological, achievement, speech and language, adaptive, behavioral and emotional, along with social history information); and,
- d. Personal career file.

2. Student Rights

- a. All student records shall be confidential.
- b. Student records will be released to other schools, agencies, or persons without signed parent/guardian or student agreement to release these records.
- c. School records shall be available to any student or parent/guardian of a child under 18.
- d. Access to records will not be denied because of failure to pay fees such as book fines.

3. Directory Information

Whereas ISD 508 has occasion to release such information, it shall be the policy of ISD 508 to designate the following personally identifiable information contained in a student's education record as "directory information" and it will disclose that information without prior written consent:

- a. The student's name;
- b. The student's grade level;
- c. The student's weight and height, if a member of an athletic team; and
- d. Pictures of students participating in or attending extra-curricular activities, school events, and High School League activities or events.

Parents or guardians of a student or an eligible student (student who is 18 years of age or older or a student attending as post-secondary school) shall be given public notice of this policy on an annual basis and informed of a date by which they may object to the disclosure of such information. Upon notification to the district on a form provided by the school district, such information pertaining to the student shall not be released without prior permission of the parent, guardian, or eligible student.

4. Objection to Disclosure

Parents or guardians of a student or an eligible student (student who is 18 years of age or older or a student attending a post-secondary school) may object to the disclosure of such information. Upon notification to the district on a form provided by the school district, such information pertaining to the student shall not be released without prior permission of the parent, guardian, or eligible student. Please notify the high school office before October 1 if you desire information not to be released.

5. Yearbook Information

Students who do not wish to have their picture in the yearbook should inform the Peterian advisor as soon as possible.

## APPENDIX A

### MINNESOTA OPTIONS PROGRAM

**SCHOOL DISTRICT ENROLLMENT OPTIONS OR OPEN ENROLLMENT** permits kindergarten through twelfth grade students to apply to attend a school outside the district in which they live. The nonresident district must receive applications before January 1 for enrollment the following fall. Accepted students must agree to attend the new district for one full year. School districts with desegregation plans require that applications be sent to the home district first for approval to leave, before it is sent onto the nonresident district.

POSTSECONDARY ENROLLMENT OPTIONS allows eligible 11th and 12th graders to attend, full or part-time, a technical college, a community college, a private, liberal college or university, or any of the state universities for high school credit. Students must meet the requirements of that postsecondary institution and courses taken must meet graduation requirements.

HIGH SCHOOL GRADUATION INCENTIVES program is designed to encourage learners who are having difficulty in school or who have dropped out of school to complete their high school credits in alternative settings. Qualifying students may attend another traditional high school inside or outside their district, an Area Learning Center, an Alternative School or Program, or a nonpublic, nonsectarian school has been contracted by a district to provide educational services.

DIPLOMA OPPORTUNITIES FOR ADULTS AGED 21 AND OVER provides similar options for qualifying adults who wish to finish high school.

AREA LEARNING CENTERS provide year-round education toward a high school diploma for students 13 years of age through adult on a full or part-time basis. Students develop, with an instructor, a learning plan, which best fits their course needs and learning style.

EDUCATION PROGRAMS FOR MINOR PARENTS AND PREGNANT MINORS are designed to ensure that teens, who are parents or pregnant, complete their high school education. When requested, educational programs, which fit the needs of the individual, must be made available, by the school district, along with any necessary supportive services.

## **APPENDIX B**

### **WEAPONS POLICY**

#### **I. GENERAL STATEMENT OF POLICY**

The School District has a no-tolerance policy regarding weapons. Weapons include all Category I and Category II weapons as defined below. All weapons or instruments that have the appearance of a weapon are prohibited within all school environments and the school zone. An exception can be made for educational purposes and must be authorized in advance by the building principal or designee. Anyone possessing a weapon in any school environment or school zone before, during, or after school hours is subject to administrative and/or legal action.

#### **II. SCHOOL ENVIRONMENTS/SCHOOL ZONE**

School environments include, but are not limited to, district-owned buildings and properties as well as leased or rented facilities, field trips, rented or owned school vehicles and school buses, and school bus stops. The school zone includes all areas within 300 feet of school property.

#### **III. POSSESSION**

Students, non-students, employees, and other adults, are forbidden to knowingly or voluntarily possess on their person, store in any area subject to one's control, handle, transmit, or use any instrument that is considered a weapon or a "look-alike" weapon in a school environment or zone.

#### **IV. REPORTING**

Students or staff who see or become aware of a weapon in a school environment or zone must not touch it or remain in the presence of a person or group possessing a weapon. Students must notify an adult immediately. Staff must notify the principal immediately.

#### **V. CATEGORY I VIOLATIONS**

##### **A. Category I weapons include:**

1. All firearms, whether loaded or unloaded;
2. Other guns of all types, including pellet, B-B, stun, look-alike, and non-functioning guns that could be used to threaten others;
3. Knives, switchblades or automatically opening blades, daggers, swords, razors;
4. Artificial knuckles or other objects designed to be worn over the fist or knuckles;
5. Blackjacks, clubs, numchucks, or throwing stars;
6. Explosives;
7. Poisons, chemicals, or substances capable of causing bodily harm;
8. Bow and arrows or slingshots; and
9. Any other device or instrument used to intimidate, threaten, or inflict harm.

##### **B. Category I Weapon Violations by Students**

The procedure for all Category I weapon violations is:

1. Confiscation of the weapon;
2. Notification of the Superintendent or designees;

3. An administrative hearing with the student which will include:
  - a. Notification of parent/guardian;
  - b. Initial suspension from school for up to five days; and
  - c. Notification of police with recommendation to charge.
4. Recommendation to the superintendent regarding expulsion.
5. Expulsion from school for a period of not less than one year.

C. Category I Violation by Other Youths or Adults, Including Employees

1. The police will be contacted when any person, other than a student, violates this policy. School District employees will also be subject to District disciplinary action.

## **VI. CATEGORY II VIOLATIONS**

### **A. Category II Weapons**

The School District recognizes that some objects are questionable regarding whether they are weapons and whether the presence of the object requires activation and enforcement of this policy. Principals and other District employees shall use discretion when determining whether the object constitutes a weapon. Such objects may include, but are not limited to:

1. Small pocket knives or razor blades;
2. Fireworks, firecrackers, or smoke bombs;
3. Throwing darts;
4. Nuisance items or toys;
5. Unauthorized tools; and
6. Mace.

### **B. Category II Weapon Violation by Students**

The procedure for Category II weapon violations is:

1. Confiscation of the weapon;
2. Notification of parent/guardian;
3. An administrative hearing with the student, which may include:
  - a. Initial suspension from school for up to five days;
  - b. Recommendation to the Superintendent regarding expulsion; and
  - c. Notification of police.

### **C. Category II Weapon Violations by Other Youths and Adults, Including Employees**

1. The police will be contacted when any person, other than a student, violates this policy. School District employees will also be subject to District disciplinary action.

## **VII. ADMINISTRATIVE DISCRETION REGARDING POSSESSION**

- A. A student who finds a weapon on the way to school, on school property, or in the school building and takes the weapon to the principal's office shall not be considered in possession of a weapon.
- B. On very rare occasions, a weapon is inadvertently brought onto school property or is in one's possession. If such an occasion is clearly the case, the building principal, after a thorough investigation, may use discretion in determining the appropriateness of applying "Category II" consequences for a "Category I" violation (other than firearms).

## **VIII. AUTHORIZED INSTRUMENTAL AND WORK-RELATED EQUIPMENT AND TOOLS**

This policy is not meant to interfere with instruction in use of appropriate equipment and tools by employees and students. Such equipment, when properly used and stored, shall not be considered a weapon for purposes of this policy. However, when authorized instructional and work equipment and tools are used in a potentially dangerous or threatening manner, the guidelines and consequences of this policy will take effect.

## **IX. EXCEPTIONS**

A. This policy provides for the following exceptions:

1. Licensed peace officers, military personnel, or students participating in military training who are performing duties;
2. School-District approved firearm safety courses or similar activities conducted on school property;
3. School-District approved possession and use of dangerous weapons by ceremonial color guard;
4. School-District approved possession and use of starter guns for athletic contests; and
5. Possession of dangerous weapons with prior written permission of the building principal.

B. Students with Disabilities

1. All students, regardless of disability, will be suspended from school for one to five days, pending further investigation of a weapons policy violation.
2. If the alleged violator is "a student with a disability" pursuant to Minnesota and federal law, special due process procedures will be implemented. Within five days of a suspension, a team meeting shall occur. The team shall determine whether the weapons policy violation is related to the disability.
3. If the team determines that the misconduct is unrelated to the student's disability, the student will be disciplined in the same manner as students without disabilities. The disabled student who violates this weapons policy will not be expelled if the assessment team determines that the misconduct is related to the student's disability.
4. If the violation resulted from the student's disability and the student commits a second violation, the District may expel the student in the event that that student's parents/guardians do not consent to a more restrictive placement.

APPENDIX C

SAINT PETER PUBLIC SCHOOL

417 CHEMICAL USE AND ABUSE

***[Note: This policy reflects mandatory provisions of state and federal law and is not discretionary.]***

**I. PURPOSE**

The school 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 school board believes that the public school 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, medical cannabis, toxic substances, and alcohol is prohibited in the school setting in accordance with school district policies with respect to a Drug-Free Workplace/Drug-Free School.
  
- B. The policy of this school district is to provide an instructional program in every elementary and secondary school in chemical abuse and the prevention of chemical dependency.
  
- C. The school district shall establish and maintain in every school a chemical abuse preassessment team. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
  
- D. The superintendent, with the advice of the school board, shall be responsible for establishing a school and community advisory team to address chemical abuse problems in the district.
  
- E. The school district 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.

***[Note: Comprehensive drug prevention programs are required to be adopted and carried out by school districts pursuant to the Safe and Drug-Free Schools and Communities Act. In addition, school districts are required by the Drug-Free Workplace Act to establish drug-free awareness programs for school district employees. Further, state law authorizes***

***school districts to provide instructional programs in chemical abuse and the prevention of chemical dependency.]***

**III. DEFINITIONS**

- A. "Chemical abuse" means use of any psychoactive or mood-altering chemical substance, without a 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, medical cannabis, and controlled substances as defined in the school district's Drug-Free Workplace/Drug-Free School policy.
- 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; on 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 the school district or otherwise engaged in school district business.

**IV. STUDENTS**

- A. Instruction
  - 1. Every school shall provide an instructional program in chemical abuse and the prevention of chemical dependency. The school district may involve parents, students, health care professionals, state department staff, and members of the community in developing the curriculum.

***[Note: The Safe and Drug-Free Schools and Communities Act requires school districts to adopt and carry out a comprehensive drug and violence prevention program with funds received. Since a comprehensive drug prevention program is required and a school district is specifically authorized by state law to provide instructional programs in chemical abuse and the prevention of chemical dependency, this should be a component of each school district's mandatory program. In addition, the Safe and Drug-Free Schools and Communities Act specifies additional items which may be included as part of the mandatory comprehensive drug prevention program. Some of the suggested items relating to instruction or training are detailed in***

**Paragraphs 2. through 6. below and a school district may wish to adopt one or all of the listed components as part of its mandatory program.**

2. Each school shall have age-appropriate and developmentally based activities that:
  - a. address the consequences of violence and the 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; and
  - g. incorporate activities in secondary schools that reinforce prevention activities implemented in elementary schools.
3. Each school shall have activities that involve families, community sectors (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.
4. Each school shall disseminate drug and violence prevention information within the school and to the community.
5. Each school 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.
6. Each school shall have drug and violence prevention activities 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. The hiring and mandatory training, based on scientific research, of school security personnel who interact with students in support of youth drug and violence prevention activities under this policy that are implemented in the school.
  - c. Conflict resolution programs, including peer mediation programs that

educate and train peer mediators and a designated faculty supervisor, and 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**

- 1. In the event that a school district 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, the student's counselor, and the chemical preassessment team.
  - 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 school board policies regarding search and seizure.
  - e. The school district will take appropriate disciplinary action in compliance with the student discipline code. Such discipline may include immediate suspension, initiation of expulsion proceedings, and/or referral to a detoxification center or medical center.
- 2. If a school district employee has reason to believe that a student is abusing, possessing, transferring, distributing, or selling chemicals:
  - a. The employee shall notify the building administrator or a member of the

preassessment team and shall describe the basis for the suspicion. The building administrator and/or team will determine what action should be taken. Action may include conducting an investigation, gathering data, scheduling a conference with the student or parents, or providing a meeting between a single member of the team and the student to discuss the behaviors that have been reported and attempting to ascertain facts regarding chemical abuse.

- b. The team may determine there is no chemical abuse. If the team determines there is chemical abuse, the team 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.
3. Students involved in the abuse, possession, transfer, distribution, or sale of chemicals shall be suspended in compliance with the student discipline policy and the Pupil Fair Dismissal Act, Minn. Stat. § 121A.40-121A.56, and proposed for expulsion.
4. 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.

C. Preassessment Team

1. Every school shall have a chemical abuse preassessment team designated by the superintendent or designee. The team will be composed of classroom teachers, administrators, and other appropriate professional staff to the extent they exist in each school, such as the school nurse, school counselor or psychologist, social worker, chemical abuse specialist, or others.
2. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
3. Within forty-five (45) days after receiving an individual reported case, 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.

D. Data Practices

1. Student data may be disclosed without consent in health and safety emergencies pursuant to Minn. Stat. § 13.32 and applicable federal law and regulations.
2. Destruction of Records
  - a. If the preassessment 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 in the district.
- c. This section shall govern destruction of records notwithstanding provisions of the Records Management Act, Minn. Stat. § 138.163.

E. 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.

F. School and Community Advisory Team

- 1. The superintendent, with the advice of the school board, shall establish a school and community advisory team to address chemical abuse problems. The advisory team will be composed of representatives from the school preassessment teams to the extent possible, law enforcement agencies, county attorney's office, social service agencies, chemical abuse treatment programs, parents, and the business community.
- 2. The advisory team shall:
  - a. build awareness of the problem within the community, identify available treatment and counseling programs for students, and develop good working relationships and enhance communication between the schools and other community agencies; and
  - b. develop a written procedure clarifying the notification process to be used by the chemical abuse preassessment team when a student is believed to be in possession of or under the influence of alcohol or a controlled substance. The procedure must include contact with the student and the student's parents or guardian in the case of a minor student.

**V. EMPLOYEES**

- A. The superintendent or designee shall undertake and maintain a drug-free awareness and prevention program to inform employees, students, and others about:
  - 1. The dangers and health risks of chemical abuse in the workplace/school.
  - 2. The school district's drug-free workplace/drug-free school policy.
  - 3. Any available drug or alcohol counseling, treatment, rehabilitation, re-entry, and/or assistance programs available to employees and/or students.
  - 4. The penalties that may be imposed on employees for drug abuse violations.
- B. The superintendent or designee shall notify any federal granting agency required to be

notified under the Drug-Free Workplace Act within ten (10) days after receiving notice of a conviction of an employee for a criminal drug statute violation occurring in the workplace. To facilitate the giving of such notice, any employee aware of such a conviction shall report the same to the superintendent.

**[Note: Notification to the federal granting agency within ten (10) days is required by the Drug Free Workplace Act. 41 U.S.C. § 8103.]**

**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)  
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)  
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)  
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)  
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)

## **418 DRUG-FREE WORKPLACE / DRUG-FREE SCHOOL**

***[Note: School districts are required by statute to have a policy addressing these issues.]***

### **I. PURPOSE**

The purpose of this policy is to maintain a safe and healthful environment for employees and students by prohibiting the use of alcohol, toxic substances, medical cannabis, and controlled substances without a physician's prescription.

### **II. GENERAL STATEMENT OF POLICY**

A. Use or possession of controlled substances, toxic substances, medical cannabis, and alcohol before, during, or after school hours, at school, or in any other school location, is prohibited as a general policy. Paraphernalia associated with controlled substances is prohibited.

- B. A violation of this policy occurs when any student, teacher, administrator, other school district personnel, or member of the public uses or possesses alcohol, toxic substances, controlled substances, or medical cannabis in any school location.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

### III. **DEFINITIONS**

- 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. "Medical cannabis" means any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of: (1) liquid, including, but not limited to, oil; (2) pill; (3) vaporized delivery method with use of liquid or oil but which does not require the use of dried leaves or plant form; or (4) any other method, excluding smoking, approved by the commissioner.
- D. "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.
- E. "Use" includes to sell, buy, manufacture, distribute, dispense, possess, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration or consideration.
- F. "Possess" means to have on one's person, in one's effects, or in an area subject to one's control.
- G. "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 the school district or otherwise engaged in school district business.

### IV. **EXCEPTIONS**

- A. A violation of this policy does not occur when a person brings onto a school location, for such person's own use, a controlled substance, except medical cannabis, which has a currently accepted medical use in treatment in the United States and the person has

a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.

- B. A violation of this policy does not occur when a person possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minn. Stat. § 624.701, Subd. 1a

(experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).

## V. PROCEDURES

- A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, must comply with the school district's student medication policy.

**[Note: School districts are required by Minn. Stat. § 121A.22 to develop procedures for the administration of drugs and medicine. If the school district does not have a student medication policy such as MSBA/MASA Model Policy 516, this Paragraph A. can be modified to provide: "Students who have a prescription from a physician for medical treatment with a controlled substance must provide a copy of the prescription and the medication to the school nurse, principal, or other designated staff member. The school district's licensed school nurse, trained health clerk, principal, or teacher will administer the prescribed medication in accordance with school district procedures."]**

- B. Employees who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.
- C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.

**[Note: The Drug-Free Workplace Act requires that school district employees be notified by a published statement of the prohibition of the use of controlled substances and actions that will be taken against employees for violations of such prohibition. 41 U.S.C. § 8103; 34 C.F.R. Part 84. An acknowledgment will document satisfaction by the school district of this federal requirement.]**

- D. Employees are subject to the school district's drug and alcohol testing policies and procedures.
- E. Members of the public are not permitted to possess controlled substances in a school location except with the express permission of the superintendent.

- F. No person is permitted to possess or use medical cannabis on a school bus or van; or on the grounds of any preschool or primary or secondary school; or on the grounds of any child care facility.
- G. Possession of alcohol on school grounds pursuant to the exceptions of Minn. Stat. § 624.701, Subd. 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

## **VI. ENFORCEMENT**

### **A. Students**

- 1. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.
- 2. The student may be referred to a drug or alcohol assistance or rehabilitation program and/or to law enforcement officials when appropriate.

### **B. Employees**

- 1. As a condition of employment in any federal grant, each employee who is engaged either directly or indirectly in performance of a federal grant shall abide by the terms of this policy and shall notify his or her supervisor in writing of his or her conviction of any criminal drug statute for a violation occurring in any of the places listed above on which work on a school district federal grant is performed, no later than five (5) calendar days after such conviction. Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
- 2. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, termination, or discharge as deemed appropriate by the school board.
- 3. In addition, any employee who violates the terms of this policy may be required to satisfactorily participate in a drug and/or alcohol abuse assistance or rehabilitation program approved by the school district. Any employee who fails to satisfactorily participate in and complete such a program is subject to nonrenewal, suspension, or termination as deemed appropriate by the school board.
- 4. Sanctions against employees, including nonrenewal, suspension, termination, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.

### **C. The Public**

A member of the public who violates this policy shall be informed of the policy and asked to leave. If necessary, law enforcement officials will be notified and asked to provide an escort.

**Legal References:** Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)  
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)  
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)  
Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)  
Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)  
Minn. Stat. § 609.684 (Sale of Toxic Substances to Children; Abuse of Toxic Substances)  
Minn. Stat. § 624.701 (Alcohol in Certain Buildings or Grounds)  
20 U.S.C. § 7101-7165 (Safe and Drug-Free Schools and Communities Act)  
21 U.S.C. § 812 (Schedules of Controlled Substances)  
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)  
21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)  
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 417 (Chemical Use and Abuse)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 516 (Student Medication)

**419 TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION**

**[Note: School districts are not required by statute to have a policy addressing these issues. However, Minn. Stat. § 144.416 requires that entities that control public places must make reasonable efforts to prevent smoking in public places, including the posting of signs or any other means which may be appropriate. Additionally, Minn. Stat. § 120B.238 requires that vaping prevention instruction be provided as set forth in this policy.]**

**I. PURPOSE**

The purpose of this policy is to maintain a learning and working environment that is tobacco free.

**II. GENERAL STATEMENT OF POLICY**

A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the school district, or person smokes or uses tobacco, tobacco-related devices, or carries or uses an activated electronic delivery device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition

includes all school district property and all off-campus events sponsored by the school district.

- B. A violation of this policy occurs when any elementary school, middle school, or secondary school student possesses any type of tobacco, tobacco-related devices, or electronic delivery devices in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.

**[Note: The following language is not required by law but is recommended by MSBA for inclusion in this policy.]**

- D. The school district will not solicit or accept any contributions or gifts of money, curricula, materials, or equipment from companies that directly manufacture and are identified with tobacco products, tobacco-related devices, or electronic delivery devices. The school district will not promote or allow promotion of tobacco products or electronic delivery devices on school property or at school-sponsored events.

### **III. DEFINITIONS**

- A. "Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of aerosol or vapor from the product. Electronic delivery devices includes but is not limited to devices manufactured, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- B. "Heated tobacco product" means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.
- C. "Tobacco" means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices,

or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.

- D. "Tobacco-related devices" means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- E. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.
- F. "Vaping" means using an activated electronic delivery device or heated tobacco product."

#### **IV. EXCEPTIONS**

- A. A violation of this policy does not occur when an Indian adult lights tobacco on school district property as a part of a traditional Indian spiritual or cultural ceremony. An Indian is a person who is a member of an Indian tribe as defined under Minnesota law.
- B. A violation of this policy does not occur when an adult nonstudent possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on school property or at off-campus events sponsored by the school district.

#### **V. VAPING PREVENTION INSTRUCTION**

- A. The school district must provide vaping prevention instruction at least once to students in grades 6 through 8.
- B. The school district may use instructional materials based upon the Minnesota Department of Health's school e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as part of the school district's locally developed health standards.

**[NOTE: In addition, school districts may choose to require (a) evidence-based vaping prevention instruction to students in grades 9 through 12; and/or (b) a peer-to-peer education program to provide vaping prevention instruction.]**

#### **VI. ENFORCEMENT**

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.
- C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.
- D. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and school district policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other school district supervisory personnel responsible for the area or program at which the violation occurred.
- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.
- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

**VII. DISSEMINATION OF POLICY**

- A. This policy shall appear in the student handbook.
- B. The school district will develop a method of discussing this policy with students and employees.

**Legal References:** Minn. Stat. § 120B.238 (Vaping Awareness and Prevention)  
 Minn. Stat. §§ 144.411-144.417 (Minnesota Clean Indoor Air Act)  
 Minn. Stat. § 609.685 (Sale of Tobacco to Children)  
 2007 Minn. Laws Ch. 82 (Freedom to Breathe Act of 2007)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
 MSBA/MASA Model Policy 506 (Student Discipline)  
 MSBA Service Manual, Chapter 2, Students; Rights, Responsibilities and Behavior

**DO WE keep anything in section below**  
**DRUG/ALCOHOL AND ASSAULT POLICY**

**I. GENERAL STATEMENT OF POLICY**

Students are forbidden to knowingly or voluntarily possess, sell, use, or distribute illegal drugs/alcohol or tobacco on school grounds or at school-sponsored activities. School grounds include 300 feet surrounding any immediate school building.

**II. PROCEDURES FOR TOBACCO OFFENSES**

The procedure used for dealing with student tobacco offenses will be as follows:

- A. Notification of the parent/guardian;
- B. Minors will automatically be referred to the police for charges to be filed when the student is found smoking or possessing tobacco, or when distributing tobacco in school or at school-sponsored activities.
- C. Students will be sent home for the remainder of the school day.
- D. Smoking violations will result in the student's loss of Commons privileges for the entire year.
- E. Minnesota State High School League rules will apply to all tobacco-related violations. These consequences will be handled by the school's Activities Director.
- F. The school nurse will be directed to meet with the student to discuss the health implications of tobacco use.
- G. The tobacco product will be confiscated.

**III. PROCEDURES FOR DRUG/ALCOHOL OFFENSES**

The procedure used for dealing with student drug/alcohol offenses will be as follows:

- A. Notification of the parent/guardian
- B. Students will automatically be referred to the police for charges to be filed when the student voluntarily possesses, sells, uses, or distributes illegal drugs/alcohol on school grounds;
- C. An administrative hearing will be held with the student, which will include:
  1. An initial suspension from school for up to five days; and
  2. Consideration of whether a recommendation should be made to the Superintendent to expel the student.
- D. Drug/alcohol violations will result in the student's loss of Commons privileges for the entire year;
- E. The activities director will apply all Minnesota State High School League Rules;
- F. A school social worker or counselor will be directed to meet with the student to discuss the health implications of drug/alcohol use; and
- G. All illegal drugs/alcohol will be confiscated.

**IV. GENERAL STATEMENT OF POLICY**

Students are forbidden to threaten bodily harm or death to other persons. While on school grounds or at school activities, students are forbidden to engage in fighting with another person or persons.

## **V. ASSAULT OR FIGHTING**

Assault or fighting consists of aggressive, violent behavior by two or more individuals with the intent of inflicting physical harm upon one another and shall be differentiated from poking, pushing, shoving or scuffling. The disciplinary procedure for fighting will include:

1. Notification of parent/guardian; and
2. An administrative hearing held with the student, which may result in:
  - a. Assignment of after-school detention;
  - b. Assignment of in-school detention;
  - c. Suspension from school for up to five days; and /or
  - d. Involvement of police.

## **VI. VERBAL ASSAULT**

Verbal assault shall be defined as abusive, threatening, profane, or obscene language, either oral or written. It includes conduct that degrades people because of their race, religion, ethnic background, or physical or mental disability. The disciplinary procedure for verbal assault (threats) will include notification of parent/guardian and an administrative hearing held with the student. Consequences may include detention, suspension from school for up to five days and/or the involvement of police.

## **APPENDIX D**

### **HARASSMENT AND VIOLENCE POLICY**

#### **005.PERSONNEL**

##### **005.4 Board of Education Policy Prohibiting Harassment and Violence**

#### **I. GENERAL STATEMENT OF POLICY**

It is the policy of the School District to maintain a learning and working environment that is free from harassment and violence by:

- A. Prohibiting any form of harassment or violence;
- B. Affirming the rights of individuals to be themselves; and
- C. Creating and maintaining a physically and psychologically safe and respectful environment where learning, growth, and self-esteem can be attained by everyone.

It will be the responsibility of all professional employees of the School District to take appropriate action against any form of harassment or violence. The School District will act to take appropriate action or discipline when this policy has been violated.

It shall be a violation of this policy for any administrator, teacher, student, or other school district personnel to harass, to inflict, threaten to inflict or attempt to inflict violence upon any student, teacher, administrator, or other school personnel.

#### **II. DEFINITIONS**

- A. SCHOOL DISTRICT PERSONNEL: School District personnel include Board of Education members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the School District.
- B. PROFESSIONAL EMPLOYEES: Professional employees of the district include teachers, administrators and any other persons charged with the supervision of students.
- C. HARASSMENT: Harassment shall be defined as physical or verbal conduct that has the purpose or effect of:
  - 1. creating an intimidating, hostile or offensive working or academic environment;
  - 2. substantially or unreasonably interfering with an individual's work or academic performance; or
  - 3. adversely affecting an individual's employment or academic opportunities.
- D. VIOLENCE: Violence shall be defined as:
  - 1. an act done with intent to cause fear in another of immediate bodily harm or death;
  - 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
  - 3. the threat to do bodily harm to another with present ability to carry out the threat.

This does not include necessary restraint of a student by teachers, administrators, or other School District personnel to avoid physical harm to persons or property.

- E. SEXUAL HARASSMENT: Sexual harassment shall be defined as:
  - 1. unwelcome sexual advances;
  - 2. unwelcome pressure for sexual favors;
  - 3. sexually motivated physical conduct or other verbal or physical conduct; or
  - 4. communication of a sexual nature when:
    - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education;
    - b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
    - c. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile or offensive employment or educational environment.

Sexual harassment may include but is not limited to:

- 1. unwelcome verbal harassment or abuse;
  - 2. unwelcome behavior or words directed at an individual because of gender;
  - 3. unwelcome pressure for sexual favors;
  - 4. unwelcome sexual or inappropriate patting, pinching, or physical contact. (This does not include necessary restraint of a student by teachers, administrators, or other School District personnel to avoid physical harm to persons or property.);
  - 5. unwelcome sexual behavior or words, including demands for sexual favors accompanied by implied or overt threats concerning an individual's employment, or educational status; or
  - 6. unwelcome sexual behavior or words, including demands for sexual favors accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status.
- F. RACIAL HARASSMENT: Racial harassment shall be defined as physical or verbal conduct relating to an individual's race when the conduct has the purpose or effect of:
    - 1. creating an intimidating, hostile, or offensive working or academic environment;

2. substantially or unreasonably interfering with an individual's work or academic performance; or
  3. adversely affecting an individual's employment or academic opportunities.
- G. RELIGIOUS HARASSMENT: Religious harassment shall be defined as physical or verbal conduct which is related to an individual's religion when the conduct has the purpose or effect of:
1. creating an intimidating, hostile, or offensive working or academic environment;
  2. substantially or unreasonably interfering with an individual's work or academic performance; or
  3. adversely affecting an individual's employment or academic opportunities.
- H. SEXUAL VIOLENCE: Sexual violence is a physical act of aggression or force or the threat thereof that involves the touching of another's intimate parts, or forcing a person to touch another person's intimate parts. Intimate parts, as defined in Minnesota Statutes Section 609.341, include the primary genital area, groin, inner thigh, buttocks or breasts, as well as the clothing covering these areas.
- Sexual violence may include, but is not limited to:
1. touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
  2. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
  3. coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
  4. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.
- I. RACIAL VIOLENCE: Racial violence is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, race.
- J. RELIGIOUS VIOLENCE: Religious violence is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, religion.
- K. Immediately: As soon as possible, but in no event longer than 24 hours.

### III. REPORTING PROCEDURES

The Board of Education hereby designates the Human Rights Officer to oversee the actions taken in response to reports or complaints of harassment or violence. If the complaint involves the Human Rights Officer, the complaint shall be filed directly with the Superintendent.

The School District shall conspicuously post the name of the Human Rights Officer, including mailing addresses and telephone numbers.

Submission of a good faith complaint or report of harassment or violence will not affect the complainant or reporter's future employment, grades, or work assignments.

Use of a formal reporting form is not mandatory.

In a formal investigation, the School District will respect the privacy of the complainant, 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 conform to any discovery or disclosure obligations.

**NOTHING IN THIS POLICY SHALL PREVENT ANY PERSON FROM REPORTING HARASSMENT OR VIOLENCE DIRECTLY TO THE DISTRICT HUMAN RIGHTS SUPERVISOR OR TO THE SUPERINTENDENT.**

#### I. REPORTS OR COMPLAINTS AGAINST DISTRICT PROFESSIONALS OR PERSONNEL

- A. REPORTING PROCEDURES: Any person who believes he or she has been the target or victim of harassment or violence by an administrator, teacher, or other School personnel of the School District, or any person with knowledge or belief of conduct which may constitute harassment or violence toward a student, teacher, administrator, or other School Personnel should report the alleged acts immediately to the appropriate building principal, the School District Human Rights Officer, or the Superintendent. A person may report conduct that may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

In each School District building, the building principal is the person responsible for receiving and investigating oral or written reports of harassment or violence at the building level. Any adult School District personnel who receives a report of harassment or violence by an administrator, teacher or other School District personnel shall inform the building principal immediately. The School District encourages the reporting party or complainant to use the report form that can be obtained from the principal of each building or from the School District office. Oral reports shall be considered complaints as well. The building principal may request, but may not insist upon, a written complaint. 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 primary contact on policy and procedural matters.

A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.

Upon receipt of a report, the principal must notify the School District Human Rights Officer immediately without screening and prior to investigating the report. A written statement of the alleged facts will be forwarded as soon as practical by the principal to the Human Rights Officer. If the report was given verbally, the principal shall personally reduce it to written form within 24 hours and forward it to the human rights supervisor. If the complaint involves the building principal, the complaint shall be made or filed directly with the Superintendent or the School District Human Rights Officer by the reporting party or complainant.

Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.

False accusations or reports of violence or harassment against another person are prohibited.

A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerate violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures as outlined in the student handbook.

Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

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

- B. INVESTIGATION: By authority of the School District, the Human Rights Officer, -within three days of the receipt of a report or complaint alleging harassment or violence, shall undertake or authorize an investigation. The investigation may be conducted by School District officials or by a third party designated by the School District.

The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of other methods and documents that may provide pertinent information to the investigator.

In determining whether alleged conduct constitutes a violation of this policy, the School District should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Conduct that constitutes harassment or violence of a sexual, racial or religious nature shall be considered most seriously. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.

In addition, the School District may take immediate steps, at its discretion, to protect the target or victim, complainants, teachers, administrators, or other School District personnel pending completion of an investigation of alleged harassment or violence.

The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the decision of discipline or other remedial responses.

The investigation will be completed as soon as practical. The School District investigator shall make a written report to the Superintendent and the Human Rights Officer upon completion of the investigation. If the complaint involves the Superintendent, the report may be filed directly with the Board of Education. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

- C. SCHOOL DISTRICT ACTION: Upon receipt of a written report after the completion of an investigation, the School District will take appropriate action. Such action may include but is not limited to, warning, suspension, transfer, restitution, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School District action taken from violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and School District policies.

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 targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.

In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school district shall, where determined

appropriate by the child's individualized education program (IEP) 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 to engage in acts of harassment or violence.

## **V. REPORTS OR COMPLAINTS AGAINST STUDENTS**

It is the philosophy of the School District that students are in school to be educated. Therefore, any behavior that alters the effectiveness of the learning environment will be addressed and corrected. Additionally, students who behave in ways that intimidate, offend or cause discomfort for other students or adults will first be educated regarding more appropriate and respectful behaviors.

Students will be disciplined for harassing or violent behavior when they have not responded to efforts to educate them or when the behavior is serious enough to endanger the safety of others.

All School District professionals and personnel are responsible for the enforcement of this policy. Teachers and teacher assistants will address behavior by students that is harassing or violent as such behavior is observed. Students who do not respond to teacher intervention will be referred to the building principal for further intervention. Corrective action taken at the building level may include, but is not limited to, referral to the peer-mediating program, a conflict resolution or other counseling session with a School District counselor or social worker, restitution, community service opportunities in the school, a written problem solving paper, a conference with the student's parent(s)/guardian(s), and a warning conference with the student. Disciplinary action for severe behavior may include any of the above, as well as suspension, exclusion, expulsion, and a report to law enforcement. Harassment that is sexual, religious, or racial in nature, and any form of physical violence will be treated as serious behavior.

Building principals must maintain written records of interventions attempted to correct harassing and violent behavior. These records will be available to, and reviewed by, the School District Human Rights Officer on a regular basis.

Nothing in this policy, or any action by any School District professionals or personnel shall discourage or prevent any student from filing a written complaint of harassment or violence with the building principal, the School District Human Rights Officer, or the Superintendent. Complaint forms will be available to all students from the principal of each building and the School District office. A copy of all written complaints must be sent immediately to the School District Human Rights Officer, and an investigation by the building principal must commence within one school day of receipt of the complaint. The building principal will forward to the Superintendent and the Human Rights Officer a written statement of findings and action taken when such investigation is complete.

## **VI. RETALIATION OR REPRISAL**

The School District will discipline or take appropriate action against any administrator, teacher, or other School District personnel who retaliates against any person who reports alleged harassment or violence of any person who testifies, assists, or participates in an investigation of retaliation or alleged harassment or violence, or who testifies, assists, or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

## **VII. RIGHT TO ALTERNATE COMPLAINT PROCEDURES**

These procedures do not deny the right of any individual to pursue other avenues of recourse that may include

filing charges with the Minnesota Department of Human Rights, initiating civil action or seeking redress under state criminal statutes and/or federal law.

### **VIII. HARASSMENT OR VIOLENCE AS ABUSE**

Under certain circumstances, alleged harassment or violence may also be classified as abuse under Minnesota law. If so, the duties of mandatory reporting under Minnesota Statute, Section 626.556 may be applicable. Nothing in this policy will prohibit the School District from taking immediate action to protect victims of alleged harassment, violence, or abuse.

### **IX. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall be conspicuously posted throughout each school building in areas accessible to pupils and staff members.
- B. Copies of this policy shall be available in the school district's employment office and will be distributed to new school district employees and independent contractors who regularly interact with students.
- C. This policy shall appear in the student handbook.
- D. The school district will discuss this policy with students and employees.
- E. The school district may implement violence prevention and character development education programs to prevent and 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.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

Reviewed: 12/1999  
              06/2004  
              11/2012

First Reading: August 24, 2015  
Adopted: September 21, 2015

## **APPENDIX E**

### **BOMBS AND BOMB THREATS POLICY**

#### **I. Instructions for Receiver of a Call**

Schools have been primary "targets" of bomb threats particularly on a seasonal basis (Spring and Fall).

However, there have also been documented cases where actual bombs have been found and/or detonated.

Bomb threats should be taken seriously.

1. A person receiving a bomb threat should try to attract someone else's attention (without tipping off the call) in an attempt to have the call traced. (Note: office staff are most likely to receive such a call and should be familiar with the process for tracing a call).

2. Obtain as much information as possible, i.e., the time set for the explosion, the exact location of the bomb, the type of explosive device and what it looks like; and, why the bomb was placed in the school. Justify your request for more data by expressing a desire to save the lives of innocent people. Pay particular attention to any strange or unusual background noises and the voice of the caller.

3. Immediately notify the building administrators and the superintendent of school. A decision will be made on whether or not to evacuate the building. It is not recommended that school evacuation be made in all cases; however, circumstances will vary in each incident.
4. On request of building administrators or superintendent, call the police department (931-1550) and/or sheriff's department (931-1570).

## II. Building Administrators or Designee's Responsibilities

1. Check the receiver of the call for authenticity and other pertinent information.
2. Report to the emergency command center.
3. Call the police and/or sheriff's office, if not already done.
4. Evaluate the bomb threat and determine the course of action that will be taken from the emergency command center.
  - a. Deploy search teams from the command center to search the outside and inside of the building.
  - b. Alert all staff members to conduct a search of their classroom, office or work area and report any unusual conditions.
5. Meet with the law enforcement officials regarding search and further procedures.
6. Handle all inquiries from the news media.
7. Follow the administrative rules for bomb threat procedures.

IF STUDENTS ARE AWARE OF WEAPONS, BOMBS OR OTHER DANGEROUS DEVICES ON SCHOOL PROPERTY OR THREATENED TO BE BROUGHT ONTO SCHOOL PROPERTY, THEY SHOULD IMMEDIATELY NOTIFY AN ADULT.

## III. Evacuation of the Building

1. If the building is to be evacuated in response to a bomb threat:
  - a. Notify the police department immediately.
  - b. Evacuate the building immediately with everyone going at least 500 feet from the building (175 paces).

### **School should not be canceled or students sent home.**

- c. Teachers will make a visual check of their classrooms, as they evacuate, reporting anything unusual to the police.

### **DO NOT TOUCH ANYTHING SUSPICIOUS.**

- d. Teachers, aides, nurses will be responsible for persons in rooms at time of evacuation.
    - e. Teachers will take their class roll once evacuated. Teachers who do not have classes should make certain everyone is at least 500 feet from the building.
2. Building administrators or custodians make a visual check for persons still in the building.
3. Do not reenter the building or an area of the building unless cleared by the police department. If requested by the police department, the head building supervisor, and a building designee, should conduct a visual search of the interior and exterior of the building.
4. If the evacuation is for the remainder of the school day, move students a safe distance from the building. Activate a plan to move the students to a secure area. Students will be dismissed or transported from this area.
5. Secure all doors.
6. If the building is NOT to be evacuated in response to a bomb threat, as a minimum, follow instruction #4 above.

## IV. Responsibilities of Faculty and Staff

1. Make a visual check of classroom, offices or work areas. Report anything unusual to the principal. DO NOT TOUCH ANYTHING.
2. If evacuation is necessary, follow the fire drill evacuation to at least 500 feet (175 paces) from the building.
3. Staff who have rooms that have outside doors should check to see that they are locked before evacuating the building.
4. Do not enter the building until told to do so by the building administrator or designee.

## **APPENDIX F**

### **SOCIAL SECURITY NUMBERS FOR STATE REPORTING**

All Minnesota school districts are a part of a statewide computer reporting system, which uses the student social security number to record information about your child. This information is, in turn, provided to the Minnesota Department of Education. This Department is required by law to collect and store information about each pupil, each staff member, and each educational program\*\*. Therefore, we ask that you, the parent, provide your child's social security number although you are not legally required to do so.

The Department of Education uses this information to determine how much money the school district receives from the state and federal government. This information is also used to judge the quality of the state's educational programs, to improve instruction, to follow trends in student enrollment, and to track student participation in various programs.

Your child's school district will share this information with the Department of Education. The Department of Education will share the information with the Department of Human Services to allocate additional funding and improve instruction.

As a parent, you do not have to provide your child's social security number. If you choose not to provide the number, the school district staff might need to submit another type of report to receive money distributed by the state or federal government.

\*\*Minnesota Statutes Sections 121.932 and 124.17.

## **APPENDIX G**

### **HAZING POLICY**

#### **I. PURPOSE**

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 and off School District property and during and after school hours.
- E. A person who engages in an act that violates School District policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline.
- F. The School District will 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 harms of hazing include, but are not limited to, mental stress, embarrassment, shame, or humiliation that adversely affects the mental health or dignity of the student or that adversely affects student performance. 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 student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
  - 3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the student 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; and
  - 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 District events. A student organization does not have to be an official School District 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 is encouraged to report the alleged acts immediately to an appropriate School District official designated by this policy.
- B. The building principal is the person responsible for receiving reports of hazing at the building level. Any person may report directly to a School District human rights officer or to the Superintendent.
- 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 principal immediately.
- D. Submission of a good faith complaint or report of hazing will not affect the complainant's or reporter's future employment, grades, or work assignments.

## **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, report, 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 Fair Dismissal Act, School District policies and regulations.

**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.

**VII. DISSEMINATION OF POLICY**

This policy shall appear in each school's student handbook and in each school's staff handbook.

**APPENDIX H**

**ACCEPTABLE USE OF THE COMPUTER NETWORK AND INTERNET**

**Acceptable Use of the School District Computer Network**

**Rules and Regulations**

The following information outlines the rules and regulations related to Board of Education Policy 006.14 Acceptable Use and Internet Policy.

Despite its enormous educational potential, the Internet also contains the potential for abuse. Saint Peter Public Schools is not responsible for ensuring the accuracy or usability of any information found on external networks. For safety purposes, Saint Peter Public Schools employs both an Internet filter and firewall, and maintains compliance with CIPA (Children’s Internet Protection Act).

The Board of Education expects all students to abide by the Acceptable Use Procedures of Saint Peter Public Schools. Failure to follow the guidelines may result in disciplinary action.

**A. Limited Educational Purpose**

1. The Saint Peter Public Schools computer network has not been established as a public access service and is not an “open” or “limited open” forum. The term “educational purpose” includes but is not limited to information management, classroom activities, media center projects, research, career development, and limited curriculum-related work on an individual student basis.
2. Saint Peter Public Schools has the right to place reasonable restrictions on the material accessed or posted through the system. Students are expected to follow the rules set forth by the district and the law when using the Saint Peter Public Schools computer network.

3. Students may not use the Saint Peter Public Schools computer network for commercial purposes. This means products or services may not be offered, provided, or purchased through the Saint Peter Public Schools computer network.
4. The Saint Peter Public Schools computer network may not be used for political lobbying. It may be used to communicate with elected representatives and to express opinions to them on political issues.

## **B. Internet Access**

1. Students shall have access to Internet World Wide Web information resources through their classroom, library, or school computer lab.
2. Parent(s)/guardian(s) are given the opportunity to determine their child's access to the Internet when they enter the public school system, and in Grades 3 and 7. Students and their parent(s)/guardian(s) must sign an Acceptable Use Consent Form to be granted access to the Internet. Parent(s)/guardian(s) can withdraw their approval at any time.
3. The use of the school district system and access to use of the Internet is a privilege, not a right. The school district reserves the right to limit or remove any user's access to the school district's computer system, equipment and Internet access at any time for any reason.

## **C. Unacceptable Uses**

### **1. Personal Safety**

- a. Students shall not post personal contact information about themselves or other people on the Internet. Personal contact information could include, but is not limited to, student's or employee's home address or telephone number, a student's school address, and an employee's work address. It is not a violation of this policy to include the school's return address on outgoing email communications.
- b. Students shall not agree to meet with someone met on-line without parent's approval.
- c. Students shall promptly disclose to their teacher or other school employee any message received that is inappropriate or causes discomfort.

### **2. Illegal Activities**

- a. Students shall not attempt to gain unauthorized access to Saint Peter Public Schools computer network or to any other computer system through Saint Peter Public Schools computer network or go beyond authorized access. This includes attempting to log in through another person's account or access another person's files.
- b. Students shall not make deliberate attempts to disrupt the computer system or destroy data by spreading computer viruses or by any other means.
- c. Students shall not use the Saint Peter Public Schools computer network system to engage in any illegal act, such as arranging for the sale or use of drugs or alcohol; that facilitate criminal gang activity; that facilitate gambling; or that violate any local, state or federal statute.
- d. Students shall not use the Internet or the district's computer network to harass or threaten the safety of others.
- e. Students shall not misuse the computer equipment or network, to include but not exclusive of, deletion or violation of password-protected information, computer programs, data, password or system files; inappropriate access of files, directories, Internet sites; deliberate contamination of the system, unethical use of information, or violation of copyright laws is prohibited.

### **3. System Security**

- a. Students are responsible for their individual accounts and should take all reasonable precautions to prevent others from being able to use their accounts.

- b. Students shall immediately notify a teacher or the system administrator if they have identified a possible security problem. Students should not look for security problems, because this may be construed as an illegal attempt to gain access. Under no conditions should students provide other students with their password.
- c. Students who gain access to teacher computer files, directory, programs, and website without permission from the teacher will be subject to disciplinary action.
- d. The district will assign specific staff with security, management, and account responsibilities associated with the district's Internet resources and network accounts.
- e. Tampering with the district's computer security system, and/or applications, and/or documents, and/or equipment, will be considered vandalism, destruction, and defacement of school property. Please be advised that it is a federal offense (felony) to break into any security system. Financial and legal consequences of such actions are the responsibility of the user and/or student's parent or guardian.

#### **4. Inappropriate Language**

- a. Restrictions against inappropriate language apply to public messages, private messages, and material posted on Web pages.
- b. Students shall not use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language.
- c. Students shall not post information that could cause damage or a danger of disruption.
- d. Students shall not engage in personal attacks, including prejudicial or discriminatory attacks, based on a person's race, gender, sexual orientation, religion, national origin, or disability, or engage in any other harassment or discrimination prohibited by school district policy or by law.
- e. Students shall not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person. If students or staff are told by a person to stop sending them messages, they must stop.
- f. Students shall not knowingly or recklessly post false or defamatory information about a person or organization.

#### **5. Respect for Privacy**

- a. Students shall not re-post a message that was sent to them privately without written permission of the person who sent them the message.
- b. Students shall not post private information about another person on the Internet.

#### **6. Respecting Resource Limits**

- a. Students shall use the system only for educational and career development activities and limited curriculum-related work on an individual student basis.
- b. Students will have access to limited space on the school's computer server. Users are responsible for making back-up copies of the documents and files that are critical to their use.
- c. Students shall not deliberately or knowingly delete another student's file.
- d. Students and employees shall only use software that is supplied by the school district.
- e. Students shall not install hardware or software on the school district's computer system without the permission of the technology coordinator.

#### **7. Plagiarism and Copyright Infringement**

- a. Students shall not plagiarize works that are found on the Internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were yours.
- b. Students shall respect the rights of copyright owners. Copyright infringement occurs when one inappropriately reproduces a work that is protected by a copyright. If a work contains language that specifies appropriate use of that work, follow the expressed requirements. If students are unsure whether or not work can be used, request permission from the copyright owner. Copyright law can be very confusing; ask media specialists for guidance as needed.

## 8. Access to Inappropriate Materials

- a. Students shall not use the Saint Peter Public Schools computer network to access material that is profane or obscene (pornography), contains viruses, network hacking programs, or similar programs that advocate illegal acts, or that advocates violence or discrimination towards other people (hate literature).
- b. If students mistakenly access inappropriate information, they should immediately inform their teacher, media specialist, or another district employee. This will protect them against claims that they have intentionally violated this policy.
- c. Parent(s)/guardian(s) should instruct students if there is additional material that they think it would be inappropriate for them to access. The district expects that students follow their parent's instructions in this matter.
- d. Educators will monitor student use of the Internet in schools and will take reasonable measures to prevent access by students to inappropriate materials on the Internet and World Wide Web and restrict access to materials harmful to students.
- e. The district may monitor the online activities of students, and operate technology protection measures (filtering/blocking devices or software) on all computers on the district's computer network as required by law. The filtering/blocking software will attempt to protect against access to visual depictions that are obscene, harmful to students, and child pornography, as required by law. Invasion or disabling of the filtering/blocking device installed by the district, including attempts to evade or disable, is a violation of the Acceptable Use Policy.
- f. Students have access to laptop computers for overnight use. When connecting to the Internet, our firewall does **NOT** filter inappropriate content off the school network. Parents may restrict students from having access to a laptop computer for overnight use by informing the Media Center.

## D. Disciplinary Action

The school district may take disciplinary action when a student violates any portion of the Acceptable Use Policy. Disciplinary action may include, but it is not limited to:

- Meeting with the Technology Coordinator, Media Center Specialist or Principal;
- Detention/School-After-Hours;
- Loss of school privileges;
- Parent/Guardian conference with school staff;
- Modified school programs;
- Removal from class;
- Co-curricular ineligibility;
- Suspension;
- Exclusion;
- Expulsion.

## **E. Student Rights and Responsibilities**

### **1. Free Speech**

Student right to free speech is set forth in School Board Policy 007.5 which applies also to communication. The Saint Peter Public Schools computer network is considered a limited forum, similar to the school newspaper, and, therefore, the district may restrict speech for valid educational reasons.

### **2. Search and Seizure**

- a. Students should not expect any privacy in the contents of personal files on the district system. Administrators and faculty may review files and messages to maintain system integrity and ensure that users are acting responsibly.
- b. The district may examine all information stored on district technology resources at any time. The district may monitor staff and student technology usage. Electronic communications, all data stored on the district's technology resources, and downloaded material, including files deleted from a user's account, may be intercepted, accessed, or searched by a district administrator or designees at any time.
- c. Routine maintenance and monitoring of Saint Peter Public Schools computer system may lead to discovery that this policy or the following policies or laws have been violated. An individual search shall be conducted if there is reasonable suspicion policies have been violated.
- d. Parent(s)/guardian(s) of students have the right at any time to request to see the contents of student's files.

### **3. Due Process**

- a. The school district shall cooperate fully with local, state, or federal officials in any investigation related to any illegal activities conducted through Saint Peter Public Schools computer network.
- b. In the event there is a claim that students have violated this policy or other Board policy in use of the Saint Peter Public Schools computer network, they shall be provided with information related to the suspected violation and have an opportunity to present an explanation.
- c. If the violation also involves a violation of other provisions of School Board policy, it shall be handled in a manner described in School Board Policy which deals with dismissal, including suspension, exclusion, and expulsion. Additional restrictions may be placed on use of individual Internet accounts, or could result in suspension, expulsion, and/or financial liability.

### **4. Limitation of Liability**

The school district does not assume and, hereby, expressly disclaims liability for the misuse of its computers, equipment, e-mail, and Internet programs that violate this policy or any applicable law. The district makes no guarantee that the functions or the services provided by or through the district system shall be error-free or without defect. The district is not responsible for any damage suffered through the use of its computer system, including but not limited to, the loss of data, interruptions in service, the accuracy or quality of information obtained through or stored in the system, damages or injuries from improper communications, damage to property used to access school district computers or online resources, or financial obligations resulting from the use of school district resources.

Through the Saints Digital Learning Initiative, Saint Peter High School continues its commitment to offering students and teachers access to best-practice strategies and modern equipment to improve the classroom experience.

Beginning with the Class of 2017, all 9th grade students will be issued an iPad Mini through a 1-to-1 digital learning program that will provide each student a personal learning tool that can be adapted to various courses and learning experiences. Our 1-to-1 digital learning program will provide students new opportunities for authentic experiences to develop the skills and strategies for using emerging digital tools that they will need to be prepared to achieve success in college and careers in the 21st Century.

Please consult the *Saints Digital Learning Initiative 1-to-1 Handbook* for program details, expectations, and terms and conditions. Handbooks are available upon request from the high school office.

## APPENDIX I

### **B007. STUDENTS**

#### **007.4 Student Welfare**

#### **007.47 Bullying Prohibition**

##### **I. PURPOSE**

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 disruptive and detrimental 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 school district property, at school functions or activities, 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 or 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 an 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 or negate 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, false reporting of bullying, or permits, condones, or tolerates bullying shall be subject to discipline for that act in accordance with School District's policies and procedures. The School District may take into account the following factors:

1. The developmental 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.

A. The School District will investigate all complaints of bullying 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.

B. Consequences for students who commit prohibited acts of bullying may range from positive behavioral interventions and education about bullying up to and including suspension, and/or expulsion. 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.

### III. DEFINITIONS

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

A. “Bullying” means intimidating, threatening, abusive, or harming 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 that 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 harming 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 defined 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 the public school.

#### **IV. REPORTING PROCEDURE**

A. Any person who believes he or she has been the victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy:

1. Shall report the alleged acts immediately to an appropriate School District official; or
2. A person may report bullying anonymously, but action may not be taken against an alleged perpetrator based solely on an anonymous report.

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 in 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 District employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who receives a report of, observes, or has other knowledge or belief of conduct that may constitute bullying shall inform the building report taken immediately. School-district personnel who fail to inform the building report taken of conduct that may constitute bullying, or other 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 principal or responsible authority will 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, 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 School District officials or a third party designated by the School District.
- B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the 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 an 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. 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 applicable school district policies; and applicable 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 to 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 makes a good faith report of alleged bullying, or prohibited conduct, 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 bullying or prohibited conduct. Retaliation includes, but is not limited to, any form of intimidation, reprisal, 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.

## **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, and publications on school rules, procedures, and standards of conduct.

B. The school district shall require ongoing professional development 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 target or victim, and to make resources or referrals to resources available to targets or 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 the 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 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. Revisions shall be made in consultation with students, parents, and community organizations.

First Reading:	06/10/04
Adopted:	07/08/04
Reviewed:	12/09/10, 05/14, 06/14

School policies are regularly reviewed by the Board of Education. If changes are made to the policies described in the handbook, information will be shared with students and parents in a timely manner. To access the most up-to-date handbook, please visit our website at <http://www.stpeterschools.org/middle-high.htm>.

**Parent/Guardian Guide to Statewide Testing: Live link available at [Minnesota Department of Education](#)**



Minnesota Statutes, section 120B.31, subdivision 4a, requires the commissioner to create and publish a form for parents and guardians to complete if they refuse to have their student participate in state-required standardized assessments. Your student's district may require additional information. School districts must post this form on the district website and include it in district student handbooks.

## Parent/Guardian Refusal for Student Participation in Statewide Assessments

To opt out of statewide assessments, the parent/guardian must complete this form and return it to the student's school.

To best support school district planning, please submit this form to the student's school no later than January 15 of the academic school year. For students who enroll after a statewide testing window begins, please submit the form within two weeks of enrollment. A new refusal form is required **each year** parents/guardians wish to opt the student out of statewide assessments.

Date \_\_\_\_\_ (This form is **only** applicable for the 20\_\_\_\_ to 20\_\_\_\_ school year.)  
Student's Legal First Name \_\_\_\_\_ Student's Legal Middle Initial \_\_\_\_\_  
Student's Legal Last Name \_\_\_\_\_ Student's Date of Birth \_\_\_\_\_  
Student's District/School \_\_\_\_\_ Grade \_\_\_\_\_

Please initial to indicate you have received and reviewed information about statewide testing.

\_\_\_\_ I received information on statewide assessments and choose to opt my student out. MDE provides a *Parent/Guardian Guide to Statewide Testing* on the [MDE website](#) (Students and Families > Statewide Testing).

Reason for refusal: \_\_\_\_\_

Please indicate the statewide assessment(s) you are opting the student out of this school year:

\_\_\_\_ MCA/MTAS Reading      \_\_\_\_ MCA/MTAS Science  
\_\_\_\_ MCA/MTAS Mathematics      \_\_\_\_ ACCESS or Alternate ACCESS for ELLs

Contact your school or district for the form to opt out of local assessments.

**I understand that by signing this form, my student will receive a score of "not proficient" and he/she waives the opportunity to receive a college-ready score that could save time and money by not having to take remedial, noncredit courses at a Minnesota State college or university. My school and I may lose valuable information about how well my student is progressing academically. In addition, opting out may impact the school, district, and state's efforts to equitably distribute resources and support student learning.**

Parent/Guardian Name (print) \_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_

### Why are these assessments effective?

Minnesota believes that in order to effectively measure what students are learning, testing needs to be more than answering multiple choice questions.

- To answer questions, students may need to type in answers, drag and drop images and words, or manipulate a graph or information.
- The reading and mathematics MCAs are adaptive, which means the answers a student provides determine the next questions the student will answer.
- The science MCA incorporates simulations, which require students to perform experiments in order to answer questions.

All of these provide students the opportunity to apply critical thinking needed for success in college and careers and show what they know and can do.

Because test content represents the academic standards as completely as possible, preparing for and taking the assessments uses the very same knowledge, processes and strategies included in the standards.

### Are there limits on local testing?

As stated in 120B.301, for students in grades 1-6, the cumulative total amount of time spent taking locally adopted districtwide or schoolwide assessments must not exceed 10 hours per school year. For students in grades 7-12, the cumulative total amount of time spent taking locally adopted districtwide or schoolwide assessments must not exceed 11 hours per school year.

In an effort to encourage transparency, the statute also requires a district or charter school, before the first day of each school year, to publish on its website a comprehensive calendar of standardized tests to be administered in the district or charter school during that school year. The calendar must provide the rationale for administering each assessment and indicate whether the assessment is a local option or required by state or federal law.

### What if I choose not to have my student participate?

Parents/guardians have a right to not have their student participate in state-required standardized assessments. Minnesota Statutes require the department to provide information about statewide assessments to parents/guardians and include a form to complete if they refuse to have their student participate. This form follows on the next page and includes an area to note the reason for the refusal to participate. Your student's district may require additional information.

A school or district may have additional consequences beyond those mentioned in this document for a student not participating in the state-required standardized assessments. There may also be consequences for not participating in assessments selected and administered at the local level. Please contact your school for more information regarding local decisions.

### When do students take the assessments?

Each school sets their testing schedule within the state testing window. Contact your student's school for information on specific testing days.

- The MCA and MTAS testing window begins in March and ends in May.
- The ACCESS and Alternate ACCESS for ELLs testing window begins at the end of January and ends in March.

### When do I receive my student's results?

Each summer, individual student reports are sent to school districts and are provided to families no later than fall conferences. The reports can be used to see your child's progress and help guide future instruction.

### How much time is spent on testing?

Statewide assessments are taken one time each year; the majority of students test online. On average, the amount of time spent taking statewide assessments is **less than 1 percent of instructional time** in a school year. The assessments are not timed and students can continue working as long as they need.

### Why does it seem like my student is taking more tests?

The statewide required tests are limited to those outlined in this document. Many districts make local decisions to administer additional tests that the state does not require. Contact your district for more information.

### Where do I get more information?

Students and families can find out more on our [Statewide Testing page](#) (education.state.mn.us > Students and Families > Statewide Testing).

## SECTION 8: POLICY

### Contents:

<ul style="list-style-type: none"><li>• <a href="#">Employment Background Checks: Policy 404</a></li><li>• <a href="#">Bullying Prohibition: Policy 514</a></li><li>• <a href="#">Distribution of Nonschool-Sponsored Materials: Policy 505</a></li><li>• <a href="#">Harassment and Violence: Policy 413</a></li></ul>	<ul style="list-style-type: none"><li>• <a href="#">Hazing Prohibition: Policy 526</a></li><li>• <a href="#">Student Attendance: Policy 503</a></li><li>• <a href="#">Student Discipline: Policy 506</a></li><li>• <a href="#">Tobacco-Free Environment: Policy 419</a></li><li>• <a href="#">Unpaid Meal charges: Policy 534</a></li></ul>
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### Policy 404: EMPLOYMENT BACKGROUND CHECKS

#### I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment in the school district in order to promote the physical, social, and psychological well-being of its students. To that end, the school district will seek a criminal history background check for applicants who receive an offer of employment with the school district and on all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, regardless of whether any compensation is paid, or such other background checks as provided by this policy. The school district may also elect to do background checks of other volunteers, independent contractors, and student employees in the school district.

#### II. GENERAL STATEMENT OF POLICY

- A. The school district shall require that applicants for school district positions who receive an offer of employment and all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, regardless of whether any compensation is paid, submit to a criminal history background check. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by the school district that an individual's criminal history does not preclude the individual from employment with, or provision of services to, the school district.
- B. The school district specifically reserves any and all rights it may have to conduct background checks regarding current employees, applicants, or service providers without the consent of such individuals.
- C. Adherence to this policy by the school district shall in no way limit the school district's right to require additional information, or to use procedures currently in place or other procedures to gain additional background information concerning

employees, applicants, volunteers, service providers, independent contractors, and student employees.

### **III. PROCEDURES**

- A. Normally an individual will not commence employment or provide services until the school district receives the results of the criminal history background check. The school district may conditionally hire an applicant or allow an individual to provide services pending completion of the background check but shall notify the individual that the individual's employment or opportunity to provide services may be terminated based on the result of the background check. Background checks will be performed by the Minnesota Bureau of Criminal Apprehension (BCA). The BCA shall conduct the background check by retrieving criminal history data as defined in Minn. Stat. § 13.87. The school district reserves the right to also have criminal history background checks conducted by other organizations or agencies.
- B. In order for an individual to be eligible for employment or to provide athletic coaching services or other extracurricular academic coaching services to the school district, except for an enrolled student volunteer, the individual must sign a criminal history consent form, which provides permission for the school district to conduct a criminal history background check, and provide payment for conducting the criminal history background check. The cost of the criminal history background check is the responsibility of the individual, unless the school district decides to pay the costs for a volunteer, an independent contractor, or a student employee. If the individual to provide a criminal background check at the time the individual receives a job offer, or permission to provide services, the individual will be considered to have voluntarily withdrawn the application for employment or request to provide services.
- C. When required, individuals must provide fingerprints to assist in a criminal history background check. If the fingerprints provided by the individual are unusable, the individual will be required to submit another set of prints.
- D. Copies of this policy shall be available in the school district's employment office and will be distributed to applicants for employment and individuals who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services upon request. The need to submit to a criminal history background check may be included with the basic criteria for employment or provision of services in the position posting and position advertisements.
- E. The individual will be informed of the results of the criminal background check(s) to the extent required by law.
- F. If the criminal history background check precludes employment with, or provision of services to, the school district, the individual will be so advised.
- G. The school district may apply these procedures to other volunteers, independent contractors, or student employees.
- H. At the beginning of each school year or when a student enrolls, the school district will notify parents and guardians about this policy and identify those positions subject to a background check and the extent of the school district's discretion in requiring a background check. The school district may include this notice in its student handbook, a school policy guide, or other similar communication. A form

notice for this purpose is included with this policy.

#### **IV. CRIMINAL HISTORY CONSENT FORM**

A form to obtain consent for a criminal history background check is included with this policy.

### **514 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 a student's ability to learn and/or a 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 to remediate and discipline for 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 disruptive and detrimental 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 school district property, at school functions or activities, 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 or 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 or negate 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, retaliation, 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 the 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 research-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.
- 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 harming 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 harming 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 defined 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 person 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

in 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 responsible 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, 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 officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the 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 an 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; the student discipline policy (See MSBA/MASA Model Policy 506) and other applicable school district policies; and applicable 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 to 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, reprisal, 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 target or victim, and to make resources or referrals to resources available to targets or 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 (See MSBA/MASA Model Policy 515) 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.

**505 DISTRIBUTION OF NONSCHOOL-SPONSORED MATERIALS ON SCHOOL PREMISES BY STUDENTS AND EMPLOYEES**

**I. PURPOSE**

The purpose of this policy is to protect the exercise of students' and employees' free speech rights, taking into consideration the educational objectives and responsibilities of the school district.

**II. GENERAL STATEMENT OF POLICY**

- A. The school district recognizes that students and employees have the right to express themselves on school property. This protection includes the right to distribute, at a reasonable time and place and in a reasonable manner, nonschool-sponsored material.
- B. To protect First Amendment rights, while at the same time preserving the integrity of the educational objectives and responsibilities of the school district, the school board adopts the following regulations and procedures regarding distribution of nonschool-sponsored material on school property and at school activities.

**III. DEFINITIONS**

- A. "Distribute" or "Distribution" means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying material, or placing material in internal staff or student mailboxes.
- B. "Nonschool-sponsored material" or "unofficial material" includes all materials or objects intended for distribution, except school newspapers, employee newsletters, literary magazines, yearbooks, and other publications funded and/or sponsored or authorized by the school. Examples of nonschool-sponsored materials include, but are not limited to, leaflets, brochures, buttons, badges, flyers, petitions, posters, and underground newspapers whether written by students or employees or others, and tangible objects.
- C. "Obscene to minors" means:
  - 1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
  - 2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and

3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- D. "Minor" means any person under the age of eighteen (18).
- E. "Material and substantial disruption" of a normal school activity means:
1. Where the normal school activity is an educational program of the district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
  2. Where the normal school activity is voluntary in nature (including school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

In order for expression to be considered disruptive, specific facts must exist upon which the likelihood of disruption can be forecast including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.

- F. "School activities" means any activity sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods.
- G. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower that individual in the esteem of the community.

#### **IV. GUIDELINES**

- A. Students and employees of the school district have the right to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, nonschool-sponsored material.
- B. Requests for distribution of nonschool-sponsored material will be reviewed by the administration on a case-by-case basis. However, distribution of the materials listed below is always prohibited. Material is prohibited that:
1. is obscene to minors;
  2. is libelous or slanderous;
  3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended;

4. advertises or promotes any product or service not permitted to minors by law;
  5. advocates violence or other illegal conduct;
  6. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religious, or ethnic origin);
  7. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.
- C. Distribution by students and employees of nonschool-sponsored materials on school district property are subject to reasonable time, place, and manner restrictions set forth below. In making decisions regarding the time, place, and manner of distribution, the administration will consider factors including, but not limited to, the following:
1. whether the material is educationally related;
  2. the extent to which distribution is likely to cause disruption of or interference with the school district's educational objectives, discipline, or school activities;
  3. whether the materials can be distributed from the office or other isolated location so as to minimize disruption of traffic flow in hallways;
  4. the quantity or size of materials to be distributed;
  5. whether distribution would require assignment of school district staff, use of school district equipment, or other resources;
  6. whether distribution would require that nonschool persons be present on the school grounds;
  7. whether the materials are a solicitation for goods or services not requested by the recipients.

**V. TIME, PLACE, AND MANNER OF DISTRIBUTION**

- A. No nonschool-sponsored material shall be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.
- B. Distribution of nonschool-sponsored material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the school, and school parking lots. Distribution shall not impede entrance to or exit from school premises in any way.
- C. No one shall coerce a student or staff member to accept any publication.

- D. The time, place, and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy.

## **VI. PROCEDURES**

- A. Any student or employee wishing to distribute (as defined in this policy) nonschool-sponsored material must first submit for approval a copy of the material to the principal at least 24 hours in advance of desired distribution time, together with the following information:
  - 1. Name and phone number of the person submitting the request and, if a student, the room number of his or her first-period class.
  - 2. Date(s) and time(s) of day intended for distribution.
  - 3. Location where material will be distributed.
  - 4. If material is intended for students, the grade(s) of students to whom the distribution is intended.
- B. Within one school day, the principal will review the request and render a decision. In the event that permission to distribute the material is denied or limited, the person submitting the request should be informed in writing of the reasons for the denial or limitation.
- C. If the person submitting the request does not receive a response within one school day, the person shall contact the office to verify that the lack of response was not due to an inability to locate the person.
- D. If the person is dissatisfied with the decision of the principal, the person may submit a written request for appeal to the superintendent. If the person does not receive a response within three (3) school days (not counting Saturdays, Sundays, and holidays) of submitting the appeal, the person shall contact the office of the superintendent to verify that the lack of response is not due to an inability to locate the person.
- E. Permission or denial of permission to distribute material does not imply approval or disapproval of its contents by either the school, the administration of the school, the school board, or the individual reviewing the material submitted.

## **VII. DISCIPLINARY ACTION**

- A. Distribution by any student of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place, and manner of distribution as described above will be halted and disciplinary action will be taken in accordance with the school district's Student Discipline Policy.
- B. Distribution by any employee of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place, and manner of distribution as described

above will be halted and appropriate disciplinary action will be taken, in accordance with any individual contract, collective bargaining agreement, school district policies and procedures, and/or governing statute.

- C. Any other party violating this policy will be requested to leave the school property immediately and, if necessary, the police will be called.

### **VIII. NOTICE OF POLICY TO STUDENTS AND EMPLOYEES**

A copy of this policy will be published in student handbooks and posted in school buildings.

### **IX. IMPLEMENTATION**

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

## **413 HARASSMENT AND VIOLENCE**

### **I. PURPOSE**

The purpose of this policy is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.

### **II. GENERAL STATEMENT OF POLICY**

- A. The policy of the school district is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.
- B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, as defined by this policy. (For purposes of this policy, school district personnel include school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)
- C. A violation of this policy occurs when any student, teacher, administrator, or other

school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.

- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who is found to have violated this policy.

### **III. DEFINITIONS**

- A. "Assault" is:
1. an act done with intent to cause fear in another of immediate bodily harm or death;
  2. the intentional infliction of or attempt to inflict bodily harm upon another; or
  3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability when the conduct:
1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
  2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
  3. otherwise adversely affects an individual's employment or academic opportunities.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions
1. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:
    - a) has a physical, sensory, or mental impairment which materially limits one or more major life activities;
    - b) has a record of such an impairment; or
    - c) is regarded as having such an impairment.
  2. "Familial status" means the condition of one or more minors being domiciled with:

- a) their parent or parents or the minor’s legal guardian; or
  - b) the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
3. “Marital status” means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
  4. “National origin” means the place of birth of an individual or of any of the individual’s lineal ancestors.
  5. “Sex” includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
  6. “Sexual orientation” means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one’s biological maleness or femaleness. “Sexual orientation” does not include a physical or sexual attachment to children by an adult.
  7. “Status with regard to public assistance” means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.
- E. “Remedial response” means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.

F. Sexual Harassment: Definition

1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:
  - a) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
  - b) submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual’s employment or education; or
  - c) that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual’s employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
2. Sexual harassment may include, but is not limited to:

- a) unwelcome verbal harassment or abuse;
- b) unwelcome pressure for sexual activity;
- c) unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
- d) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
- e) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
- f) unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.

G. Sexual Violence; Definition

- 1. Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minn. Stat. § 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
- 2. Sexual violence may include, but is not limited to:
  - a) touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
  - b) coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
  - c) coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
  - d) threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

H. Violence; Definition

- 1. Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to, race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.

**IV. REPORTING PROCEDURES**

- A. Any person who believes he or she has been the target or victim of harassment or

violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct which may constitute harassment or violence 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. Nothing in this policy shall prevent any person from reporting harassment or violence 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 the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. 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 a primary contact on policy and procedural matters.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.

- G. In the District. The school board hereby designates Kelly Jensen as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.<sup>1</sup>
- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. 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.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

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

## **V. INVESTIGATION**

- A. By authority of the school district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.

- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- F. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

## **VI. SCHOOL DISTRICT ACTION**

- A. Upon completion of an investigation that determines a violation of this policy 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 behavior. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school district policies and regulations.
- B. 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 targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.
- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) 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 to engage in acts of harassment or violence.

**VII. RETALIATION OR REPRISAL**

The school district will discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged harassment or violence prohibited by this policy, who testifies, assists, or participates in an investigation of retaliation or alleged harassment or violence, or who testifies, assists, or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, 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 harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

**VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

**IX. HARASSMENT OR VIOLENCE AS ABUSE**

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minn. Stat. § 626.556 may be applicable.
- B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

**X. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members.
- B. This policy shall be given to each school district employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- C. This policy shall appear in the student handbook.
- D. The school district will develop a method of discussing this policy with students and employees.
- E. The school district may implement violence prevention and character development education programs to prevent and 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, resourcefulness, and/or sexual abuse prevention.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

## **526 HAZING PROHIBITION**

### **I. PURPOSE**

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. Retaliation against a victim, good faith reporter, or a witness of hazing is prohibited.
- E. False accusations or reports of hazing against a student, teacher, administrator, volunteer, contractor, or other employee are prohibited.
- F. A person who engages in an act of hazing, reprisal, retaliation, or false reporting of hazing or permits, condones, or tolerates hazing shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, tolerate, or are a party to prohibited acts of hazing may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

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

- G. This policy applies to hazing that occurs during and after school hours, on or off school premises or property, at school functions or activities, or on school transportation.
- H. 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.
- I. 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 school-related 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 student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
  3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the student 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, that 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. "Immediately" means as soon as possible but in no event longer than 24 hours.
- C. "On school premises or school district property, or 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 hazing at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.
- D. "Remedial response" means a measure to stop and correct hazing, prevent hazing from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of hazing.
- E. "Student" means a student enrolled in a public school or a charter school.
- F. "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 target or 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. A person may report hazing 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 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.

The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of hazing at the building level. Any adult school district personnel who receives a report of hazing prohibited by this policy shall inform the building report taker immediately. 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 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 a primary contact on policy and procedural matters.

- C. A teacher, administrator, volunteer, contractor, and other school employees shall be particularly alert to possible situations, circumstances, or events which might include hazing. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct which may constitute hazing shall make reasonable efforts to address and resolve the hazing and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute hazing or who fail to make reasonable efforts to address and resolve the 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, work assignments, or educational or work environment.
- E. 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 building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of hazing and the record of any resulting investigation.
- F. 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. Within three (3) days of the 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 building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the hazing, the complainant, the reporter, and students or others pending completion of an investigation of alleged hazing prohibited by this policy.
- C. The alleged perpetrator of the hazing 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 an investigation that determines hazing 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 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; and applicable 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 or victims of hazing and the parent(s) or guardian(s) of alleged perpetrators of hazing who have been involved in a reported and confirmed hazing incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or to respond to hazing committed by or directed against a child with a disability, the school district shall, where 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 to engage in hazing.

## **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 hazing, who provides information about hazing, who testifies, assists, or participates in an investigation of alleged hazing, or 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, 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.

## **VII. DISSEMINATION OF POLICY**

- A. This policy shall appear in each school's student handbook and in each school's building and staff handbooks.
- B. The school district will develop a method of discussing this policy with students and employees.

## **503 STUDENT ATTENDANCE**

### **I. PURPOSE**

- A. The school board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.
- B. This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher, and administrators. This policy will assist students in attending class.

### **II. GENERAL STATEMENT OF POLICY**

#### A. Responsibilities

##### 1. Student's Responsibility

It is the student's right to be in school. It is also the student's responsibility to attend all assigned classes and study halls every day that school is in session and to be aware of and follow the correct procedures when absent from an assigned class or study hall. Finally, it is the student's responsibility to request any missed assignments due to an absence.

##### 2. Parent or Guardian's Responsibility

It is the responsibility of the student's parent or guardian to ensure the student is attending school, to inform the school

in the event of a student absence, and to work cooperatively with the school and the student to solve any attendance problems that may arise.

##### 3. Teacher's Responsibility

It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher's responsibility to provide any student who has been absent with any missed assignments upon request. Finally, it is the teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.

4. Administrator's Responsibility

- a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.
- b. In accordance with the Minnesota Compulsory Instruction Law, Minn. Stat. § 120A.22, the students of the school district are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

B. Attendance Procedures

Attendance procedures shall be presented to the school board for review and approval.

1. Excused Absences

- a. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.
- b. Although excusing absenteeism and tardiness is at the discretion of the principal, the following reasons are valid and should be used by parents and students as guidelines:
  - (1) Illness.
  - (2) Serious illness in the student's immediate family.
  - (3) A death or funeral in the student's immediate family or of a close friend or relative.
  - (4) Medical, dental, or orthodontic treatment, or a counseling appointment.
  - (5) Court appearances occasioned by family or personal action.
  - (6) Religious instruction not to exceed three hours in any week.

- (7) Observance of religious events
- (8) Physical emergency conditions such as fire, flood, storm, etc.
- (9) Official school field trip or other school-sponsored outing.
- (10) Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
- (11) Family emergencies.
- (12) Active duty in any military branch of the United States.
- (13) A student's condition that requires ongoing treatment for a mental health diagnosis.
- (14) The building principal can/may make exceptions for unusual situations.
- (15) Family vacations with prior Principal approval; Personal trips to schools or colleges.

c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.
- (2) Work missed because of absence must be made up as indicated in each School's handbook. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

2. Unexcused Absences

a. The following are examples of absences which will not be excused:

- (1) Truancy. An absence by a student which was not approved by the parent and/or the school district.
- (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.
- (3) Work at home.
- (4) Work at a business, except under a school-sponsored work

release program.

- (5) Vacations with family.
- (6) Personal trips to schools or colleges.
- (7) Any other absence not included under the attendance procedures set out in this policy.

b. Consequences of Unexcused Absences

- (1) Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.
- (2) Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.
- (3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.
- (4) Students with unexcused absences shall be subject to discipline in the following manner:
  - (a) In cases of unexcused absences, the student may be allowed to make up work missed due to such absence.
  - (b) After the \_\_\_\_\_ cumulated unexcused absence in a [quarter or semester], a student's parent or guardian will be notified by certified mail that his or her child is nearing a total of \_\_\_\_\_ unexcused absences and that, after the \_\_\_\_\_ unexcused absence, the student's grade shall be reduced by one increment for each unexcused absence thereafter.
  - (c) After such notification, the student or his or her parent or guardian may, within a reasonable time, request a conference with school officials regarding the student's absences and the prescribed discipline. The notification will state that the school strongly urges the student's parent or guardian to request such a conference.
  - (d) After \_\_\_\_\_ cumulative unexcused absences in a [quarter or semester] the teacher will reduce the student's letter grade by one increment for each unexcused absence thereafter (i.e. A to A-). However, prior to reducing the student's grade, an administrative conference must be held among the principal, student,

and parent.

- (e) After \_\_\_\_\_ cumulated unexcused absences in a [quarter or semester], the administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior to loss of credit, an administrative conference must be held among the principal, student, and parent.
- (f) If the result of a grade reduction or loss of credit has the effect of an expulsion, the school district will follow the procedures set forth in the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

C. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness.

2. Procedures for Reporting Tardiness

- a. Students tardy at the start of school must report to the school office for an admission slip.
- b. Tardiness between periods will be handled by the teacher.

3. Excused Tardiness

Valid excuses for tardiness are:

- a. Illness.
- b. Serious illness in the student's immediate family.
- c. A death or funeral in the student's immediate family or of a close friend or relative.
- d. Medical, dental, orthodontic, or mental health treatment.
- e. Court appearances occasioned by family or personal action.
- f. Physical emergency conditions such as fire, flood, storm, etc.
- g. Any tardiness for which the student has been excused in writing by an administrator or faculty member.

4. Unexcused Tardiness

- a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.

- b. Parents/guardians of students with excessive tardiness will be notified and an individual behavior plan will be developed with the student support team. Failure to meet these plans may result in disciplinary action

D. Participation in Extracurricular Activities and School-Sponsored On-the-Job Training Programs

1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.
2. In order to participate in co-curricular activities, students must be in attendance at school during the afternoon on the day of the event/practice unless excused by a doctor's note. Individuals with unexcused absences on the day of the event/practice may not participate.
3. School-initiated absences will be accepted and participation permitted.
4. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
5. If a student is suspended from any class, he or she may not participate in any activity or program that day.
6. If a student is absent from school due to medical reasons, he or she must present a physician's statement or a statement from the student's parent or guardian clearing the student for participation that day. The note must be presented to the coach or advisor before the student participates in the activity or program.

**III. DISSEMINATION OF POLICY**

Copies of this policy shall be made available to all students and parents at the commencement of each school year. This policy shall also be available upon request in each principal's office.

**IV. REQUIRED REPORTING**

A. Continuing Truant

Minn. Stat. § 260A.02 provides that a continuing truant is a student who is subject to the compulsory instruction requirements of Minn. Stat. § 120A.22 and is absent from instruction in a school, as defined in Minn. Stat. § 120A.05, without valid excuse within a single school year for:

1. Three days if the child is in elementary school; or
2. Three or more class periods on three days if the child is in middle school, junior high school, or high school.

B. Reporting Responsibility

When a student is initially classified as a continuing truant, Minn. Stat. § 260A.03 provides that the school attendance officer or other designated school official shall notify the student's parent or legal guardian, by first class mail or other reasonable means, of the following:

1. That the child is truant;
2. That the parent or guardian should notify the school if there is a valid excuse for the child's absences;
3. That the parent or guardian is obligated to compel the attendance of the child at school pursuant to Minn. Stat. § 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under Minn. Stat. § 120A.34;
4. That this notification serves as the notification required by Minn. Stat. § 120A.34;
5. That alternative educational programs and services may be available in the child's enrolling or resident district;
6. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
7. That if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minn. Stat. Ch. 260;
8. That if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to Minn. Stat. § 260C.201; and
9. That it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

C. Habitual Truant

1. A habitual truant is a child under the age of 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school, junior high school, or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year and who has not lawfully withdrawn from school.
2. A school district attendance officer shall refer a habitual truant child and the

child's parent or legal guardian to appropriate services and procedures, under Minn. Stat. Ch. 260A.

## **506 STUDENT DISCIPLINE**

### **I. PURPOSE**

The purpose of this policy is to ensure that students are aware of and comply with the school district's expectations for student conduct. Such compliance will enhance the school district's ability to maintain discipline and ensure that there is no interference with the educational process. The school district will take appropriate disciplinary action when students fail to adhere to the Code of Student Conduct established by this policy.

### **II. GENERAL STATEMENT OF POLICY**

The school board recognizes that individual responsibility and mutual respect are essential components of the educational process. The school board further recognizes that nurturing the maturity of each student is of primary importance and is closely linked with the balance that must be maintained between authority and self-discipline as the individual progresses from a child's dependence on authority to the more mature behavior of self-control.

All students are entitled to learn and develop in a setting which promotes respect of self, others, and property. Proper positive discipline can only result from an environment which provides options and stresses student self-direction, decision-making, and responsibility. Schools can function effectively only with internal discipline based on mutual understanding of rights and responsibilities.

Students must conduct themselves in an appropriate manner that maintains a climate in which learning can take place. Overall decorum affects student attitudes and influences student behavior. Proper student conduct is necessary to facilitate the education process and to create an atmosphere conducive to high student achievement.

Although this policy emphasizes the development of self-discipline, it is recognized that there are instances when it will be necessary to administer disciplinary measures. The position of the school district is that a fair and equitable district-wide student discipline policy will contribute to the quality of the student's educational experience. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

In view of the foregoing and in accordance with Minn. Stat. § 121A.55, the school board, with the participation of school district administrators, teachers, employees, students, parents, community members, and such other individuals and organizations as appropriate, has developed this policy which governs student conduct and applies to all students of the school district.

### **III. AREAS OF RESPONSIBILITY**

- A. The School Board. The school board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.
- B. Superintendent. The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students, and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.

- C. Principal. The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of behavior referrals and shall make use of those agencies
- appropriate for assisting students and parents. A principal, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.
- D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.
- E. Other School District Personnel. All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.
- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the academic progress, behavior, and attendance of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

#### **IV. STUDENT RIGHTS**

All students have the right:

- A. to an education and ~~the right~~ to learn.
- B. to feel safe and included.
- C. to think freely and ask questions

#### **V. STUDENT RESPONSIBILITIES**

All students, as appropriate for their grade level and individual programs, have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
- B. To attend school daily, except when excused, and to be on time to all classes and other school functions;

- C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the school staff in maintaining a safe school for all students;
- F. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H. To be aware of and comply with federal, state, and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;
- L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M. To conduct themselves in an appropriate physical or verbal manner; and
- N. To recognize and respect the rights of others.

**VI. CODE OF STUDENT CONDUCT**

- A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; 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 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 unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.
  - 1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
  - 2. The use of socially offensive language, or the possession of obscene materials;
  - 3. Gambling, including, but not limited to, playing a game of chance for monetary stakes;

4. Violation of the school district's Hazing Prohibition Policy;
5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
6. (Violation of the school district's Student Attendance Policy)
7. Opposition to authority using physical force or violence;
8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices Policy;
9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district's Weapons Policy;
14. Violation of the school district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
19. Violation of any local, state, or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones,

including picture phones;

23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district's Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
31. Criminal activity;
32. Falsification of any records, documents, notes, or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other school district personnel;
36. Violation of the school district's Harassment and Violence Policy;
37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;
38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
40. Verbal assaults or verbally abusive behavior including, but not limited to, use

of words, symbols, acronyms, or language, whether oral or written, that are discriminatory, abusive, obscene, threatening, intimidating, degrading to other people, or threatening to school property;

41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;
43. Violation of the school district's Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees Policy;
44. Violation of the school district's one-to-one device rules and regulations;
45. Violation of school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
46. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or employees.

## **VII. DISCIPLINARY ACTION OPTIONS**

The general policy of the school district is to utilize progressive discipline to the extent reasonable and appropriate based upon the specific facts and circumstances of student misconduct. The specific form of discipline chosen in a particular case is solely within the discretion of the school district. At a minimum, violation of school district rules, regulations, policies, or procedures will result in discussion of the violation and a verbal warning. The school district shall, however, impose more severe disciplinary sanctions for any violation, including exclusion or expulsion, if warranted by the student's misconduct, as determined by the school district. Disciplinary action may include, but is not limited to, one or more of the following:

- A. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;
- B. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
- C. Parent contact;
- D. Parent conference;
- E. Removal from class;
- F. In-school suspension;
- G. Suspension from extracurricular activities;
- H. Detention or restriction of privileges;
- I. Loss of school privileges;

- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;
- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or
- U. Other disciplinary action as deemed appropriate by the school district.

**VIII. REMOVAL OF STUDENTS FROM CLASS**

- A. The teacher of record shall have the general control and government of the classroom. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student’s parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student’s conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. “Removal from class” and “removal” mean any actions taken by a teacher, principal, or other school district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

Grounds for removal from class shall include any of the following:

1. Willful conduct that significantly disrupts the rights of others to an education, including conduct that interferes with a teacher’s ability to teach or communicate effectively with students in a class or with the ability of other students to learn;
2. Willful conduct that endangers surrounding persons, including school district employees, the student or other students, or the property of the school;
3. Willful violation of any school rules, regulations, policies or procedures, including the Code of Student Conduct in this policy; or
4. Other conduct, which in the discretion of the teacher or administration, requires removal of the student from class.

Such removal shall be for at least one (1) activity period or class period of instruction for a given course of study and shall not exceed five (5) such periods.

A student must be removed from class immediately if the student engages in assault or violent behavior. “Assault” is an act done with intent to cause fear in another of immediate bodily harm or death; or the intentional infliction of, or attempt to inflict,

bodily harm upon another. The removal from class shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.

- B. If a student is removed from class more than ten (10) times in a school year, the school district shall notify the parent or guardian of the student's tenth removal from class and make reasonable attempts to convene a meeting with the student's parent or guardian to discuss the problem that is causing the student to be removed from class.
- C. **Procedures for Removal of a Student From a Class.**
  - 1. A student will be removed from class only upon agreement of the appropriate teacher and Principal or Principal's designee resulting in an informal conference with the student. The decision to remove a student will ultimately be the responsibility of the Principal or Principal's designee. All attempts should be made to keep the student in class by redirecting, providing space, time, and positive reinforcement before seeking approval to remove the student.
  - 2. Staff will attempt to follow the procedures above; however, a student can be removed without an informal conference if the student has or will create an immediate and substantial danger to himself/herself or to persons or property. The teacher will need to notify the office immediately for assistance or to let the office know the student has been removed.
  - 3. The length of the removal is at the discretion of the principal or principal's designee after consultation with the teacher, subject to the provisions of Minn. Pupil Fair Dismissal Act.
  - 4. All classroom removals are documented within each school. Major infractions will be documented in Infinite Campus.
- D. **Responsibility for and Custody of a Student Removed From Class.**
  - 1. Each building will have designated spaces for students to go to when removed from class. Upon approval from Principal or Principal's designee, the teacher will direct the student to the appropriate space.
  - 2. The teacher will notify the appropriate support staff or principal if the student is on the way.
  - 3. The teacher will seek assistance from support staff or principal if the student needs to be supervised.
  - 4. Students will be directed to the appropriate space for a conference with support staff, principal or principal's designee.
  - 5. A student removed from class is the responsibility of the principal or principal's designee.
- E. **Procedures for Return of a Student to a Class From Which the Student Was Removed.**
  - 1. The principal or principal's designee will use PBIS strategies and restorative approaches to develop a readmission plan in addition to completing the necessary disciplinary consequences and appropriate documentation.
  - 2. The principal or principal's designee readmits the student pursuant to the readmission plan.

**F. Procedures for Notification.**

1. The principal or designee will determine the need for and method of notification to parent or guardian.
2. The principal or principal's designee will work with the teacher to notify the student of the violation of the discipline rules, resulting disciplinary action, and readmission plan.

**G. Students with an Individual Education Plan (IEP)**

1. The principal or principal's designee will determine whether the student's removal from class requires a meeting to review the adequacy of the student's current IEP or whether there is need for further assessment. The principal or principal's designee is encouraged to consult with the superintendent and/or director of special education.
2. The principal or principal's designee will notify the case manager of the removal from class, reason(s) for removal, and determine if there is a need for any IEP services or a need for an IEP meeting to be scheduled.

**H. Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises.**

1. Principal or principal's designee will notify support services personnel of any chemical abuse problems. Administration is encouraged to work with the school health staff throughout the process.
2. Teachers with concerns of student(s) chemical abuse will notify principal, principal's designee or support services personnel of their concerns pursuant to Minn. Stat. § 121A.29.
  - a. Establishment of a chemical abuse pre assessment team pursuant to Minn. Stat. § 121A.26;
  - b. Establishment of teacher reporting procedures to the chemical abuse pre assessment team pursuant to Minn. Stat. § 121A.29.

**I. Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student Conduct.**

1. Principal or principal's designee will make the necessary arrangements with the appropriate staff for immediate interventions tied to the violation of the code of student conduct.

**J. Any Procedures Determined Appropriate for Encouraging Early Involvement of Parents or Guardians in Attempts to Improve a Student's Behavior.**

1. The principal or designee will review the following:
  - a. Any procedures or services appropriate for encouraging early involvement of parents or guardians to improve the student's behavior;
  - b. Any procedures or services determined appropriate for encouraging early detection of behavioral problems should be discussed with the parent or guardians;

**K. Any Procedures Determined Appropriate for Encouraging Early Detection of Behavioral Problems.**

1. Whether the student may need to be referred to the MTSS team for further interventions ties to increasing positive behaviors;
2. The appropriateness of referring the student to the chemical abuse pre assessment team;

3. The appropriateness of studying the student's behavior through a functional behavioral assessment.

## **IX. DISMISSAL**

- A. "Dismissal" means the denial of the current educational program to any student, including exclusion, expulsion and suspension. Dismissal does not include removal from class.

The school district shall not deny due process or equal protection of the law to any student involved in a dismissal proceeding which may result in suspension, exclusion or expulsion.

The school district shall not dismiss any student without attempting to provide alternative educational services before dismissal proceedings, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

- B. Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:

1. Willful violation of any reasonable school board regulation, including those found in this policy;
2. 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
3. Willful conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.

- C. Suspension Procedures

1. "Suspension" means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.
2. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the student's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration 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. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.

4. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP 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 IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6<sup>th</sup>) consecutive day of suspension or the tenth (10<sup>th</sup>) cumulative day of suspension has elapsed.
5. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. 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 assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the student to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.
6. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student 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. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.
7. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:
  - a. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
  - b. petition the juvenile court that the student is in need of services under Minn. Stat. Ch. 260C.
8. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
9. 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 the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference.

10. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
11. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) days.

D. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56; describe alternative educational services accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district shall advise the student'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 Minnesota Department of Education (MDE).
6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.
8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.

9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.
10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.
13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.
14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation 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 (Commissioner) of the basis and reason for the decision.
18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minn. Stat. § 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.
19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.

20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student 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. The dismissal report must include state student identification numbers of affected students.
21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school district.

#### **X. ADMISSION OR READMISSION PLAN**

A school administrator shall prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan may include measures to improve the student's behavior, including completing a character education program consistent with Minn. Stat. § 120B.232, Subd. 1, and require parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

#### **XI. NOTIFICATION OF POLICY VIOLATIONS**

Notification of any violation of this policy and resulting disciplinary action shall be as provided herein, or as otherwise provided by the Pupil Fair Dismissal Act or other applicable law. The teacher, principal or other school district official may provide additional notification as deemed appropriate.

In addition, the school district must report, through the MDE electronic reporting system, each physical assault of a school district employee by a student within thirty (30) days of the assault. This report must include a statement of the alternative educational services or other sanction, intervention, or resolution given to the student in response to the assault and the reason for, the effective date, and the duration of the exclusion or expulsion or other sanction, intervention, or resolution. The report must also include the student's age, grade, gender, race, and special education status.

#### **XII. STUDENT DISCIPLINE RECORDS**

The policy of the school district is that complete and accurate student discipline records be maintained. The collection, dissemination, and maintenance of student discipline records shall be consistent with applicable school district policies and federal and state law, including the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13.

#### **XIII. DISABLED STUDENTS**

Students who are currently identified as eligible under the IDEA or Section 504 will be subject to the provisions of this policy, unless the student's IEP or 504 plan specifies a necessary modification.

Before initiating an expulsion or exclusion of a student with a disability, relevant members of the child's IEP team and the child's parent shall, consistent with federal law, conduct a manifestation determination and determine whether the child's behavior was (i) caused by or had a direct and substantial relationship to the child's disability and (ii) whether the child's conduct was a direct result of a failure to implement the child's IEP. If the student's educational program is appropriate and the behavior is not a manifestation of the student's disability, the school district will proceed with discipline – up to and including expulsion – as if the student did not have a disability, unless the student's educational program provides

otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team shall conduct a functional behavioral assessment and implement a behavioral intervention plan for such student provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that resulted in a change of placement. Where a behavioral intervention plan previously has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior.

When a student who has an IEP is excluded or expelled for misbehavior that is not a manifestation of the student's disability, the school district shall continue to provide special education and related services during the period of expulsion or exclusion.

#### **XIV. OPEN ENROLLED STUDENTS**

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minn. Stat. § 124D.03) or Enrollment in Nonresident District (Minn. Stat. § 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minn. Stat. Ch. 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of seventeen (17) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

#### **XV. DISTRIBUTION OF POLICY**

The school district will notify students and parents of the existence and contents of this policy in such manner as it deems appropriate. Copies of this discipline policy shall be made available to all students and parents at the commencement of each school year and to all new students and parents upon enrollment. This policy shall also be available upon request in each principal's office.

#### **XVI. REVIEW OF POLICY**

The principal and representatives of parents, students and staff in each school building shall confer at least annually to review this discipline policy, determine if the policy is working as intended, and to assess whether the discipline policy has been enforced. Any recommended changes shall be submitted to the superintendent for consideration by the school board, which shall conduct an annual review of this policy.

### **419 TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION**

#### **I. PURPOSE**

The purpose of this policy is to maintain a learning and working environment that is tobacco free.

#### **II. GENERAL STATEMENT OF POLICY**

- A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the school district, or person smokes or uses tobacco, tobacco-related devices, or carries or uses an activated electronic delivery device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for

work purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.

- B. A violation of this policy occurs when any elementary school, middle school, or secondary school student possesses any type of tobacco, tobacco-related devices, or electronic delivery devices in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.

### **III. DEFINITIONS**

- A. "Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of aerosol or vapor from the product. Electronic delivery devices includes but is not limited to devices manufactured, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- B. "Heated tobacco product" means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.
- C. "Tobacco" means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- D. "Tobacco-related devices" means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.

- E. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.
- F. "Vaping" means using an activated electronic delivery device or heated tobacco product."

#### **IV. EXCEPTIONS**

- A. A violation of this policy does not occur when an Indian adult lights tobacco on school district property as a part of a traditional Indian spiritual or cultural ceremony
- B. A violation of this policy does not occur when an adult nonstudent possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on school property or at off- campus events sponsored by the school district.

It shall not be a violation of this policy for an Indian adult or student to carry loose tobacco in a tobacco pouch intended for spiritual or cultural ceremonial support with the permission of the student's parent or guardian and the written or verbal notice to the site administrator.

#### **V. VAPING PREVENTION INSTRUCTION**

- A. The school district must provide vaping prevention instruction at least once to students in grades 6 through 8.
- B. The school district may use instructional materials based upon the Minnesota Department of Health's school e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as part of the school district's locally developed health standards.

#### **VI. ENFORCEMENT**

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.
- C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.
- D. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and school district policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other school district supervisory personnel responsible for the area or program at which the violation occurred.

- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.
- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

**VII. DISSEMINATION OF POLICY**

- A. This policy shall appear in the student handbook.
- B. The school district will develop a method of discussing this policy with students and employees.

**534 UNPAID MEAL CHARGES**

**I. PURPOSE**

The purpose of this policy is to ensure that students receive healthy and nutritious meals through the school district's nutrition program and that school district employees, families, and students have a shared understanding of expectations regarding meal charges. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day and minimize identification of students with insufficient funds to pay for school meals as well as to maintain the financial integrity of the school nutrition program.

**II. PAYMENT OF MEALS**

- A. Families can pay for meals online via Infinite Campus at no charge or submit a check or cash at any school office or cafeteria.
- B. All students, regardless of their lunch account balance, shall be offered a reimbursable school breakfast and lunch each school day.
- C. Students with a negative meal account balance of -\$20.00 or more are not allowed to charge for additional items, however students may purchase extra items with cash.
- D. The school district may provide an alternate meal that meets federal and state requirements to a student who does not have sufficient funds in the student's account or cannot pay cash for a meal. The school district will accommodate special dietary needs with respect to alternate meals. The cost of the alternative meal will be charged to the student's account or otherwise charged to the student.
- E. When a student has a negative account balance, the student will not be allowed to charge a snack item.
- F. If a parent or guardian chooses to send in one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the students' accounts. Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.

### **III. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION**

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free and reduced-price meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than \$200, not paid prior to the end of the school year will be turned over to the superintendent or superintendent's designee for collection. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not deny any student the opportunity to participate in graduation ceremonies or other commencement activities due to unpaid meal charges.

### **IV. UNPAID MEAL CHARGES**

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- C. Negative balances of more than \$200, not paid prior to the end of the school year, will be turned over to the superintendent or superintendent's designee for collection. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.
- E. The school district may not deny any student the opportunity to participate in graduation ceremonies or other commencement activities due to unpaid meal charges.

### **V. COMMUNICATION OF POLICY**

- A. This policy and any pertinent supporting information shall be provided in writing (i.e., mail, email, back-to-school packet, student handbook, etc.) to:
  - 1. all households at or before the start of each school year;
  - 2. students and families who transfer into the school district, at the time of enrollment; and
  - 3. all school district personnel who are responsible for enforcing this policy.
- B. The school district may post the policy on the school district's website, in addition to providing the required written notification described above.

# **Rock Bend**

# **Area Learning Center**

*Saint Peter Public Schools*

**Student Handbook**

**2022-2023 SCHOOL YEAR**

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# Program Description and Objectives

## Mission

Providing accountable and collaborative learning opportunities in a respectful educational climate; where individuals can strive to reach their fullest potential; to become lifelong learners and responsible citizens in a diverse and ever changing world.

## Program Description

An area learning center provides comprehensive educational services to enrolled secondary students throughout the year. Students served are off-track for graduation and are working towards completing their graduation requirements. ALCs serve students from more than one district. Rock Bend ALC serves students from Saint Peter Public Schools and Cleveland Public Schools in a core-day program as well as extended day (night-school) and summer school programming.

*At Rock Bend ALC, we believe that the diversity our students bring to the classroom, including culture, language, disability, socio-economic status, immigration status and sexuality, add value and strength to our classroom communities.*

High school students in the Saint Peter area have the opportunity to receive individualized academic attention from a highly qualified staff in a safe and supportive environment. As an Area Learning Center, Rock Bend offers:

- Accelerated credit generation
- Work skills training
- On-the- job experiences
- Individual attendance expectations
- All while providing the Saint Peter Public Schools standard curriculum and required testing.

Students who fulfill their academic requirements at Rock Bend ALC earn their diplomas as Saint Peter High School students. Students in grades 9 through 12 (under 21 years old) are eligible for services.

Students enrolled in Rock Bend ALC must have a Continual Learning Plan on file with the school. This document must be updated at the start of each academic year.

# SECTION I: Academics

## Curriculum & Instruction

Our highly qualified teachers are responsible for the development of the curriculum and for planning the delivery of the curriculum. Classroom paraprofessionals assist in the delivery of the curriculum (carrying out the teacher's plan) and differentiation and support for individual students.

## Marking and Reporting Procedure

- Students may receive the full range of marks A-F and I (incomplete) or NC (no credit), provided that the level is identified and recorded.
- Marks are earned on a nine-week basis. The basis of a credit course in grades nine, ten, eleven, and twelve shall be the satisfactory completion of a course on the secondary level covering 120 clock hours. Credits are awarded in any increment.
- Final marks are awarded at the end of each grading period. For initial course completion, credit will be determined utilizing the 120 hours = 1.0 credit equation (Carnegie Unit Calculation). This equation does not apply to credit recovery courses.
- Marks are awarded for academic achievement only. Marks are not to be used in a punitive manner nor are marks to be lowered because of misconduct. This does not mean that points cannot be awarded for performance.
- Teachers must be able to explain to students and parents/guardians the reasons for a particular mark given.
- The teacher should give a reasonable explanation for an abnormal mark distribution.
- Teachers must explain how marks are determined and what is expected of a student who is to receive each of the marks. A handout to students is recommended.
- Students and parents/guardians are to be notified of student progress periodically, as provided by School Board Policy.
- Incomplete marks may be given at the teacher's discretion, but they must encourage students to complete all outstanding work.
- Teachers are to allow appropriate time for daily make-up work or tests that were assigned while the student was absent.
- A student who gives forth to the best of her/his capacity to learn as judged by the professional staff shall be promoted through the school program at the normal rate and shall be given passing marks.
- Teachers record all marks in an electronic class record book that is organized, accurate and legible. This book becomes the official source for the school for student marks.

## Academic Integrity

At the Rock Bend ALC, we act responsibly, live with integrity and show respect. We hold our students to the highest standards of performance and integrity and expect each student and staff member to maintain these standards and strive for continuous improvement. We expect our students to take responsibility for their actions and thus maintain academic integrity and a respectful learning environment for our school.

To act with academic integrity, students must value and demonstrate positive regard for:

- Intellectual honesty
- Personal truthfulness
- Learning for its own sake
- The creation and work of others

Academic integrity is achieved when a student:

- Takes full credit for his/her own work and gives full credit to those who have helped or influenced him.
- Represents his/her own work honestly and accurately.
- Collaborates with other students only as specifically directed or authorized.

Student behaviors that promote genuine student achievement include:

- Organization - Keep class notes and materials in a folder that is easily accessible.
- Self advocacy - Seek help from teachers. Ask for clarification.
- Take risks - Learning is difficult work and students must be willing to try new things in order to learn skills and obtain new knowledge

## Academic Integrity Violations

Violations may result in earning a zero on an assignment.

- Cheating: Seeking to obtain credit or improved scores through the use of deception.
  - Ex: copying homework, looking at another student's quiz or test
- Facilitation: Helping another student obtain credit or improved scores through the use of deception.
  - Ex: Allowing another student to copy your homework, reporting to other students what is on a test or quiz, working together with another student and submitting the same answers without instructor approval.
- Falsification: Fabrication.
  - Ex: Misrepresenting yourself in any way to your teacher regarding the work you have done, saying you turned in an assignment when you have not, making up information or data in a paper or project.
- Plagiarism: Representing the words or ideas of another as one's own in a paper or assignment.
  - Ex: Copying information from printed or digital sources and pretending the words are your own writing.

## Graduation Requirements

The Minnesota Graduation Standards define what it is students should know and be able to do as a result of a Kindergarten through 12th grade education. The Graduation Standards provide the goal towards which both teachers and students are working. They become the focus on which assessment, curriculum and instruction are designed to ensure that all students receive a variety of educational opportunities which move them closer to the goals of being: purposeful thinkers, effective communicators, self-directed learners, productive group participants and responsible citizens.

Saint Peter High School requires students to earn 27 credits for a diploma. All students must satisfactorily complete all credit and course requirements before they will be allowed to participate in the commencement ceremony for graduation. These requirements include:

- 4.5 credits of English: students are required to take one required English course per year and a .5 credit communication course.
- 3.5 credits of Social Studies: must include geography, world history, US history, government, citizenship and economics
- 4.0 credits of Math: Including geometry and algebra II
- 4.0 credits of Science: must include physics, chemistry and biology
- 1.0 credit of Fine Art: fine Art credits may be earned by taking any course in the music or art department
- .5 credit of Health
- 1.5 credits of Physical Education
- 8.0 credits of additional coursework (electives)

If students leave Rock Bend ALC prior to graduation, academic records will be sent to the transfer district.

## Commencement

In order to be eligible to participate in the Saint Peter High School commencement exercises, students must have completely finished all credit and graduation requirements set forth by the state of Minnesota *and* ISD 508. Participation in commencement exercises is voluntary. Students who do not wish to participate in the commencement exercises should inform the principal as soon as possible. A student's failure to attend the scheduled graduation practice may result in her/his not being allowed to participate in the commencement exercises themselves. Additionally, all obligations (library books returned, fines paid, detention completed, etc.) must be cleared before a student will be eligible to participate in commencement exercises. There is a dress code for all commencement ceremony participants.

## Assessments

### State Testing

The Minnesota Comprehensive Assessments (MCA) are state tests in reading, mathematics, and science that are used to meet federal and state legislative requirements. The tests are administered every year to measure student performance relative to the Minnesota Academic Standards that specify what students in a particular grade should know and be able to do.

Parents/guardians have a right to not have their student participate in state-required standardized assessments. Minnesota Statutes require the department to provide information about statewide assessments to parents/guardians and include a form to complete if they refuse to have their student participate. This form is available online:

<https://education.mn.gov/mde/fam/tests/>

Students at Rock Bend ALC participate in the following required state assessments:

- MCA Reading: Grade 10
- MCA Mathematics: Grade 11

### College Admission and Prep Exams

Rock Bend ALC strives to prepare students for their individual goals and aspirations. For many students, this includes post-secondary education. Students in grade 10 and 11 may take the PreACT one time each year. PreACT assessments are multiple-choice and provide students an early measure of College and Career Readiness while serving as a practice opportunity for the ACT® test.

Students in grade eleven will have the opportunity to take the ACT on a designated district-testing date. The cost of the exam is only covered for students who qualify for free or reduced lunch.

Students will also have the opportunity to take the ASVAB during the school day. The Armed Services Vocational Aptitude Battery (ASVAB) is a multiple-aptitude battery that measures developed abilities and helps predict future academic and occupational success.

## SECTION II: Attendance

### Importance of Attendance

Regular attendance is absolutely essential to progress in schoolwork. Students should develop the habit of being on time and prepared for the day's work. The Rock Bend ALC teachers, families and students are expected to cooperate and communicate in the matter of attendance. verify/excuse the absence. If no answer, leave a message with a short description of who you are and why the student will be absent from school (a written description will also be accepted). Please do your best to call the school the morning of the absence. Doing so will help us ensure that all students are safe and accounted for. Absences will be marked unexcused until a parent/guardian has contacted the school.

Although excusing absenteeism and tardiness is at the discretion of the principal, the following reasons are valid and should be used by unit staff and students as guidelines:

- A. Illness.
- B. Serious illness in the student's immediate family.
- C. A death or funeral in the student's immediate family or of a close friend or relative.
- D. Medical, dental, or orthodontic treatment, or a counseling appointment.
- E. Court appearances occasioned by family or personal action.
- F. Religious instruction not to exceed three hours in any week.
- G. Observance of religious events
- H. Physical emergency conditions such as fire, flood, storm, etc.
- I. Official school field trip or other school- or Leo A. Hoffmann- sponsored outing.
- J. Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
- K. Family emergencies.
- L. Active duty in any military branch of the United States.
- M. A student's condition that requires ongoing treatment for a mental health diagnosis.
- N. The building principal can/may make exceptions for unusual situations.
- O. Family vacations with prior Principal approval; personal trips to schools or colleges.

The primary responsibility for school attendance (8:30 am - 3:10 pm) rests with the student and the parents.

### Student Responsibilities

1. Attend each class and arrive on time prepared to learn and participate
2. Inform teachers and office staff in advance of pre-excused absences
3. Have a parent/guardian call the office within 24 hours of an absence
4. Be aware of their own status in regard to tardies and absences in classes

## Parent Responsibilities

1. Encourage students to attend school regularly.
2. Notify the office by phone on the day of your child's absence OR send a note with your child on the day of his/her return to school from any absence. Absences not verified within 24 hours of the students return to school will remain unexcused.
3. Limit absences by scheduling appointments, vacations, college visits, etc. on non-school days.
4. Family vacations, college, military or employment visits are excused only if pre-approved by the school administrator.

School-related and court-related absences do not count against a student.

Work-related absences are excused ONLY if the following conditions are true:

- The student is eligible for and participating in the work experience program
- The student submits paystubs verifying work schedule and hours

Absences may negatively impact a student's progress toward graduation if the student fails to make up the required learning and academic work.

If a student is not making adequate progress toward graduation due to poor attendance, their enrollment may be transferred back to the traditional high school building.

## Work-Based Learning

Work-based learning is intended to help students increase their opportunities to enter high-skilled, high-wage careers after graduation. The goal is to prepare all students for post-secondary education, careers and citizenship. Program participation is dependent on successful completion of, or concurrent enrollment in, the work experience seminar class. Students will be allowed to enroll in the program for 1-2 periods (additional periods with administrative approval). Students must work at least the same number of hours Monday-Friday as they miss from school each week. Students will receive .5 credit per 60 hours worked. Students will receive a P/F grade for the class based on the supervision and observation of the work-based learning supervisor. Students may not be eligible for the program if it interferes with their ability to take required courses for graduation. Students will not be able to earn work-based learning credit if they are not passing their required content-area courses.

Students are responsible for submitting required paperwork for the work-based learning program. If responsibilities are not fulfilled, students may not generate credit.

## Truancy and Unexcused Absences

Definition of Truancy: A child's willful absence without lawful excuse from one or more class periods on seven different school days.

- For a child ages 12-17, the absence from school is presumed to be truancy, due to the child's willful intent to absent themselves from school.

Absence from school without parent's/guardian's or school's permission is truancy. Truancy of students under the age of 18 will be reported to the county, and students will be classified as "Habitually Truant" unless lawfully withdrawn from school.

## Tardiness

Students who are more than 15 minutes late to a class will be marked absent, not tardy.

# SECTION III: Expected Behavior & Policies

## Student Rights

All students have the right to an education and the right to learn.

## Student Responsibilities

All students have the responsibility:

1. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
2. To attend school daily, except when excused, and to be on time to all classes and other school functions;
3. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
4. To make necessary arrangements for making up work when absent from school;
5. To assist the school staff in maintaining a safe school for all students;
6. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
7. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
8. To be aware of and comply with federal, state, and local laws;
9. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
10. To respect and maintain the school's property and the property of others;

11. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;
12. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
13. To conduct themselves in an appropriate physical or verbal manner; and
14. To recognize and respect the rights of others.

## Code of Student Conduct

The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; 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 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 unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.

The School Board considers the following behaviors to be unacceptable behaviors that may be subject to disciplinary action.

1. Acts of dishonesty.
2. Any criminal activity or violation of the law. 506-5
3. Attendance issues, including failure to attend class, tardiness, and leaving class without permission.
4. Cheating and plagiarism.
5. Damage to or misuse of property, including misuse of technology or use of technology in a way that causes property damage
6. Failing to follow the instructions of an administrator, teacher, or other School District representative.
7. Gang activity.
8. Inappropriate physical contact with another person, as well as acts of physical aggression, fighting, horseplay and play fighting.
9. Possession, distribution, or use of alcohol, drugs, and tobacco (including look alike substances and synthetic substances) or paraphernalia.

10. Possessions of weapons (as defined in School Board Policy 501) explosives, incendiary devices, or any type of combustible substances.
11. Substantially interrupting the learning environment.
12. Sexual misconduct and sexual assault.
13. Theft.
14. Threats of violence.
15. Trespassing.
16. Using language that is not appropriate in a school setting or possessing materials containing language that is not appropriate in a school setting. Inappropriate language includes abusive, profane, obscene, or threatening language. Inappropriate language also includes language that constitutes cyberbullying, bullying, discrimination, harassment, or hazing. Teasing and name-calling may also be considered inappropriate language.

## Anti-Discrimination Policy

It is the intent of the School Board Policy to comply with federal and state law prohibiting discrimination to the end that no person shall, on the grounds of race, color, national origin, creed, religion, sex, marital status, status with regard to public assistance, age or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any educational program; or in employment or recruitment, consideration or selection thereof; whether full-time or part-time, under any educational program or activity operated by the district for which it receives federal financial assistance.

The School District has a written plan to help assure that curriculum and materials, which are used in the district educational program, are designed to insure that staff and student gain an understanding and appreciation of diverse persons. In addition, special emphasis is placed on understanding the cultural diversity of the United States of America. A complete copy of this plan is on file at the district office.

## Bullying Prohibition

An act of bullying, by either an individual student or a group of students, is expressly prohibited on school premises, on school district property, at school functions or activities, 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 or 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.

No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.

Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.

Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.

False accusations or reports of bullying against another student are prohibited.

A person who engages in an act of bullying, reprisal, retaliation, 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 the school district's policies and procedures, including the school district's discipline policy.

## Bus Transportation Policy

The development of this policy is based on the state law that says riding a school bus is a privilege and not a right. Failure to meet bus expectations will result in the loss of bus privileges.

### School Bus Rules

The School District school bus safety rules are to be posted on every bus. If these rules are broken, the School District's discipline procedures are to be followed. Consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the School District's Transportation Office/School Office.

### Bus Expectations

1. Keep your arms, legs and belongings to yourself.
2. Follow the driver's direction right away.
3. Sit in the seat facing forward.
4. Talk quietly and use appropriate language.
5. Keep all parts of your body inside the bus.
6. Keep your arms, legs, and belongings to yourself.
7. No fighting, harassment, intimidating, or horse playing.
8. Do not throw any object.
9. No eating, drinking, or using tobacco or drugs.
10. Do not bring any weapon or dangerous objects on the school bus.
11. Do not damage the school bus.

## Classroom Behavior Expectations

### Respect the rights and property of others

1. Respect other student's right to learn as you desire respect for your learning
2. Respect the physical environment and space of other students. Physical touch between students is discouraged for the safety and well-being of all students.
3. Think about before respect before you speak
4. Food and drink are only permitted in the classroom when given permission and students are responsible for cleaning up after themselves.
5. Use proper language and dress appropriately (school is a "job")

### Engage in learning activities

6. Be prepared
7. Be on time for class
8. Be on task during class, follow along, engage in discussion, ask questions, etc.

### Personal and school devices

9. Electronic devices may be used in class when there is not active teaching/speakers, class discussions or educational videos.
10. Electronic devices must stay on your desk during class time (not in hands).
11. Electronic devices may be used during break and during lunch
12. Sound (including vibration) on devices must be turned off
13. Students must follow the "acceptable use" policy on school and personal devices at school.

## Harassment and Violence

All students and staff at Rock Bend have the right to be treated with respect and to feel safe. We will maintain an environment that is free from harassment, bullying, intimidation and/or discrimination.

All reports of harassment will be taken seriously and actions will be taken appropriate to the report. Students and adults alike are expected to follow the guidelines that prohibit

The policy of the school district is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation,

including gender identity or expression, or disability.

Harassment can include, but is not limited to:

1. Name calling, jokes or rumors
2. Graffiti, drawings, notes, or online postings
3. Unwelcome touching of a person and/or their clothing

If you feel you have been harassed, bullied, intimidated or discriminated against, you should make reports in the following order:

1. Rock Bend Teacher or Paraprofessional
2. Alternative Schools & Program Administrator: Jana Sykora
3. Saint Peter High School Harassment Officer: Kelly Jensen

## Hazing Prohibition

Hazing activities of any type performed by students, teachers, administrators, volunteers, contractors, or other employees of the school district are inconsistent with the educational goals of the school district and are prohibited at all times. **Lunch**

1. Students are to eat meals in the lunch cafeteria unless permitted by the teacher to eat in the classroom.
1. While in the cafeteria, students are expected to:
  - a. Clean up after themselves.
  - b. Respect one another and wait their turn to receive their food.
  - c. Treat the cafeteria staff with respect at all times.
  - d. Consume their food in the cafeteria.
  - e. Remain in designated areas until released by the lunchroom area supervisors.
2. Lunch accounts:
  - a. Students will have a lunch account number.
3. Open campus lunch period
  - a. Rock Bend ALC students have an open lunch period with the exception of Wednesdays. This means they may leave campus for lunch. This is a privilege that may be revoked at any time by a teacher or the principal for reasons including but not limited to:
    - i. Not returning to class on time (or simply not returning at all)
    - ii. Bringing food into the classroom after open lunch that causes disruption or distraction
    - iii. Reports of misconduct in the community during lunch hours
    - iv. Reports of unsafe driving/transportation during lunch hours

## Permission to drive to school and park at school

Students are permitted to transport themselves to school as long as they have a valid driver's license and car insurance. Students are not required to have parking permits. Student drivers must complete a *Permission to Drive & Park Form* and submit this prior to driving and parking at school.

## Student Appearance

The policy of the school district is to encourage students to be dressed appropriately for school activities and in keeping with community standards. This is a joint responsibility of the student and the student's parent(s) or guardian(s).

Appropriate clothing includes, but is not limited to, the following:

1. Clothing appropriate for the weather.
2. Clothing that does not create a health or safety hazard.
3. Clothing appropriate for the activity (i.e., physical education or the classroom).

Inappropriate clothing includes, but is not limited to, the following:

1. Clothing that is not in keeping with community standards.
2. Clothing bearing a message that is lewd, vulgar, or obscene.
3. Apparel promoting products or activities that are illegal for use by minors.
4. Objectionable emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group, evidences gang membership or affiliation, or approves, advances, or provokes any form of religious, racial, or sexual harassment and/or violence against other individuals as defined in the district's harassment and violence policy.
5. Any apparel or footwear that would damage school property.

The intention of this policy is not 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, or do not advocate violence or harassment against others.

When, in the judgment of the administration, a student's appearance, grooming, or mode of dress interferes with or disrupts the educational process or school activities, or poses a threat to the health or safety of the student or others, the student will be directed to make modifications or will be sent home for the day. Parents/guardians will be notified.

## Violations of other School Board Policies

may also result in disciplinary action. Full policies can be found online.

- A. School Board Policy 102, Equal Educational Opportunity;
- B. School Board Policy 417, Chemical Use and Abuse;
- C. School Board Policy 419, Tobacco-Free Environment;
- D. School Board Policy 501, Weapons;
- E. School Board Policy 502, Search of Student Lockers, Desks, Personal Possessions, and Student's Person;
- F. School Board Policy 505, Distribution of Non-School Sponsored Materials on School Premises by Students and Employees;
- G. School Board Policy 521, Student Disability Nondiscrimination;
- H. School Board Policy 527, Student Use and Parking of Motor Vehicles, Patrols, Inspections, and Searches;
- I. School Board Policy 528, Student Parental, Family and Marital Status Nondiscrimination;
- J. School Board Policy 536, Student Internet Acceptable Use and Safety Policy;
- K. School Board Policy 627, Academic Honesty;
- L. School Board Policy 709, Student Transportation Safety.

## SECTION IV: Guidelines & Procedures

### Animals in the Classroom

Requests for bringing animals to the classroom require prior approval from the building principal. The request should include the educational purpose, proof of animal health records, as well as guardian consent for each student in the classroom. The consent form will be distributed prior to approval and will include acknowledgement of any known student allergies. If consent is not granted, reasonable accommodations will be made when appropriate. If the animal is staying for an extended time, the teacher is responsible for submitting an animal care plan, which should include allocated responsibility in the event of an absence. The school reserves the right to deny an animal request at any time.

### Background Checks

Background checks are completed on all employees, anyone that provides an extended service involving students in our school district, and parent chaperones/volunteers when students will be left under the supervision of a chaperone (i.e., field trips).

## Elopement Plan

Students who have demonstrated a pattern of elopement from the school setting will have a specific elopement plan developed in collaboration with parents, case manager, teacher, principal, social worker, nurse and others as identified.

## Emergency Drills

Regulations require that emergency drills be conducted during the school year. By law, we are required to run five (5) fire drills, five (5) lockdown drills, and one (1) severe weather drill. When the alarm sounds, each class will follow the directions outlined by the teacher. By practicing emergency procedures, we will be better able to respond if/when an emergency occurs.

## Emergency & Crisis Response

All school faculty and staff assigned to the program will be annually trained and certified in CPI. School staff and faculty will follow emergency management policies and school district policies when addressing crises.

Fire extinguishers, smoke/heat sensors, and fire alarms are apparatus which are to only be used in the event of emergencies. People who intentionally misuse this equipment will be referred to the proper authorities.

## Emergency Evacuation Procedures

### Fire Emergency

1. As soon as the alarm is sounded, teachers will take their positions at the exits from their rooms and remain until all students have passed out of the room. If there is time, teachers are to close doors and bring class rosters with them.
2. As soon as the alarm is sounded, students should rise and pass in a rapid, orderly manner from the room by the exit used for regular dismissal. An orderly dismissal with minimal talking is expected. Maintaining a minimal noise level will allow for emergency instructions or changes in regular procedure to be heard. The first students to arrive at any exit should hold the door open until teachers arrive to relieve them.
3. Students will not take their coats, jackets or books with them.
4. As soon as all students have exited the building, the teachers will take their positions at the exit from which the students exited and under no circumstances allow any of them to enter the building until the "all clear" has been given by the designated staff.
5. Have students move into the parking lots. The space near the building should be absolutely clear. Students should return to the building after a drill by the same route that they left the building.

6. Where to go from classrooms: Each room will have a fire escape assignment posted in the room and teachers will explain fire drill exit procedures during the first week of school.
7. Do not leave the school grounds during a drill or emergency unless you are directly supervised by a high school staff member.

## Armed Intruder

Students and staff will follow ALICE training protocol in the event of an armed intruder. Our evacuation meet-up location will be communicated to students and families.

## Civil Defense Alert

Students will be sent home if official civil defense communications indicate there is sufficient time before dangerous conditions develop. (Information will be released by the proper authorities to all communications media). In case conditions will not allow time for students to be dismissed, students will be assembled in designated areas in the building.

## Tornadoes

Public warning signal: 5 minutes steady blast on the civil defense siren and repeated if necessary. Staff should proceed with all students to pre-designated tornado shelter. Students should sit down and cover their heads.

## Emergency Procedures For Serious Accidents (staff)

1. Do a primary survey of scene and person
2. Check airway, breathing, and circulation -- ABC's
3. Check for bleeding, start first aid
4. Send for assistance. DO NOT leave injured person unattended
5. Determine the need for immediate medical attention
6. Instruct someone to CALL 911
7. Notify principal and school nurse at appropriate time
8. Complete incident/injury report
9. No injured person is to be sent home without prior approval or supervision.
10. Parent/emergency contact must be notified.

## Fees and Fines

No student shall be required to pay a fee for a required program, project, or activity that occurs during the regular school year.

Fees may be charged in the following areas:

- A. In any program where the resultant product, in excess of minimum requirements and at the student's option, becomes the personal property of the student.
- B. Admission fees or charges for extracurricular activities where attendance is optional.
- C. A parking permit fee for any vehicle using the school's parking lot.
- D. A security deposit to assure the return of materials, supplies or equipment.
- E. Personal physical education and athletic equipment and apparel.
- F. Items or products that are purchased for personal use, such as, student publications, class rings, annuals and graduation announcements.
- G. Fees specifically permitted in any other statute.
- H. Field trips considered supplementary to a district's educational program and not required or graded.
- I. Any authorized voluntary student health and accident benefit plan.
- J. For use of musical instruments that the district owns or rents.
- K. Students may be required to furnish personal or consumable items including pencils, papers, pens, erasers and notebooks.
- L. Fees may not be charged in the following areas:
  - a. Textbooks, workbooks, art materials, laboratory supplies and towels.
  - b. Supplies necessary for participation in any instructional course except as specifically authorized.
  - c. Field trips that are required as a part of a basic educational program or course.
  - d. Graduation caps, gowns or any other specific form of dress necessary for the educational program.
  - e. Instructional costs for necessary school personnel employed in any course or educational program required for graduation.
  - f. Library books required to be utilized for any educational course or program. (A fee may be charged for lost books).
  - g. Admission fees, dues or fees for any activity the student is required to attend.
  - h. Any admission or examination cost of any required educational course or program.
  - i. Locker rentals. (A deposit for a padlock or key is permissible)

## Field Trips

Occasionally certain classes offer opportunities for students to visit sites outside the school that are related to the course. These opportunities are a privilege and may be denied for just cause. It is required that students return the signed "permission slip" to their teacher before they leave on the field trip. Only school-authorized transportation will be used and at least one faculty member will chaperone each vehicle used for the field trip.

## General Security

The front door will be locked at all times throughout the day. Visitors must check in at the main office and wear a nametag in the building. Students and visitors are not allowed in the mail and copy room.

## Gifts to School District Employees

The school district recognizes that students, parents, and others may wish to show appreciation to school district employees. The policy of the school district, however, is to discourage gift-giving to employees and to encourage donors instead to write letters and notes of appreciation or to give small tokens of gratitude as memorabilia. Employees may accept items of insignificant value of a promotional or public relations nature. The superintendent has discretion to determine what value is “insignificant.”

## Lost and Found

Lost and found articles are located in the school office. Students are encouraged to check this area for items that may have been lost. Unclaimed items will be donated at the end of the school year.

## Messages and Calls from Home

Except in cases of emergency, the office does not call students out of classes when parents leave messages for their student.

## Pledge of Allegiance

The School Board recognizes the need to provide instruction in the proper etiquette, display, and respect of the United States flag. The purpose of this policy is to provide for recitation of the Pledge of Allegiance and instruction in school to help further that end. Students in this School District shall recite the Pledge of Allegiance to the flag of the United States of America one or more times each week. The recitation shall be conducted by each individual classroom teacher or the teacher’s surrogate; or over a school intercom system by a person designated by the school principal or other person having administrative control over the school. Any student or teacher may decline to participate in recitation of the Pledge of Allegiance to the flag. Others must respect the choice not to recite the Pledge. Students will be instructed in the proper etiquette toward, correct display of, and respect for the flag. Students will also be instructed in patriotic exercises.

## Reporting to Parents

It is School District policy to inform parents at regular intervals of their student's attendance, academic, and disciplinary matters. Consequently, the following reports will be available at appropriate times to parents:

### Attendance

Notices of irregular attendance practices will be forwarded to parents/guardians at appropriate intervals. Should poor attendance continue, a conference with the student's parents/guardians will be necessary. Continued poor attendance could result in the student's forfeiting credit in the particular class.

### Academic Reports

The grading system is A, B, C, D, F, No Credit and Incomplete. Report cards are available on-line to parents, guardians, and students at the end of each grading period. On-line access can be obtained by contacting Kathy Wobbrock at 934-4210 ext 418, or [kwobbrock@stpetersschools.org](mailto:kwobbrock@stpetersschools.org). Paper copies will be mailed at the end of each semester.

Parent conferences will be held during each school year. The dates for parent conferences are noted in the school calendar.

### Discipline Referrals

Whenever any form of disciplinary action is necessary, a discipline referral will be sent to the parents/guardians informing them of the misconduct as well as the administrative action taken.

## School Closing Procedures

School closings and late start announcements will be made over local television and radio stations beginning about 6:30 a.m. The school district will also activate its emergency communications system (ConnectEd). The same local media and ConnectEd will be used if school must be dismissed early.

## Searches

Equipment that belongs to the school district may be used by students at their convenience. The school insists that designated student space be properly cared for and not used for the storage of illegal items such as firearms, liquor, cigarettes, illegal drugs, etc.

## Student Rights

1. A search of a student's person should be limited to a situation where the administration has reasonable belief that the student is concealing evidence of an illegal act or school rule violation.
2. Dangerous items (such as firearms, weapons, etc.) and other items, which may be used to substantially disrupt the educational process, will be removed from the student's possession.
3. A general inspection of school properties including, but not limited to, student designated spaces or desks may be conducted on a regular basis. Illegal items and items belonging to the school or another person will be seized.
4. All items seized may be returned to the proper authorities or the true owner.
5. Students may be given the opportunity to be present when a search of personal possessions is conducted if there is no reason to believe that their presence would be a threat to the safety of themselves or others.
6. When a custodial interrogation takes place in school by a law enforcement official or police officer, students should be advised of their rights by the proper authority, including the right to counsel and the right to remain silent.
7. Designated student spaces may be searched by school authorities for any reason, at any time, without notice, without student consent, and without a search warrant. This is 1995 Minnesota Legislation (HF107, Article 3, Sec. 10-12).
8. It is a policy of the state of Minnesota (Subdivision 1) that school lockers/cubicles are the property of the school district. At no time does the school district relinquish its exclusive control of lockers/cubicles provided for the convenience of students. Inspection lockers/cubicles may be conducted by school authorities for any reason at any time, without notice, without student consent, and without a search warrant. These searches may be carried out by a specially trained dog. The personal possessions of students within a school locker may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's personal possessions, the school authorities must provide notice of the search to the students whose locker/cubicle were searched unless disclosure would impede an ongoing investigation by police or school officials.
9. School principals will conduct periodic inspections of the school space. These inspections may be announced or unannounced and may be carried out using specially trained dogs to sniff out and alert staff to the presence of substances prohibited by law or district police.

## Grievance Procedure

In an attempt to give our students an opportunity to present legitimate grievance, they may have access to the following grievance procedure, which has been adopted:

1. A student with a particular grievance or complaint is urged to first try to resolve the problem with the other party involved on a one-to-one basis (i.e., grades, discipline, school policy, etc.).
2. If the problem cannot be resolved at level one, the student should then bring that problem to the attention of the principal who will call together the grievant and the other party involved to attempt to mediate and resolve the problem.
3. If, after the final decision of the principal, the grievant still believes the problem is unresolved, further appeal may be granted through request made to the principal for review by the Superintendent of Schools.

## SECTION V: Health and Medication

### Emergency Care Policy

In the event of an emergency or serious illness, it is the policy of the School District to provide appropriate medical response and to contact the parent/guardian in a timely manner.

In a life-threatening emergency, the school will contact emergency response personnel immediately. The parent/guardian or designated emergency person will be contacted at the same time.

If the situation is not life threatening, but the student requires urgent care and the school cannot contact a parent/guardian or designee, school personnel will transport the student to the Saint Peter Community Hospital for care. The School District will not provide transportation outside of Saint Peter for care. When parents/guardians arrive at the hospital, they will be able to change health care providers if they so desire. It is the responsibility of the parent/guardian to pay any incurred medical expenses.

### Injuries or Illnesses/Accident Reporting Procedure/Insurance

#### Injuries and Illnesses

1. Students should notify the nearest teacher in case of injury, illness or emergency.
2. Students who become ill should inform their teacher immediately. The teacher will consult with the teacher, principal or district nurse if necessary.
3. Students who become ill while at school should NOT go to the restroom and sit for the class period. Students who do this will be marked as absent unexcused and detention will be assigned.
4. Students may not leave the school building for illness without first discussing it with their teacher and obtaining a leave school permit. The teacher or principal will telephone the parents/guardians to obtain their permission for the student to leave the building.

## Accident Reporting Procedure

Students who suffer injuries from any particular accident should report to their teacher or immediate supervisor. If the supervisor is not available, the student should report to the principal's office, at which time the proper action will be taken.

## Notification of Health Office and Parents

Any adult on school staff has the responsibility to notify the district nurse of an injury to any student, staff or visitor on school grounds.

Treatments or medications can only be given with signed permission of a physician and parent. When the injured or ill person is placed in the care of the family or emergency medical response team, the school's responsibility is fulfilled. The name of each person's health care provider is recorded on the health and emergency cards.

## Student Medication

The School District acknowledges that some students may require prescribed and/or non-prescribed medication during the day. Medication will be administered by the school nurse or her/his designee, such as a trained health assistant, a principal, or a teacher.

Prescription and non-prescription medication requires a completed, signed authorization from the student's parent or guardian. The School District may rely on an oral request from the parent or guardian to administer medication for up to two school days, until a written authorization is received.

1. Prescription and non-prescription medication must come to school in the original prescription container. A medication permission form must be completed annually and/or when a change in the prescription occurs.
2. Prescribed medication that is to be taken in school requires a written order from the physician.
3. Medications are generally not to be carried by the student. If an exception is to be made, there must be a written agreement between the School District and the parent. Medications will be left with the appropriate School District representative, except as noted in a written agreement between the School District and the parent. Students are allowed by Minnesota statute to carry inhalers for asthma and epi-pens for allergic reactions.
4. Parents or guardians must notify the school if any change in the student's medication or if the medication is no longer required. For medication dosage changes, the School District must receive written notification from the physician.
5. For drugs or medicine used by children with a disability, administration of medicine may be provided as specified in the individual education plan (IEP).

6. The school nurse, or other designated person, shall be responsible for filling out the medication administration forms in the student's health record section of the student file. The school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.

## Physical Examinations

For the benefit of the individual student and the protection of other students and school personnel, it is the policy of the Saint Peter Public Schools to recommend periodic physical examinations of all students by a licensed physician. The selection of a licensed physician shall be made by the parents or guardians and the examination shall be at their expense.

1. A physical examination is recommended for all students prior to entry into kindergarten.
2. A physical examination is recommended for all students prior to entry into seventh grade.

Exempting a student from the physical examination does not exempt the student from participating in the program of physical education. If such exemption is utilized, the student or parent (depending upon the student's age) shall furnish a written statement to the School District verifying that either the student has no disabilities and can fully participate or, setting forth the disabilities and limitations of the student.

## SECTION VI: Technology

Through the Saints Digital Learning Initiative, Saint Peter High School continues its commitment to offering students and teachers access to best-practice strategies and modern equipment to improve the classroom experience.

### 1:1 Devices

Students at Rock Bend ALC are assigned a chromebook to use. Students should keep the chromebook in the classroom unless given explicit permission or direction to bring the device home.

### Acceptable use of technology and internet

It is the general policy that all computers used throughout Saint Peter Public Schools are to be used in a responsible, efficient, ethical and legal manner. Failure to adhere to the policy and the guidelines of the use of computers will result in the revocation of access privileges.

Students who intend to utilize the Saint Peter School District network and Internet connection will need to sign an Acceptable Use Statement at the beginning of their enrollment. This Statement will be on file and is included in the appendix of this handbook.

The following information outlines the rules and regulations related to Board of Education Policy 006.14 Acceptable Use and Internet Policy.

Despite its enormous educational potential, the Internet also contains the potential for abuse. Saint Peter Public Schools is not responsible for ensuring the accuracy or usability of any information found on external networks. For safety purposes, Saint Peter Public Schools employs both an Internet filter and firewall, and maintains compliance with CIPA (Children's Internet Protection Act).

The Board of Education expects all students to abide by the Acceptable Use Procedures of Saint Peter Public Schools. Failure to follow the guidelines may result in disciplinary action.

### Limited Educational Purpose

1. The Saint Peter Public Schools computer network has not been established as a public access service and is not an "open" or "limited open" forum. The term "educational purpose" includes but is not limited to information management, classroom activities, media center projects, research, career development, and limited curriculum-related work on an individual student basis.
2. Saint Peter Public Schools has the right to place reasonable restrictions on the material accessed or posted through the system. Students are expected to follow the rules set forth by the district and the law when using the Saint Peter Public Schools computer network.
3. Students may not use the Saint Peter Public Schools computer network for commercial purposes. This means products or services may not be offered, provided, or purchased through the Saint Peter Public Schools computer network.
4. The Saint Peter Public Schools computer network may not be used for political lobbying. It may be used to communicate with elected representatives and to express opinions to them on political issues.

### Internet Access

1. Students shall have access to Internet World Wide Web information resources through their classroom, library, or school computer lab.
2. Parent(s)/guardian(s) are given the opportunity to determine their child's access to the Internet when they enter the public school system, and in Grades 3 and 7. Students and their parent(s)/guardian(s) must sign an Acceptable Use Consent Form to be granted access to the Internet. Parent(s)/guardian(s) can withdraw their approval at any time.

3. The use of the school district system and access to use of the Internet is a privilege, not a right. The school district reserves the right to limit or remove any user's access to the school district's computer system, equipment and Internet access at any time for any reason.

## Unacceptable Uses

### Personal Safety

Students shall not post personal contact information about themselves or other people on the Internet. Personal contact information could include, but is not limited to, student's or employee's home address or telephone number, a student's school address, and an employee's work address. It is not a violation of this policy to include the school's return address on outgoing email communications.

Students shall not agree to meet with someone met on-line without parent's approval.

Students shall promptly disclose to their teacher or other school employee any message received that is inappropriate or causes discomfort.

### Illegal Activities

1. Students shall not attempt to gain unauthorized access to Saint Peter Public Schools computer network or to any other computer system through Saint Peter Public Schools computer network or go beyond authorized access. This includes attempting to log in through another person's account or access another person's files.
2. Students shall not make deliberate attempts to disrupt the computer system or destroy data by spreading computer viruses or by any other means.
3. Students shall not use the Saint Peter Public Schools computer network system to engage in any illegal act, such as arranging for the sale or use of drugs or alcohol; that facilitate criminal gang activity; that facilitate gambling; or that violate any local, state or federal statute.
4. Students shall not use the Internet or the district's computer network to harass or threaten the safety of others.
5. Students shall not misuse the computer equipment or network, to include but not exclusive of, deletion or violation of password-protected information, computer programs, data, password or system files; inappropriate access of files, directories, Internet sites; deliberate contamination of the system, unethical use of information, or violation of copyright laws is prohibited.

### System Security

1. Students are responsible for their individual accounts and should take all reasonable precautions to prevent others from being able to use their accounts.

2. Students shall immediately notify a teacher or the system administrator if they have identified a possible security problem. Students should not look for security problems, because this may be construed as an illegal attempt to gain access. Under no conditions should students provide other students with their password.
3. Students who gain access to teacher computer files, directory, programs, and website without permission from the teacher will be subject to disciplinary action.
4. The district will assign specific staff with security, management, and account responsibilities associated with the district's Internet resources and network accounts.
5. Tampering with the district's computer security system, and/or applications, and/or documents, and/or equipment, will be considered vandalism, destruction, and defacement of school property. Please be advised that it is a federal offense (felony) to break into any security system. Financial and legal consequences of such actions are the responsibility of the user and/or student's parent or guardian.

## Inappropriate Language

1. Restrictions against inappropriate language apply to public messages, private messages, and material posted on Web pages.
2. Students shall not use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language.
3. Students shall not post information that could cause damage or a danger of disruption.
4. Students shall not engage in personal attacks, including prejudicial or discriminatory attacks, based on a person's race, gender, sexual orientation, religion, national origin, or disability, or engage in any other harassment or discrimination prohibited by school district policy or by law.
5. Students shall not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person. If students or staff are told by a person to stop sending them messages, they must stop.
6. Students shall not knowingly or recklessly post false or defamatory information about a person or organization.

## Respect for Privacy

Students shall not re-post a message that was sent to them privately without written permission of the person who sent them the message. Students shall not post private information about another person on the Internet.

## Respecting Resource Limits

1. Students shall use the system only for educational and career development activities and limited curriculum-related work on an individual student basis.
2. Students will have access to limited space on the school's computer server. Users are responsible for making back-up copies of the documents and files that are critical to their use.

3. Students shall not deliberately or knowingly delete another student's file.
4. Students and employees shall only use software that is supplied by the school district.
5. Students shall not install hardware or software on the school district's computer system without the permission of the technology coordinator.

## Plagiarism and Copyright Infringement

1. Students shall not plagiarize works that are found on the Internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were yours.
2. Students shall respect the rights of copyright owners. Copyright infringement occurs when one inappropriately reproduces a work that is protected by a copyright. If a work contains language that specifies appropriate use of that work, follow the expressed requirements. If students are unsure whether or not work can be used, request permission from the copyright owner. Copyright law can be very confusing; ask media specialists for guidance as needed.

## Access to Inappropriate Materials

1. Students shall not use the Saint Peter Public Schools computer network to access material that is profane or obscene (pornography), contains viruses, network hacking programs, or similar programs that advocate illegal acts, or that advocates violence or discrimination towards other people (hate literature).
2. If students mistakenly access inappropriate information, they should immediately inform their teacher, media specialist, or another district employee. This will protect them against claims that they have intentionally violated this policy.
3. Parent(s)/guardian(s) should instruct students if there is additional material that they think it would be inappropriate for them to access. The district expects that students follow their parent's instructions in this matter.
4. Educators will monitor student use of the Internet in schools and will take reasonable measures to prevent access by students to inappropriate materials on the Internet and World Wide Web and restrict access to materials harmful to students.
5. The district may monitor the online activities of students, and operate technology protection measures (filtering/blocking devices or software) on all computers on the district's computer network as required by law. The filtering/blocking software will attempt to protect against access to visual depictions that are obscene, harmful to students, and child pornography, as required by law. Invasion or disabling of the filtering/blocking device installed by the district, including attempts to evade or disable, is a violation of the Acceptable Use Policy.
6. Students have access to devices for overnight use. When connecting to the Internet, our firewall does **NOT** filter inappropriate content off the school network.

## Disciplinary Action

The school district may take disciplinary action when a student violates any portion of the Acceptable Use Policy. Disciplinary action may include, but it is not limited to:

- Meeting with the Technology Coordinator, Media Center Specialist or Principal;
- Detention/School-After-Hours;
- Loss of school privileges;
- Parent/Guardian conference with school staff;
- Modified school programs;
- Removal from class;
- Co-curricular ineligibility;
- Suspension;
- Exclusion;
- Expulsion.

## SECTION VII: Staff Responsibilities

### Background Checks

All employees of Saint Peter Public Schools are required to pass criminal background checks. These checks include the Minnesota Bureau of Criminal Apprehension check and also the nationwide Orange Tree employment screening.

### Supervision of Students

Due to the nature of the behaviors of students attending the Rock Bend ALC, and the importance of keeping everyone safe, the following procedures should be followed at all times.

1. Students should be watched at all times, including when they get drinks of water, go to the front door, or other activities outside or inside the classroom;
2. All doors should be locked at all times unless the rooms are occupied by staff;
3. Students should not answer the front door unless the teacher is certain that the person at the door is unit staff;
4. Students should be supervised walking to the door if they are being picked up for appointments;
5. Staff should have eyes on students at all times.
6. Classroom should not be completely dark. During videos, blinds should be left open and office lights should be kept on;
7. Computer screens should be visible to staff at all times. This means that there should be only enough students in the computer lab at one time that can be supervised carefully;

8. When taking walks outside, students should walk in single file, or be in small groups with a staff person, to monitor communication and boundaries;
9. Individual safety plans that are developed by a teacher should be shared with all staff and followed at all times;
10. The best supervision is to move about the classroom frequently rather than staying in the same desk or chair all the time;
11. Students should always be sitting in a desk or chair apart from each other so no touching or secretive conversations can occur;
12. If students are sitting at a table together, staff should be sitting in a position to supervise what goes on under the table.

## Classroom Supervision

Teachers may be out of the classroom for short periods of time to attend a suspension conference, to call the unit, to confer with another teacher, or to make a phone call without additional supervision, provided there is a staff member in the room.

If the teacher is attending a meeting or will be out of the classroom for an extended period of time (no longer than 30 minutes), the following may occur:

A substitute teacher may be hired for part or all of the time the teacher will be absent at the discretion of the classroom teacher and the principal. If a sub is not hired, the classroom teacher should request that two other teachers in the building assist with supervision of the classroom while the teacher is gone. This means that the two teachers assisting with supervision should check periodically with the paraprofessional to assess classroom climate and to see if assistance is needed. If the paraprofessional is uncomfortable with student behavior or with other classroom issues, more assistance from a licensed teacher should be offered.

## Mandated Reporting

By law, all school employees are mandated reporters. Failure to report could result in serious legal implications for staff. The responsibility of reporting is with the person who has received information that leads them to believe that abuse may have occurred.

## Professional Ethics

School personnel should not discuss students and other confidential school business in the community. It is sometimes necessary to discuss student problems and parent related problems at school with other school personnel providing it is done for constructive purposes. It is not ethical or fair to the child to discuss student problems and situations in the community.

## SECTION VIII: POLICY

### Required Board Policies

Scan QR code to access required board policies listed below:

- A. [Employment Background Checks: Policy 404](#)
- B. [Bullying Prohibition: Policy 514](#)
- C. [Distribution of Nonschool-Sponsored Materials: Policy 505](#)
- D. [Harassment and Violence: Policy 413](#)
- E. [Hazing Prohibition: Policy 526](#)
- F. [Student Attendance: Policy 503](#)
- G. [Student Discipline: Policy 506](#)
- H. [Tobacco-Free Environment: Policy 419](#)
- I. [Unpaid Meal charges: Policy 534](#)



### Changelog

2022.1	Jana Sykora	Updated required school board policies Addition of policies to reflect other school handbooks Addition of ASVAB to assessments
2021.1	Jana Sykora	Initial Creation - based 2020-2021 enrollment packet and the 2021-2022 SPHS handbook and guidelines for district handbooks

## Policy 404: EMPLOYMENT BACKGROUND CHECKS

### **I. PURPOSE**

The purpose of this policy is to maintain a safe and healthful environment in the school district in order to promote the physical, social, and psychological well-being of its students. To that end, the school district will seek a criminal history background check for applicants who receive an offer of employment with the school district and on all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, regardless of whether any compensation is paid, or such other background checks as provided by this policy. The school district may also elect to do background checks of other volunteers, independent contractors, and student employees in the school district.

### **II. GENERAL STATEMENT OF POLICY**

- A. The school district shall require that applicants for school district positions who receive an offer of employment and all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, regardless of whether any compensation is paid, submit to a criminal history background check. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by the school district that an individual's criminal history does not preclude the individual from employment with, or provision of services to, the school district.
- B. The school district specifically reserves any and all rights it may have to conduct background checks regarding current employees, applicants, or service providers without the consent of such individuals.
- C. Adherence to this policy by the school district shall in no way limit the school district's right to require additional information, or to use procedures currently in place or other procedures to gain additional background information concerning employees, applicants, volunteers, service providers, independent contractors, and student employees.

### **III. PROCEDURES**

- A. Normally an individual will not commence employment or provide services until the school district receives the results of the criminal history background check. The school district may conditionally hire an applicant or allow an individual to provide services pending completion of the background check but shall notify the individual that the individual's employment or opportunity to provide services may be terminated based on the result of the background check. Background checks will be performed by the Minnesota Bureau of Criminal Apprehension (BCA). The BCA shall conduct the background check by retrieving criminal history data as defined in Minn. Stat. § 13.87. The school district reserves the right to also have criminal history background checks conducted by other organizations or agencies.
- B. In order for an individual to be eligible for employment or to provide athletic coaching services or other extracurricular academic coaching services to the school district,

except for an enrolled student volunteer, the individual must sign a criminal history consent form, which provides permission for the school district to conduct a criminal history background check, and provide payment for conducting the criminal history background check. The cost of the criminal history background check is the responsibility of the individual, unless the school district decides to pay the costs for a volunteer, an independent contractor, or a student employee. If the individual to provide a criminal background check at the time the individual receives a job offer, or permission to provide services, the individual will be considered to have voluntarily withdrawn the application for employment or request to provide services.

- C. When required, individuals must provide fingerprints to assist in a criminal history background check. If the fingerprints provided by the individual are unusable, the individual will be required to submit another set of prints.
- D. Copies of this policy shall be available in the school district's employment office and will be distributed to applicants for employment and individuals who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services upon request. The need to submit to a criminal history background check may be included with the basic criteria for employment or provision of services in the position posting and position advertisements.
- E. The individual will be informed of the results of the criminal background check(s) to the extent required by law.
- F. If the criminal history background check precludes employment with, or provision of services to, the school district, the individual will be so advised.
- G. The school district may apply these procedures to other volunteers, independent contractors, or student employees.
- H. At the beginning of each school year or when a student enrolls, the school district will notify parents and guardians about this policy and identify those positions subject to a background check and the extent of the school district's discretion in requiring a background check. The school district may include this notice in its student handbook, a school policy guide, or other similar communication. A form notice for this purpose is included with this policy.

#### **IV. CRIMINAL HISTORY CONSENT FORM**

A form to obtain consent for a criminal history background check is included with this policy.

## 514 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 a student's ability to learn and/or a 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 to remediate and discipline for 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 disruptive and detrimental 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 school district property, at school functions or activities, 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 or 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 or negate 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, retaliation, 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 the 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 research-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.

- 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 harming 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 harming 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 defined 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 person 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 in 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 responsible 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, 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 officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the 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 an 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; the student discipline policy (See MSBA/MASA Model Policy 506) and other applicable school district policies; and applicable 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 to 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, reprisal, 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 target or victim, and to make resources or referrals to resources available to targets or 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 (See MSBA/MASA Model Policy 515) 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.

## **505 DISTRIBUTION OF NONSCHOOL-SPONSORED MATERIALS ON SCHOOL PREMISES BY STUDENTS AND EMPLOYEES**

### **I. PURPOSE**

The purpose of this policy is to protect the exercise of students' and employees' free speech rights, taking into consideration the educational objectives and responsibilities of the school district.

### **II. GENERAL STATEMENT OF POLICY**

- A. The school district recognizes that students and employees have the right to express themselves on school property. This protection includes the right to distribute, at a reasonable time and place and in a reasonable manner, nonschool-sponsored material.
- B. To protect First Amendment rights, while at the same time preserving the integrity of the educational objectives and responsibilities of the school district, the school board adopts the following regulations and procedures regarding distribution of

nonschool-sponsored material on school property and at school activities.

### **III. DEFINITIONS**

- A. "Distribute" or "Distribution" means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying material, or placing material in internal staff or student mailboxes.
- B. "Nonschool-sponsored material" or "unofficial material" includes all materials or objects intended for distribution, except school newspapers, employee newsletters, literary magazines, yearbooks, and other publications funded and/or sponsored or authorized by the school. Examples of nonschool-sponsored materials include, but are not limited to, leaflets, brochures, buttons, badges, flyers, petitions, posters, and underground newspapers whether written by students or employees or others, and tangible objects.
- C. "Obscene to minors" means:
1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
  2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and
  3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- D. "Minor" means any person under the age of eighteen (18).
- E. "Material and substantial disruption" of a normal school activity means:
1. Where the normal school activity is an educational program of the district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
  2. Where the normal school activity is voluntary in nature (including school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

In order for expression to be considered disruptive, specific facts must exist upon which the likelihood of disruption can be forecast including past experience in the school, current events influencing student activities and behavior, and instances of

actual or threatened disruption relating to the written material in question.

- F. "School activities" means any activity sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods.
- G. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower that individual in the esteem of the community.

#### **IV. GUIDELINES**

- A. Students and employees of the school district have the right to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, nonschool-sponsored material.
- B. Requests for distribution of nonschool-sponsored material will be reviewed by the administration on a case-by-case basis. However, distribution of the materials listed below is always prohibited. Material is prohibited that:
  1. is obscene to minors;
  2. is libelous or slanderous;
  3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended;
  4. advertises or promotes any product or service not permitted to minors by law;
  5. advocates violence or other illegal conduct;
  6. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religious, or ethnic origin);
  7. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.
- C. Distribution by students and employees of nonschool-sponsored materials on school district property are subject to reasonable time, place, and manner restrictions set forth below. In making decisions regarding the time, place, and manner of distribution, the administration will consider factors including, but not limited to, the following:
  1. whether the material is educationally related;

2. the extent to which distribution is likely to cause disruption of or interference with the school district's educational objectives, discipline, or school activities;
3. whether the materials can be distributed from the office or other isolated location so as to minimize disruption of traffic flow in hallways;
4. the quantity or size of materials to be distributed;
5. whether distribution would require assignment of school district staff, use of school district equipment, or other resources;
6. whether distribution would require that nonschool persons be present on the school grounds;
7. whether the materials are a solicitation for goods or services not requested by the recipients.

**V. TIME, PLACE, AND MANNER OF DISTRIBUTION**

- A. No nonschool-sponsored material shall be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.
- B. Distribution of nonschool-sponsored material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the school, and school parking lots. Distribution shall not impede entrance to or exit from school premises in any way.
- C. No one shall coerce a student or staff member to accept any publication.
- D. The time, place, and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy.

**VI. PROCEDURES**

- A. Any student or employee wishing to distribute (as defined in this policy) nonschool-sponsored material must first submit for approval a copy of the material to the principal at least 24 hours in advance of desired distribution time, together with the following information:
  1. Name and phone number of the person submitting the request and, if a student, the room number of his or her first-period class.
  2. Date(s) and time(s) of day intended for distribution.
  3. Location where material will be distributed.
  4. If material is intended for students, the grade(s) of students to whom the distribution is intended.

- B. Within one school day, the principal will review the request and render a decision. In the event that permission to distribute the material is denied or limited, the person submitting the request should be informed in writing of the reasons for the denial or limitation.
- C. If the person submitting the request does not receive a response within one school day, the person shall contact the office to verify that the lack of response was not due to an inability to locate the person.
- D. If the person is dissatisfied with the decision of the principal, the person may submit a written request for appeal to the superintendent. If the person does not receive a response within three (3) school days (not counting Saturdays, Sundays, and holidays) of submitting the appeal, the person shall contact the office of the superintendent to verify that the lack of response is not due to an inability to locate the person.
- E. Permission or denial of permission to distribute material does not imply approval or disapproval of its contents by either the school, the administration of the school, the school board, or the individual reviewing the material submitted.

#### **VII. DISCIPLINARY ACTION**

- A. Distribution by any student of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place, and manner of distribution as described above will be halted and disciplinary action will be taken in accordance with the school district's Student Discipline Policy.
- B. Distribution by any employee of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place, and manner of distribution as described above will be halted and appropriate disciplinary action will be taken, in accordance with any individual contract, collective bargaining agreement, school district policies and procedures, and/or governing statute.
- C. Any other party violating this policy will be requested to leave the school property immediately and, if necessary, the police will be called.

#### **VIII. NOTICE OF POLICY TO STUDENTS AND EMPLOYEES**

A copy of this policy will be published in student handbooks and posted in school buildings.

#### **IX. IMPLEMENTATION**

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

## **413 HARASSMENT AND VIOLENCE**

### **I. PURPOSE**

The purpose of this policy is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.

## **II. GENERAL STATEMENT OF POLICY**

- A. The policy of the school district is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.
- B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, as defined by this policy. (For purposes of this policy, school district personnel include school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)
- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who is found to have violated this policy.

## **III. DEFINITIONS**

- A. "Assault" is:
  - 1. an act done with intent to cause fear in another of immediate bodily harm or death;
  - 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
  - 3. the threat to do bodily harm to another with present ability to carry out the threat.

- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability when the conduct:
1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
  2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
  3. otherwise adversely affects an individual's employment or academic opportunities.

C. "Immediately" means as soon as possible but in no event longer than 24 hours.

D. Protected Classifications; Definitions

1. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:
  - a) has a physical, sensory, or mental impairment which materially limits one or more major life activities;
  - b) has a record of such an impairment; or
  - c) is regarded as having such an impairment.
2. "Familial status" means the condition of one or more minors being domiciled with:
  - a) their parent or parents or the minor's legal guardian; or
  - b) the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
6. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.
7. "Status with regard to public assistance" means the condition of being a

recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.

- E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.
- F. Sexual Harassment; Definition
1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:
    - a) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
    - b) submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
    - c) that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
  2. Sexual harassment may include, but is not limited to:
    - a) unwelcome verbal harassment or abuse;
    - b) unwelcome pressure for sexual activity;
    - c) unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
    - d) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
    - e) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
    - f) unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.
- G. Sexual Violence; Definition
1. Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts or forcing a

person to touch any person's intimate parts. Intimate parts, as defined in Minn. Stat. § 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.

2. Sexual violence may include, but is not limited to:
  - a) touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
  - b) coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
  - c) coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
  - d) threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

#### H. Violence; Definition

1. Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to, race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.

## IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct which may constitute harassment or violence 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. Nothing in this policy shall prevent any person from reporting harassment or violence 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 the school district human rights officer by the reporting party or complainant.

- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. 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 a primary contact on policy and procedural matters.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- G. In the District. The school board hereby designates Kelly Jensen as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.<sup>1</sup>
- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. 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.

- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

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

## **V. INVESTIGATION**

- A. By authority of the school district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- F. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon

completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

#### **VI. SCHOOL DISTRICT ACTION**

- A. Upon completion of an investigation that determines a violation of this policy 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 behavior. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school district policies and regulations.
- B. 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 targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.
- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) 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 to engage in acts of harassment or violence.

#### **VII. RETALIATION OR REPRISAL**

The school district will discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged harassment or violence prohibited by this policy, who testifies, assists, or participates in an investigation of retaliation or alleged harassment or violence, or who testifies, assists, or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, 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 harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

#### **VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

#### **IX. HARASSMENT OR VIOLENCE AS ABUSE**

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minn.

Stat. § 626.556 may be applicable.

- B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

**X. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members.
- B. This policy shall be given to each school district employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- C. This policy shall appear in the student handbook.
- D. The school district will develop a method of discussing this policy with students and employees.
- E. The school district may implement violence prevention and character development education programs to prevent and 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, resourcefulness, and/or sexual abuse prevention.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

**526 HAZING PROHIBITION**

**I. PURPOSE**

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. Retaliation against a victim, good faith reporter, or a witness of hazing is prohibited.
- E. False accusations or reports of hazing against a student, teacher, administrator, volunteer, contractor, or other employee are prohibited.

- F. A person who engages in an act of hazing, reprisal, retaliation, or false reporting of hazing or permits, condones, or tolerates hazing shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, tolerate, or are a party to prohibited acts of hazing may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

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

- G. This policy applies to hazing that occurs during and after school hours, on or off school premises or property, at school functions or activities, or on school transportation.
- H. 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.
- I. 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 school-related 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 student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
  3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the student 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, that 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. "Immediately" means as soon as possible but in no event longer than 24 hours.
  - C. "On school premises or school district property, or 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 hazing at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.
  - D. "Remedial response" means a measure to stop and correct hazing, prevent hazing from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of hazing.
  - E. "Student" means a student enrolled in a public school or a charter school.
  - F. "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 target or 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. A person may report hazing 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 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.

The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of hazing at the building level. Any adult school district personnel who receives a report of hazing prohibited by this policy shall inform the building report taker immediately. 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 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 a primary contact on policy and procedural matters.

- C. A teacher, administrator, volunteer, contractor, and other school employees shall

be particularly alert to possible situations, circumstances, or events which might include hazing. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct which may constitute hazing shall make reasonable efforts to address and resolve the hazing and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute hazing or who fail to make reasonable efforts to address and resolve the 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, work assignments, or educational or work environment.
- E. 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 building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of hazing and the record of any resulting investigation.
- F. 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. Within three (3) days of the 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 building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the hazing, the complainant, the reporter, and students or others pending completion of an investigation of alleged hazing prohibited by this policy.
- C. The alleged perpetrator of the hazing 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 an investigation that determines hazing 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 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; and applicable 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 or victims of hazing and the parent(s) or guardian(s) of alleged perpetrators of hazing who have been involved in a reported and confirmed

hazing incident of the remedial or disciplinary action taken, to the extent permitted by law.

- F. In order to prevent or to respond to hazing committed by or directed against a child with a disability, the school district shall, where 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 to engage in hazing.

## **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 hazing, who provides information about hazing, who testifies, assists, or participates in an investigation of alleged hazing, or 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, 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.

## **VII. DISSEMINATION OF POLICY**

- A. This policy shall appear in each school's student handbook and in each school's building and staff handbooks.
- B. The school district will develop a method of discussing this policy with students and employees.

# 503 STUDENT ATTENDANCE

## **I. PURPOSE**

- A. The school board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.
- B. This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher, and administrators. This policy will assist students in attending class.

## **II. GENERAL STATEMENT OF POLICY**

- A. Responsibilities
1. Student's Responsibility

It is the student's right to be in school. It is also the student's responsibility to attend all assigned classes and study halls every day that school is in session

and to be aware of and follow the correct procedures when absent from an assigned class or study hall. Finally, it is the student's responsibility to request any missed assignments due to an absence.

2. Parent or Guardian's Responsibility

It is the responsibility of the student's parent or guardian to ensure the student is attending school, to inform the school

in the event of a student absence, and to work cooperatively with the school and the student to solve any attendance problems that may arise.

3. Teacher's Responsibility

It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher's responsibility to provide any student who has been absent with any missed assignments upon request. Finally, it is the teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.

4. Administrator's Responsibility

a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.

b. In accordance with the Minnesota Compulsory Instruction Law, Minn. Stat. § 120A.22, the students of the school district are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

B. Attendance Procedures

Attendance procedures shall be presented to the school board for review and approval.

1. Excused Absences

- a. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.
- b. Although excusing absenteeism and tardiness is at the discretion of the principal, the following reasons are valid and should be used by parents and students as guidelines:
  - (1) Illness.
  - (2) Serious illness in the student's immediate family.
  - (3) A death or funeral in the student's immediate family or of a close friend or relative.
  - (4) Medical, dental, or orthodontic treatment, or a counseling appointment.
  - (5) Court appearances occasioned by family or personal action.
  - (6) Religious instruction not to exceed three hours in any week.
  - (7) Observance of religious events
  - (8) Physical emergency conditions such as fire, flood, storm, etc.
  - (9) Official school field trip or other school-sponsored outing.
  - (10) Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
  - (11) Family emergencies.
  - (12) Active duty in any military branch of the United States.
  - (13) A student's condition that requires ongoing treatment for a mental health diagnosis.
  - (14) The building principal can/may make exceptions for unusual situations.
  - (15) Family vacations with prior Principal approval; Personal trips to schools or colleges.

c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.
- (2) Work missed because of absence must be made up as indicated in each School's handbook. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

2. Unexcused Absences

a. The following are examples of absences which will not be excused:

- (1) Truancy. An absence by a student which was not approved by the parent and/or the school district.
- (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.
- (3) Work at home.
- (4) Work at a business, except under a school-sponsored work release program.
- (5) Vacations with family.
- (6) Personal trips to schools or colleges.
- (7) Any other absence not included under the attendance procedures set out in this policy.

b. Consequences of Unexcused Absences

- (1) Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.
- (2) Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.
- (3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.
- (4) Students with unexcused absences shall be subject to

discipline in the following manner:

- (a) In cases of unexcused absences, the student may be allowed to make up work missed due to such absence.
- (b) After the \_\_\_\_\_ cumulated unexcused absence in a [quarter or semester], a student's parent or guardian will be notified by certified mail that his or her child is nearing a total of \_\_\_\_\_ unexcused absences and that, after the \_\_\_\_\_ unexcused absence, the student's grade shall be reduced by one increment for each unexcused absence thereafter.
- (c) After such notification, the student or his or her parent or guardian may, within a reasonable time, request a conference with school officials regarding the student's absences and the prescribed discipline. The notification will state that the school strongly urges the student's parent or guardian to request such a conference.
- (d) After \_\_\_\_\_ cumulative unexcused absences in a [quarter or semester] the teacher will reduce the student's letter grade by one increment for each unexcused absence thereafter (i.e. A to A-). However, prior to reducing the student's grade, an administrative conference must be held among the principal, student, and parent.
- (e) After \_\_\_\_\_ cumulated unexcused absences in a [quarter or semester], the administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior to loss of credit, an administrative conference must be held among the principal, student, and parent.
- (f) If the result of a grade reduction or loss of credit has the effect of an expulsion, the school district will follow the procedures set forth in the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

C. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness.
2. Procedures for Reporting Tardiness
  - a. Students tardy at the start of school must report to the school office for an admission slip.

- b. Tardiness between periods will be handled by the teacher.

3. Excused Tardiness

Valid excuses for tardiness are:

- a. Illness.
- b. Serious illness in the student's immediate family.
- c. A death or funeral in the student's immediate family or of a close friend or relative.
- d. Medical, dental, orthodontic, or mental health treatment.
- e. Court appearances occasioned by family or personal action.
- f. Physical emergency conditions such as fire, flood, storm, etc.
- g. Any tardiness for which the student has been excused in writing by an administrator or faculty member.

4. Unexcused Tardiness

- a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
- b. Parents/guardians of students with excessive tardiness will be notified and an individual behavior plan will be developed with the student support team. Failure to meet these plans may result in disciplinary action

D. Participation in Extracurricular Activities and School-Sponsored On-the-Job Training Programs

- 1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.
- 2. In order to participate in co-curricular activities, students must be in attendance at school during the afternoon on the day of the event/practice unless excused by a doctor's note. Individuals with unexcused absences on the day of the event/practice may not participate.
- 3. School-initiated absences will be accepted and participation permitted.
- 4. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
- 5. If a student is suspended from any class, he or she may not participate in any

activity or program that day.

6. If a student is absent from school due to medical reasons, he or she must present a physician's statement or a statement from the student's parent or guardian clearing the student for participation that day. The note must be presented to the coach or advisor before the student participates in the activity or program.

### **III. DISSEMINATION OF POLICY**

Copies of this policy shall be made available to all students and parents at the commencement of each school year. This policy shall also be available upon request in each principal's office.

### **IV. REQUIRED REPORTING**

#### **A. Continuing Truant**

Minn. Stat. § 260A.02 provides that a continuing truant is a student who is subject to the compulsory instruction requirements of Minn. Stat. § 120A.22 and is absent from instruction in a school, as defined in Minn. Stat. § 120A.05, without valid excuse within a single school year for:

1. Three days if the child is in elementary school; or
2. Three or more class periods on three days if the child is in middle school, junior high school, or high school.

#### **B. Reporting Responsibility**

When a student is initially classified as a continuing truant, Minn. Stat. § 260A.03 provides that the school attendance officer or other designated school official shall notify the student's parent or legal guardian, by first class mail or other reasonable means, of the following:

1. That the child is truant;
2. That the parent or guardian should notify the school if there is a valid excuse for the child's absences;
3. That the parent or guardian is obligated to compel the attendance of the child at school pursuant to Minn. Stat. § 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under Minn. Stat. § 120A.34;
4. That this notification serves as the notification required by Minn. Stat. § 120A.34;
5. That alternative educational programs and services may be available in the child's enrolling or resident district;

6. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
7. That if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minn. Stat. Ch. 260;
8. That if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to Minn. Stat. § 260C.201; and
9. That it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

C. Habitual Truant

1. A habitual truant is a child under the age of 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school, junior high school, or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year and who has not lawfully withdrawn from school.
2. A school district attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minn. Stat. Ch. 260A.

## 506 STUDENT DISCIPLINE

### I. PURPOSE

The purpose of this policy is to ensure that students are aware of and comply with the school district's expectations for student conduct. Such compliance will enhance the school district's ability to maintain discipline and ensure that there is no interference with the educational process. The school district will take appropriate disciplinary action when students fail to adhere to the Code of Student Conduct established by this policy.

### II. GENERAL STATEMENT OF POLICY

The school board recognizes that individual responsibility and mutual respect are essential components of the educational process. The school board further recognizes that nurturing the maturity of each student is of primary importance and is closely linked with the balance that must be maintained between authority and self-discipline as the individual progresses from a child's dependence on authority to the more mature behavior of self-control.

All students are entitled to learn and develop in a setting which promotes respect of self, others, and property. Proper positive discipline can only result from an environment which provides options and stresses student self-direction, decision-making, and responsibility. Schools can function effectively only with internal discipline based on mutual understanding of rights and responsibilities.

Students must conduct themselves in an appropriate manner that maintains a climate in which learning can take place. Overall decorum affects student attitudes and influences student behavior. Proper student conduct is necessary to facilitate the education process and to create an atmosphere conducive to high student achievement.

Although this policy emphasizes the development of self-discipline, it is recognized that there are instances when it will be necessary to administer disciplinary measures. The position of the school district is that a fair and equitable district-wide student discipline policy will contribute to the quality of the student's educational experience. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

In view of the foregoing and in accordance with Minn. Stat. § 121A.55, the school board, with the participation of school district administrators, teachers, employees, students, parents, community members, and such other individuals and organizations as appropriate, has developed this policy which governs student conduct and applies to all students of the school district.

### III. AREAS OF RESPONSIBILITY

- A. The School Board. The school board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.
- B. Superintendent. The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students, and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.
- C. Principal. The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of behavior referrals and shall make use of those agencies appropriate for assisting students and parents. A principal, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.
- D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.
- E. Other School District Personnel. All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.

- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the academic progress, behavior, and attendance of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

#### **IV. STUDENT RIGHTS**

All students have the right:

- A. to an education and ~~the right~~ to learn.
- B. to feel safe and included.
- C. to think freely and ask questions

#### **V. STUDENT RESPONSIBILITIES**

All students, as appropriate for their grade level and individual programs, have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
- B. To attend school daily, except when excused, and to be on time to all classes and other school functions;
- C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the school staff in maintaining a safe school for all students;
- F. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H. To be aware of and comply with federal, state, and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;
- L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;

- M. To conduct themselves in an appropriate physical or verbal manner; and
- N. To recognize and respect the rights of others.

## **VI. CODE OF STUDENT CONDUCT**

- A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; 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 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 unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.
  - 1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
  - 2. The use of socially offensive language, or the possession of obscene materials;
  - 3. Gambling, including, but not limited to, playing a game of chance for monetary stakes;
  - 4. Violation of the school district's Hazing Prohibition Policy;
  - 5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
  - 6. (Violation of the school district's Student Attendance Policy)
  - 7. Opposition to authority using physical force or violence;
  - 8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices Policy;
  - 9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
  - 10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
  - 11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;

12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district's Weapons Policy;
14. Violation of the school district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
19. Violation of any local, state, or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;
23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district's Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority

- group or which connotes gang membership;
31. Criminal activity;
  32. Falsification of any records, documents, notes, or signatures;
  33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
  34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
  35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other school district personnel;
  36. Violation of the school district's Harassment and Violence Policy;
  37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;
  38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
  39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
  40. Verbal assaults or verbally abusive behavior including, but not limited to, use of words, symbols, acronyms, or language, whether oral or written, that are discriminatory, abusive, obscene, threatening, intimidating, degrading to other people, or threatening to school property;
  41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
  42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;
  43. Violation of the school district's Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees Policy;
  44. Violation of the school district's one-to-one device rules and regulations;
  45. Violation of school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
  46. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or employees.

## **VII. DISCIPLINARY ACTION OPTIONS**

The general policy of the school district is to utilize progressive discipline to the extent reasonable and appropriate based upon the specific facts and circumstances of student misconduct. The specific form of discipline chosen in a particular case is solely within the discretion of the school district. At a minimum, violation of school district rules, regulations, policies, or procedures will result in discussion of the violation and a verbal warning. The school district shall, however, impose more severe disciplinary sanctions for any violation, including exclusion or expulsion, if warranted by the student's misconduct, as determined by the school district. Disciplinary action may include, but is not limited to, one or more of the following:

- A. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;
- B. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
- C. Parent contact;
- D. Parent conference;
- E. Removal from class;
- F. In-school suspension;
- G. Suspension from extracurricular activities;
- H. Detention or restriction of privileges;
- I. Loss of school privileges;
- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;
- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or
- U. Other disciplinary action as deemed appropriate by the school district.

#### **VIII. REMOVAL OF STUDENTS FROM CLASS**

- A. The teacher of record shall have the general control and government of the classroom. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean any actions taken by a teacher, principal, or other school district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

Grounds for removal from class shall include any of the following:

1. Willful conduct that significantly disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn;
2. Willful conduct that endangers surrounding persons, including school district employees, the student or other students, or the property of the school;
3. Willful violation of any school rules, regulations, policies or procedures, including the Code of Student Conduct in this policy; or
4. Other conduct, which in the discretion of the teacher or administration, requires removal of the student from class.

Such removal shall be for at least one (1) activity period or class period of instruction for a given course of study and shall not exceed five (5) such periods.

A student must be removed from class immediately if the student engages in assault or violent behavior. "Assault" is an act done with intent to cause fear in another of immediate bodily harm or death; or the intentional infliction of, or attempt to inflict, bodily harm upon another. The removal from class shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.

- B. If a student is removed from class more than ten (10) times in a school year, the school district shall notify the parent or guardian of the student's tenth removal from class and make reasonable attempts to convene a meeting with the student's parent or guardian to discuss the problem that is causing the student to be removed from class.
- C. **Procedures for Removal of a Student From a Class.**
1. A student will be removed from class only upon agreement of the appropriate teacher and Principal or Principal's designee resulting in an informal conference with the student. The decision to remove a student will ultimately be the responsibility of the Principal or Principal's designee. All attempts should be made to keep the student in class by redirecting, providing space, time, and positive reinforcement before seeking approval to remove the student.
  2. Staff will attempt to follow the procedures above; however, a student can be removed without an informal conference if the student has or will create an immediate and substantial danger to himself/herself or to persons or property. The teacher will need to notify the office immediately for assistance or to let the office know the student has been removed.
  3. The length of the removal is at the discretion of the principal or principal's designee after consultation with the teacher, subject to the provisions of Minn. Pupil Fair Dismissal Act.

4. All classroom removals are documented within each school. Major infractions will be documented in Infinite Campus.

**D. Responsibility for and Custody of a Student Removed From Class.**

1. Each building will have designated spaces for students to go to when removed from class. Upon approval from Principal or Principal's designee, the teacher will direct the student to the appropriate space.
2. The teacher will notify the appropriate support staff or principal if the student is on the way.
3. The teacher will seek assistance from support staff or principal if the student needs to be supervised.
4. Students will be directed to the appropriate space for a conference with support staff, principal or principal's designee.
5. A student removed from class is the responsibility of the principal or principal's designee.

**E. Procedures for Return of a Student to a Class From Which the Student Was Removed.**

1. The principal or principal's designee will use PBIS strategies and restorative approaches to develop a readmission plan in addition to completing the necessary disciplinary consequences and appropriate documentation.
2. The principal or principal's designee readmits the student pursuant to the readmission plan.

**F. Procedures for Notification.**

1. The principal or designee will determine the need for and method of notification to parent or guardian.
2. The principal or principal's designee will work with the teacher to notify the student of the violation of the discipline rules, resulting disciplinary action, and readmission plan.

**G. Students with an Individual Education Plan (IEP)**

1. The principal or principal's designee will determine whether the student's removal from class requires a meeting to review the adequacy of the student's current IEP or whether there is need for further assessment. The principal or principal's designee is encouraged to consult with the superintendent and/or director of special education.
2. The principal or principal's designee will notify the case manager of the removal from class, reason(s) for removal, and determine if there is a need for any IEP services or a need for an IEP meeting to be scheduled.

**H. Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises.**

1. Principal or principal's designee will notify support services personnel of any chemical abuse problems. Administration is encouraged to work with the school health staff throughout the process.
2. Teachers with concerns of student(s) chemical abuse will notify principal, principal's

designee or support services personnel of their concerns pursuant to Minn. Stat. § 121A.29.

- a. Establishment of a chemical abuse pre assessment team pursuant to Minn. Stat. § 121A.26;
- b. Establishment of teacher reporting procedures to the chemical abuse pre assessment team pursuant to Minn. Stat. § 121A.29.

**I. Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student Conduct.**

1. Principal or principal's designee will make the necessary arrangements with the appropriate staff for immediate interventions tied to the violation of the code of student conduct.

**J. Any Procedures Determined Appropriate for Encouraging Early Involvement of Parents or Guardians in Attempts to Improve a Student's Behavior.**

1. The principal or designee will review the following:
  - a. Any procedures or services appropriate for encouraging early involvement of parents or guardians to improve the student's behavior;
  - b. Any procedures or services determined appropriate for encouraging early detection of behavioral problems should be discussed with the parent or guardians;

**K. Any Procedures Determined Appropriate for Encouraging Early Detection of Behavioral Problems.**

1. Whether the student may need to be referred to the MTSS team for further interventions ties to increasing positive behaviors;
2. The appropriateness of referring the student to the chemical abuse pre assessment team;
3. The appropriateness of studying the student's behavior through a functional behavioral assessment.

**IX. DISMISSAL**

- A. "Dismissal" means the denial of the current educational program to any student, including exclusion, expulsion and suspension. Dismissal does not include removal from class.

The school district shall not deny due process or equal protection of the law to any student involved in a dismissal proceeding which may result in suspension, exclusion or expulsion.

The school district shall not dismiss any student without attempting to provide alternative educational services before dismissal proceedings, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

- B. Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:
1. Willful violation of any reasonable school board regulation, including those found in this policy;
  2. 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

3. Willful conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.

C. Suspension Procedures

1. "Suspension" means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.
2. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the student's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration 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. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.
4. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP 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 IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6<sup>th</sup>) consecutive day of suspension or the tenth (10<sup>th</sup>) cumulative day of suspension has elapsed.
5. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. 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 assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the student to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.

6. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student 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. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.
7. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:
  - a. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
  - b. petition the juvenile court that the student is in need of services under Minn. Stat. Ch. 260C.
8. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
9. 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 the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference.
10. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
11. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) days.

**D. Expulsion and Exclusion Procedures**

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.

3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56; describe alternative educational services accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district shall advise the student'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 Minnesota Department of Education (MDE).
6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.
8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.
10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.
13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses

testifying for the school district.

14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation 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 (Commissioner) of the basis and reason for the decision.
18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minn. Stat. § 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.
19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student 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. The dismissal report must include state student identification numbers of affected students.
21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school district.

#### **X. ADMISSION OR READMISSION PLAN**

A school administrator shall prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan may include measures to improve the student's behavior, including completing a character education program consistent with Minn. Stat. § 120B.232, Subd. 1, and require parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

#### **XI. NOTIFICATION OF POLICY VIOLATIONS**

Notification of any violation of this policy and resulting disciplinary action shall be as provided

herein, or as otherwise provided by the Pupil Fair Dismissal Act or other applicable law. The teacher, principal or other school district official may provide additional notification as deemed appropriate.

In addition, the school district must report, through the MDE electronic reporting system, each physical assault of a school district employee by a student within thirty (30) days of the assault. This report must include a statement of the alternative educational services or other sanction, intervention, or resolution given to the student in response to the assault and the reason for, the effective date, and the duration of the exclusion or expulsion or other sanction, intervention, or resolution. The report must also include the student's age, grade, gender, race, and special education status.

## **XII. STUDENT DISCIPLINE RECORDS**

The policy of the school district is that complete and accurate student discipline records be maintained. The collection, dissemination, and maintenance of student discipline records shall be consistent with applicable school district policies and federal and state law, including the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13.

## **XIII. DISABLED STUDENTS**

Students who are currently identified as eligible under the IDEA or Section 504 will be subject to the provisions of this policy, unless the student's IEP or 504 plan specifies a necessary modification.

Before initiating an expulsion or exclusion of a student with a disability, relevant members of the child's IEP team and the child's parent shall, consistent with federal law, conduct a manifestation determination and determine whether the child's behavior was (i) caused by or had a direct and substantial relationship to the child's disability and (ii) whether the child's conduct was a direct result of a failure to implement the child's IEP. If the student's educational program is appropriate and the behavior is not a manifestation of the student's disability, the school district will proceed with discipline – up to and including expulsion – as if the student did not have a disability, unless the student's educational program provides otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team shall conduct a functional behavioral assessment and implement a behavioral intervention plan for such student provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that resulted in a change of placement. Where a behavioral intervention plan previously has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior.

When a student who has an IEP is excluded or expelled for misbehavior that is not a manifestation of the student's disability, the school district shall continue to provide special education and related services during the period of expulsion or exclusion.

## **XIV. OPEN ENROLLED STUDENTS**

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minn. Stat. § 124D.03) or Enrollment in Nonresident District (Minn. Stat. § 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minn. Stat. Ch. 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of seventeen (17) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

## **XV. DISTRIBUTION OF POLICY**

The school district will notify students and parents of the existence and contents of this policy in such manner as it deems appropriate. Copies of this discipline policy shall be made available

to all students and parents at the commencement of each school year and to all new students and parents upon enrollment. This policy shall also be available upon request in each principal's office.

#### **XVI. REVIEW OF POLICY**

The principal and representatives of parents, students and staff in each school building shall confer at least annually to review this discipline policy, determine if the policy is working as intended, and to assess whether the discipline policy has been enforced. Any recommended changes shall be submitted to the superintendent for consideration by the school board, which shall conduct an annual review of this policy.

### 419 TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION

#### **I. PURPOSE**

The purpose of this policy is to maintain a learning and working environment that is tobacco free.

#### **II. GENERAL STATEMENT OF POLICY**

- A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the school district, or person smokes or uses tobacco, tobacco-related devices, or carries or uses an activated electronic delivery device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- B. A violation of this policy occurs when any elementary school, middle school, or secondary school student possesses any type of tobacco, tobacco-related devices, or electronic delivery devices in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.

#### **III. DEFINITIONS**

- A. "Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption that can be used by a person to simulate smoking in the delivery of

nicotine or any other substance through inhalation of aerosol or vapor from the product. Electronic delivery devices includes but is not limited to devices manufactured, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.

- B. "Heated tobacco product" means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.
- C. "Tobacco" means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- D. "Tobacco-related devices" means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- E. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.
- F. "Vaping" means using an activated electronic delivery device or heated tobacco product."

#### **IV. EXCEPTIONS**

- A. A violation of this policy does not occur when an Indian adult lights tobacco on school district property as a part of a traditional Indian spiritual or cultural ceremony
- B. A violation of this policy does not occur when an adult nonstudent possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on school property or at off- campus events sponsored by the school district.

It shall not be a violation of this policy for an Indian adult or student to carry loose tobacco in a tobacco pouch intended for spiritual or cultural ceremonial support with the permission of the student's parent or guardian and the written or verbal notice to the site administrator.

#### **V. VAPING PREVENTION INSTRUCTION**

- A. The school district must provide vaping prevention instruction at least once to students in grades 6 through 8.
- B. The school district may use instructional materials based upon the Minnesota Department of Health's school e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as part of the school district's locally developed health standards.

#### **VI. ENFORCEMENT**

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.
- C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.
- D. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and school district policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other school district supervisory personnel responsible for the area or program at which the violation occurred.
- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.
- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

#### **VII. DISSEMINATION OF POLICY**

- A. This policy shall appear in the student handbook.
- B. The school district will develop a method of discussing this policy with students and employees.

### **534 UNPAID MEAL CHARGES**

#### **I. PURPOSE**

The purpose of this policy is to ensure that students receive healthy and nutritious meals through the school district's nutrition program and that school district employees, families, and students have a shared understanding of expectations regarding meal charges. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day and minimize identification of students with insufficient funds to pay for school meals as well as to maintain the financial integrity of the school nutrition program.

## **II. PAYMENT OF MEALS**

- A. Families can pay for meals online via Infinite Campus at no charge or submit a check or cash at any school office or cafeteria.
- B. All students, regardless of their lunch account balance, shall be offered a reimbursable school breakfast and lunch each school day.
- C. Students with a negative meal account balance of -\$20.00 or more are not allowed to charge for additional items, however students may purchase extra items with cash.
- D. The school district may provide an alternate meal that meets federal and state requirements to a student who does not have sufficient funds in the student's account or cannot pay cash for a meal. The school district will accommodate special dietary needs with respect to alternate meals. The cost of the alternative meal will be charged to the student's account or otherwise charged to the student.
- E. When a student has a negative account balance, the student will not be allowed to charge a snack item.
- F. If a parent or guardian chooses to send in one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the students' accounts. Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.

## **III. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION**

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free and reduced-price meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than \$200, not paid prior to the end of the school year will be turned over to the superintendent or superintendent's designee for collection. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not deny any student the opportunity to participate in graduation ceremonies or other commencement activities due to unpaid meal charges.

## **IV. UNPAID MEAL CHARGES**

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free and reduced-price meals for their children.

- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than \$200, not paid prior to the end of the school year, will be turned over to the superintendent or superintendent's designee for collection. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.
- E. The school district may not deny any student the opportunity to participate in graduation ceremonies or other commencement activities due to unpaid meal charges.

**V. COMMUNICATION OF POLICY**

- A. This policy and any pertinent supporting information shall be provided in writing (i.e., mail, email, back-to-school packet, student handbook, etc.) to:
  - 1. all households at or before the start of each school year;
  - 2. students and families who transfer into the school district, at the time of enrollment; and
  - 3. all school district personnel who are responsible for enforcing this policy.
- B. The school district may post the policy on the school district's website, in addition to providing the required written notification described above.

# **Oshawa Learning Academy**

*at Hoffmann Learning Center*

**Student Handbook**

**2022-2023 SCHOOL YEAR**

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# Program Description and Objectives

## Mission

The mission of the Oshawa Learning Academy is to facilitate the progress of children with identified mental health needs toward healthy, positive, and responsible functioning in a school setting. We strive to provide the opportunities for children in an atmosphere that is inviting and inclusive regardless of disability, behavior, or cultural differences and that is responsive to each child's strengths and needs.

Our goal is to have all students experience success by providing opportunities for students to grow academically, socially, and emotionally. We are fortunate to have a committed staff of professionals who offer a comprehensive elementary, middle and high school curriculum in areas such as reading, writing, social studies, science, and physical fitness/wellness.

## Objectives

1. To establish a child-centered program in cooperation with the Leo A. Hoffmann Center that operates under conditions of mutual accountability, trust, and professional respect.
2. To assist each child in becoming more confident in his ability to learn and become more positive in his attitude toward school.
3. To provide each student the opportunity to improve academic skills necessary to be successful in school.
4. To participate in a system of communication between the Oshawa Learning Academy and the Leo A. Hoffmann Center that maximizes the opportunities for working together to benefit students.

## Program Description

The Oshawa Learning Academy is an on-site educational program located within the Leo A. Hoffmann Center serving students identified with severe mental health issues requiring treatment in a Psychological Residential Treatment Facility (PRTF). The program is designed to serve male students in grades 4-12 who are in the PRTF program. The program is staffed with certified teachers from the Saint Peter Public School District (ISD 508) with Special Education oversight provided by the Minnesota Valley Educational District (ISD 6027).

Educational programming is individualized to the students educational and mental health needs but based on the curriculum and standards used at the other Saint Peter Public Schools buildings that serve students in the same grades. Core subjects of math, science, social studies, and English language arts are delivered each day. Specialists in the area of physical education, health, and electives (such as art, music, etc.) are delivered on a rotation that reflects an

equivalent of what is delivered at other buildings in the Saint Peter Public Schools. Students in grades 9-12 earn credit towards graduation for their classroom achievements. Students receive educational and career planning services through educational services appropriate for their grade level. Students participate in benchmark and state assessments (MCA's) that other students in Saint Peter Schools participate in.

The Oshawa Learning Academy works in close collaboration with the Minnesota Valley Education District (MVED) to provide special education services for students with IEP's in the program. All available records are evaluated when students enroll and special education team meetings are held when students are enrolled to review accommodations and services to ensure they are receiving a free appropriate public education (FAPE).

The Oshawa Learning Academy works in close collaboration with the Leo A. Hoffmann Center, which is delivering the mental health program of treatment to address the mental health needs of the students in the program. Collaboration efforts include providing access to educational staff to families when students are enrolled in the program, weekly collaborative meetings between Oshawa and Leo A. Hoffmann program leaders to discuss student needs and educational programming, and brief, daily collaboration between teachers and supervision staff to discuss the immediate, daily mental health needs of the students in the program.

As recommended by the Leo A. Hoffmann Center as part of each student's plan: students will be released during the school day once per week for an hour of therapy and once per month for an hour-long progress monitoring conference. Every effort will be made to schedule these release times to minimize the impact on the student's education. Additional schedule modifications may be made based on the students IEP plan and recommendations from the care team at the Leo A. Hoffmann Center.

All teachers are licensed and every effort is made to hire highly qualified licensed teachers in the content area they are assigned to. The program principal will oversee the daily operations of the educational program and program faculty and staff. The principal will be responsible for recruiting, hiring, and evaluating the program faculty and staff. The general oversight of the program will include, but not be limited to: instruction, curriculum, testing, special education, student discipline, and serve as a liaison to the Leo A. Hoffmann Treatment Center.

The school calendar will mirror the calendar used by the Saint Peter School District. It will include approximately 170-175 instructional days and 185 teacher contract days. The Oshawa calendar will be expanded to include 18 days of ESY and/or summer school to meet the needs of students with IEPs and those receiving treatment in a PRTF facility.

# SECTION I: Academics

## Curriculum & Instruction

Our highly qualified teachers are responsible for the development of the curriculum and for planning the delivery of the curriculum. Classroom paraprofessionals assist in the delivery of the curriculum (carrying out the teacher's plan) and differentiation and support for individual students.

## Marking and Reporting Procedure

- Students may receive the full range of marks A-F and I (incomplete) or NC (no credit), provided that the level is identified and recorded.
- Marks are earned on a nine-week basis. Final marks are awarded at the end of each grading period and credit will be determined utilizing the 120 hours = 1.0 credit equation.
- Marks are awarded for academic achievement only. Marks are not to be used in a punitive manner nor are marks to be lowered because of misconduct. This does not mean that points cannot be awarded for performance.
- Teachers must be able to explain to students and parents/guardians the reasons for a particular mark given.
- The teacher should give a reasonable explanation for an abnormal mark distribution.
- Teachers must explain how marks are determined and what is expected of a student who is to receive each of the marks. A handout to students is recommended.
- Students and parents/guardians are to be notified of student progress periodically, as provided by School Board Policy.
- Incomplete marks may be given at the teacher's discretion, but they must encourage students to complete all outstanding work.
- Teachers are to allow appropriate time for daily make-up work or tests that were assigned while the student was absent.
- A student who gives forth to the best of her/his capacity to learn as judged by the professional staff shall be promoted through the school program at the normal rate and shall be given passing marks.
- Teachers record all marks in an electronic class record book that is organized, accurate and legible. This book becomes the official source for the school for student marks.

## Academic Integrity

At the Oshawa Learning Academy, we act responsibly, live with integrity and show respect. We hold our students to the highest standards of performance and integrity and expect each student and staff member to maintain these standards and strive for continuous improvement. We

expect our students to take responsibility for their actions and thus maintain academic integrity and a respectful learning environment for our school.

To act with academic integrity, students must value and demonstrate positive regard for:

- Intellectual honesty
- Personal truthfulness
- Learning for its own sake
- The creation and work of others

Academic integrity is achieved when a student:

- Takes full credit for his own work and gives full credit to those who have helped or influenced him.
- Represents his own work honestly and accurately.
- Collaborates with other students only as specifically directed or authorized.

Student behaviors that promote genuine student achievement include:

- Organization - Keep class notes and materials in a folder that is easily accessible.
- Self advocacy - Seek help from teachers. Ask for clarification.
- Take risks - Learning is difficult work and students must be willing to try new things in order to learn skills and obtain new knowledge

## Academic Integrity Violations

Violations may result in earning a zero on an assignment.

- Cheating: Seeking to obtain credit or improved scores through the use of deception.
  - Ex: copying homework, looking at another student's quiz or test
- Facilitation: Helping another student obtain credit or improved scores through the use of deception.
  - Ex: Allowing another student to copy your homework, reporting to other students what is on a test or quiz, working together with another student and submitting the same answers without instructor approval.
- Falsification: Fabrication.
  - Ex: Misrepresenting yourself in any way to your teacher regarding the work you have done, saying you turned in an assignment when you have not, making up information or data in a paper or project.
- Plagiarism: Representing the words or ideas of another as one's own in a paper or assignment.
  - Ex: Copying information from printed or digital sources and pretending the words are your own writing.

## Graduation Requirements

The Minnesota Graduation Standards define what it is students should know and be able to do as a result of a Kindergarten through 12th grade education. The Graduation Standards provide the goal towards which both teachers and students are working. They become the focus on which assessment, curriculum and instruction are designed to ensure that all students receive a variety of educational opportunities which move them closer to the goals of being: purposeful thinkers, effective communicators, self-directed learners, productive group participants and responsible citizens.

Saint Peter High School requires students to earn 27 credits for a diploma. All students must satisfactorily complete all credit and course requirements before they will be allowed to participate in the commencement ceremony for graduation. These requirements include:

- 4.5 credits of English: students are required to take one required English course per year and a .5 credit communication course.
- 3.5 credits of Social Studies: must include geography, world history, US history, government, citizenship and economics
- 4.0 credits of Math: Including geometry and algebra II
- 4.0 credits of Science: must include physics, chemistry and biology
- 1.0 credit of Fine Art: fine Art credits may be earned by taking any course in the music or art department
- .5 credit of Health
- 1.5 credits of Physical Education
- 8.0 credits of additional coursework (electives)

The basis of a credit course (1.0 credit) in grades nine, ten, eleven, and twelve shall be the satisfactory completion of a course on the secondary level covering a minimum of 120 clock hours.

If students leave Oshawa Learning Academy prior to graduation, academic records, including clock hours and credits, will be sent to the transfer district.

## Commencement

In order to be eligible to participate in the Oshawa Learning Academy commencement exercises, students must have completely finished all credit and graduation requirements set forth by the state of Minnesota *and* ISD 508. Participation in commencement exercises is voluntary. Students who do not wish to participate in the commencement exercises should inform the principal as soon as possible. Additionally, all obligations (library books returned, fines paid, detention completed, etc.) must be cleared before a student will be eligible to participate in commencement exercises.

## Assessments

### State Testing

The Minnesota Comprehensive Assessments (MCA) are state tests in reading, mathematics, and science that are used to meet federal and state legislative requirements. The tests are administered every year to measure student performance relative to the Minnesota Academic Standards that specify what students in a particular grade should know and be able to do.

Parents/guardians have a right to not have their student participate in state-required standardized assessments. Minnesota Statutes require the department to provide information about statewide assessments to parents/guardians and include a form to complete if they refuse to have their student participate. This form is available online:

<https://education.mn.gov/mde/fam/tests/>

Students at Oshawa Learning Academy participate in the following required state assessments:

- MCA Reading: Grades 3-8 and 10
- MCA Mathematics: Grades 3-8 and 11
- MCA Science: Grades 5 and 8

### College Admission and Prep Exams

Oshawa Learning Academy strives to prepare students for their individual goals and aspirations. For many students, this includes post-secondary education. Students in grades 8-10 may take the PreACT one time each year. PreACT assessments are multiple-choice and provide students an early measure of College and Career Readiness while serving as a practice opportunity for the ACT® test.

Students in grade eleven will have the opportunity to take the ACT on a designated district-testing date. The cost of the exam is only covered for students who qualify for free or reduced lunch.

Students will also have the opportunity to take the ASVAB during the school day. The Armed Services Vocational Aptitude Battery (ASVAB) is a multiple-aptitude battery that measures developed abilities and helps predict future academic and occupational success.

## SECTION II: Attendance

### Importance of Attendance

Regular attendance is absolutely essential to progress in schoolwork. Students should develop the habit of being on time and prepared for the day's work. The Leo A. Hoffmann Center, families and students are expected to cooperate and communicate in the matter of attendance.

Leo A. Hoffmann Center staff must communicate with the school if a student is going to be absent from school for one or more days.

### Valid Absences and Exceptions

If a student must miss school, the unit supervisor must make contact with the school office in order to verify/excuse the absence. If no answer, leave a message with a short description of who you are and why the student will be absent from school (a written description will also be accepted). Please do your best to call the school the morning of the absence. Doing so will help us ensure that all students are safe and accounted for. Absences will be marked unexcused until a parent/guardian has contacted the school.

Although excusing absenteeism and tardiness is at the discretion of the principal, the following reasons are valid and should be used by unit staff and students as guidelines:

- A. Illness.
- B. Serious illness in the student's immediate family.
- C. A death or funeral in the student's immediate family or of a close friend or relative.
- D. Medical, dental, or orthodontic treatment, or a counseling appointment.
- E. Court appearances occasioned by family or personal action.
- F. Religious instruction not to exceed three hours in any week.
- G. Observance of religious events
- H. Physical emergency conditions such as fire, flood, storm, etc.
- I. Official school field trip or other school- or Leo A. Hoffmann- sponsored outing.
- J. Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
- K. Family emergencies.
- L. Active duty in any military branch of the United States.
- M. A student's condition that requires ongoing treatment for a mental health diagnosis.
- N. The building principal can/may make exceptions for unusual situations.
- O. Family vacations with prior Principal approval; personal trips to schools or colleges.

#### Absence Procedure:

1. Unit staff call the school office the morning of absence to verify/excuse the absence.  
Phone Number: 507-934-9820

2. Upon his or her return to school, the student will collect their assignment sheet and missing assignments from their homeroom teacher.

## Release Time for Therapeutic Services

As recommended by the Leo A. Hoffmann Center, students will be released during the school day once per week for an hour of therapy and once per month for an hour-long progress monitoring conference. Every effort will be made to schedule these release times to minimize the impact on the student's education. Additional schedule modifications may be made based on the student's IEP plan and recommendations from the care team at the Leo A. Hoffmann Center.

## Truancy and Unexcused Absences

Definition of Truancy: A child's willful absence without lawful excuse from one or more class periods on seven different school days.

- For a child ages 12-17, the absence from school is presumed to be truancy, due to the child's willful intent to absent themselves from school.

Absence from school without parent's/guardian's or school's permission is truancy. Truancy of students under the age of 18 will be reported to the county, and students will be classified as "Habitually Truant" unless lawfully withdrawn from school.

## Tardiness

Students who are more than 15 minutes late to a class will be marked absent, not tardy.

## Medical Excuses for Physical Education

In order for a student to be excused from PE class, he must bring a signed excuse from a doctor or nurse (including the treatment center medical staff) explaining the nature of the injury, and how many days the student should be excused from class.

If the student does not have a signed excuse from a doctor or nurse, they will be expected to go to the PE class and participate to the best of their ability. It would be helpful if the unit staff would let the case manager know if a student has been having problems with an injury that the nurse or a doctor has not seen, so that the PE teacher can be notified before class.

## SECTION III: Expected Behavior & Policies

### Student Rights

All students have the right to an education and the right to learn.

### Student Responsibilities

All students have the responsibility:

1. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
2. To attend school daily, except when excused, and to be on time to all classes and other school functions;
3. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
4. To make necessary arrangements for making up work when absent from school;
5. To assist the school staff in maintaining a safe school for all students;
6. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
7. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
8. To be aware of and comply with federal, state, and local laws;
9. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
10. To respect and maintain the school's property and the property of others;
11. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;
12. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
13. To conduct themselves in an appropriate physical or verbal manner; and
14. To recognize and respect the rights of others.

### Code of Student Conduct

The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; 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 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 unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.

The School Board considers the following behaviors to be unacceptable behaviors that may be subject to disciplinary action.

1. Acts of dishonesty.
2. Any criminal activity or violation of the law.
3. Attendance issues, including failure to attend class, tardiness, and leaving class without permission.
4. Cheating and plagiarism.
5. Damage to or misuse of property, including misuse of technology or use of technology in a way that causes property damage
6. Failing to follow the instructions of an administrator, teacher, or other School District representative.
7. Gang activity.
8. Inappropriate physical contact with another person, as well as acts of physical aggression, fighting, horseplay and play fighting.
9. Possession, distribution, or use of alcohol, drugs, and tobacco (including look alike substances and synthetic substances) or paraphernalia.
10. Possessions of weapons (as defined in School Board Policy 501) explosives, incendiary devices, or any type of combustible substances.
11. Substantially interrupting the learning environment.
12. Sexual misconduct and sexual assault.
13. Theft.
14. Threats of violence.
15. Trespassing.
16. Using language that is not appropriate in a school setting or possessing materials containing language that is not appropriate in a school setting. Inappropriate language includes abusive, profane, obscene, or threatening language. Inappropriate language also includes language that constitutes cyberbullying, bullying, discrimination, harassment, or hazing. Teasing and name-calling may also be considered inappropriate language.

## Anti-Discrimination Policy

It is the intent of the School Board Policy to comply with federal and state law prohibiting discrimination to the end that no person shall, on the grounds of race, color, national origin, creed, religion, sex, marital status, status with regard to public assistance, age or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any educational program; or in employment or recruitment, consideration or selection thereof; whether full-time or part-time, under any educational program or activity operated by the district for which it receives federal financial assistance.

The School District has a written plan to help assure that curriculum and materials, which are used in the district educational program, are designed to insure that staff and student gain an understanding and appreciation of diverse persons. In addition, special emphasis is placed on understanding the cultural diversity of the United States of America. A complete copy of this plan is on file at the district office.

## Bullying Prohibition

An act of bullying, by either an individual student or a group of students, is expressly prohibited on school premises, on school district property, at school functions or activities, 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 or 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.

No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.

Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.

Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.

False accusations or reports of bullying against another student are prohibited.

A person who engages in an act of bullying, reprisal, retaliation, 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 the school district's policies and procedures, including the school district's discipline policy.

## Harassment and Violence

The policy of the school district is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.

## Hazing Prohibition

Hazing activities of any type performed by students, teachers, administrators, volunteers, contractors, or other employees of the school district are inconsistent with the educational goals of the school district and are prohibited at all times.

## Bus Transportation Policy

The development of this policy is based on the state law that says riding a school bus is a privilege and not a right. This policy will be a part of the Oshawa Learning Academy Student Handbook although students are rarely transported by the school district.

## School Bus Rules

The School District school bus safety rules are to be posted on every bus. If these rules are broken, the School District's discipline procedures are to be followed. Consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the School District's Transportation Office/School Office.

## Expectations while boarding the bus

1. Respect the property of others while waiting at the bus stop.
2. Keep your arms, legs and belongings to yourself.
3. Use appropriate language.
4. Stay away from the street, road, or highway when waiting for the bus.
5. Wait until the bus stops before approaching the bus.
6. After getting off the bus, move away from the bus.
7. If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
8. No fighting, harassing, intimidating, or horse playing.

9. No use of alcohol, tobacco, or drugs.

## Expectations on the Bus

1. Follow the driver's direction right away.
2. Sit in the seat facing forward.
3. Talk quietly and use appropriate language.
4. Keep all parts of your body inside the bus.
5. Keep your arms, legs, and belongings to yourself.
6. No fighting, harassment, intimidating, or horse playing.
7. Do not throw any object.
8. No eating, drinking, or using tobacco or drugs.
9. Do not bring any weapon or dangerous objects on the school bus.
10. Do not damage the school bus.

## Consequences

School bus misconduct or any incident that affects the safety of individuals on the bus, including the driver and the supervising adults, the student responsible will be given a written warning by the bus driver. Copies of the written warning will be distributed to the student's case manager and unit supervisor.

1. The first time an incident occurs the student may be suspended from riding the bus for one ride. He may be transported by the Leo A. Hoffmann Center.
2. The second time an incident occurs the student may be suspended from riding the bus for up to five events. He may be transported by the Leo A. Hoffmann Center.
3. The third time an incident occurs the student may be suspended from riding the bus for the remainder of the quarter or until the multidisciplinary team has determined that the student can behave on the bus in a manner that does not endanger the safety of other bus riders.

## Student Appearance

The policy of the school district is to encourage students to be dressed appropriately for school activities and in keeping with community standards. This is a joint responsibility of the student and the student's parent(s) or guardian(s).

Appropriate clothing includes, but is not limited to, the following:

1. Clothing appropriate for the weather.
2. Clothing that does not create a health or safety hazard.
3. Clothing appropriate for the activity (i.e., physical education or the classroom).

Inappropriate clothing includes, but is not limited to, the following:

1. Clothing that is not in keeping with community standards.

2. Clothing bearing a message that is lewd, vulgar, or obscene.
3. Apparel promoting products or activities that are illegal for use by minors.
4. Objectionable emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group, evidences gang membership or affiliation, or approves, advances, or provokes any form of religious, racial, or sexual harassment and/or violence against other individuals as defined in the district's harassment and violence policy.
5. Any apparel or footwear that would damage school property.

The intention of this policy is not 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, or do not advocate violence or harassment against others.

When, in the judgment of the administration, a student's appearance, grooming, or mode of dress interferes with or disrupts the educational process or school activities, or poses a threat to the health or safety of the student or others, the student will be directed to make modifications or will be sent home for the day. Parents/guardians will be notified.

## Halloween Costumes

It is our policy as a secondary school that Halloween festivities happen at student's residential units, not at school. Therefore, students will not be allowed to come to school in costumes or make-up. It is disruptive to the education process to have students in costumes or make-up at school.

## Violations of other School Board Policies

may also result in disciplinary action. Full policies can be found online.

- A. School Board Policy 102, Equal Educational Opportunity;
- B. School Board Policy 417, Chemical Use and Abuse;
- C. School Board Policy 419, Tobacco-Free Environment;
- D. School Board Policy 501, Weapons;
- E. School Board Policy 502, Search of Student Lockers, Desks, Personal Possessions, and Student's Person;
- F. School Board Policy 505, Distribution of Non-School Sponsored Materials on School Premises by Students and Employees;
- G. School Board Policy 521, Student Disability Nondiscrimination;
- H. School Board Policy 527, Student Use and Parking of Motor Vehicles, Patrols, Inspections, and Searches;
- I. School Board Policy 528, Student Parental, Family and Marital Status Nondiscrimination;
- J. School Board Policy 536, Student Internet Acceptable Use and Safety Policy;

- K. School Board Policy 627, Academic Honesty;
- L. School Board Policy 709, Student Transportation Safety.

## SECTION IV: Guidelines & Procedures

### Animals in the Classroom

Requests for bringing animals to the classroom require prior approval from the building principal. The request should include the educational purpose, proof of animal health records, as well as guardian consent for each student in the classroom. The consent form will be distributed prior to approval and will include acknowledgement of any known student allergies. If consent is not granted, reasonable accommodations will be made when appropriate. If the animal is staying for an extended time, the teacher is responsible for submitting an animal care plan, which should include allocated responsibility in the event of an absence. The school reserves the right to deny an animal request at any time.

### Background Checks

Background checks are completed on all employees, anyone that provides an extended service involving students in our school district, and parent chaperones/volunteers when students will be left under the supervision of a chaperone (i.e., field trips).

### Elopement Plan

Students who have demonstrated a pattern of elopement from the school setting will have a specific elopement plan developed in collaboration with parents, case manager, teacher, principal, social worker, nurse and others as identified.

### Emergency Drills

Regulations require that emergency drills be conducted during the school year. By law, we are required to run five (5) fire drills, five (5) lockdown drills, and one (1) severe weather drill. When the alarm sounds, each class will follow the directions outlined by the teacher. By practicing emergency procedures, we will be better able to respond if/when an emergency occurs.

### Emergency & Crisis Response

All school faculty and staff assigned to the program will be annually trained and certified in CPI. The Leo A. Hoffmann uses CPI for behavioral and crisis intervention protocols. School staff and faculty will follow emergency management policies, school district policies, and Leo A Hoffmann Center policies when addressing crises. Proactive crisis prevention will be relied on by meeting daily and weekly with Leo A Hoffmann staff to inform school staff of the student's immediate

mental health needs and potential crisis triggers. Each classroom will be provided with emergency communication equipment to immediately alert Leo A Hoffmann Center staff to assist in crisis and emergency situations.

Fire extinguishers, smoke/heat sensors, and fire alarms are apparatus which are to only be used in the event of emergencies. People who intentionally use this equipment will be referred to the proper authorities.

## Emergency Evacuation Procedures

### Fire Emergency

1. As soon as the alarm is sounded, teachers will take their positions at the exits from their rooms and remain until all students have passed out of the room. If there is time, teachers are to close doors and bring class rosters with them.
2. As soon as the alarm is sounded, students should rise and pass in a rapid, orderly manner from the room by the exit used for regular dismissal. An orderly dismissal with minimal talking is expected. Maintaining a minimal noise level will allow for emergency instructions or changes in regular procedure to be heard. The first students to arrive at any exit should hold the door open until teachers arrive to relieve them.
3. Students will not take their coats, jackets or books with them.
4. As soon as all students have exited the building, the teachers will take their positions at the exit from which the students exited and under no circumstances allow any of them to enter the building until the "all clear" has been given by the designated staff.
5. Have students move into the parking lots. The space near the building should be absolutely clear. Students should return to the building after a drill by the same route that they left the building. If evacuation is extended, students and staff should go to the LAHC Family Center.
6. Where to go from classrooms: Each room will have a fire escape assignment posted in the room and teachers will explain fire drill exit procedures during the first week of school.
7. Do not leave the school grounds during a drill or emergency unless you are directly supervised by a high school staff member.

### Armed Intruder

Students and staff will follow ALICE training protocol in the event of an armed intruder.

### Civil Defense Alert

Students will be sent back to the Leo A. Hoffmann Center if official civil defense communications indicate there is sufficient time before dangerous conditions develop. (Information will be released by the proper authorities to all communications media). In case conditions will not

allow time for students to be dismissed, students will be assembled in designated areas in the building.

## Tornadoes

Public warning signal: 5 minutes steady blast on the civil defense siren and repeated if necessary. Staff should proceed with all students to pre-designated tornado shelter. Students should sit down and cover their heads.

## Emergency Procedures For Serious Accidents (staff)

1. Do a primary survey of scene and person
2. Check airway, breathing, and circulation -- ABC's
3. Check for bleeding, start first aid
4. Send for assistance. DO NOT leave injured person unattended
5. Determine the need for immediate medical attention
6. Instruct someone to CALL 911
7. Notify principal and school nurse at appropriate time
8. Complete incident/injury report
9. No injured person is to be sent home without prior approval or supervision.

Parent/emergency contact must be notified.

## Fees and Fines

No student shall be required to pay a fee for a required program, project, or activity that occurs during the regular school year.

Fees may be charged in the following areas:

- A. In any program where the resultant product, in excess of minimum requirements and at the student's option, becomes the personal property of the student.
- B. Admission fees or charges for extracurricular activities where attendance is optional.
- C. A parking permit fee for any vehicle using the school's parking lot.
- D. A security deposit to assure the return of materials, supplies or equipment.
- E. Personal physical education and athletic equipment and apparel.
- F. Items or products that are purchased for personal use, such as, student publications, class rings, annuals and graduation announcements.
- G. Fees specifically permitted in any other statute.
- H. Field trips considered supplementary to a district's educational program and not required or graded.
- I. Any authorized voluntary student health and accident benefit plan.
- J. For use of musical instruments that the district owns or rents.

- K. Students may be required to furnish personal or consumable items including pencils, papers, pens, erasers and notebooks.
- L. Fees may not be charged in the following areas:
  - a. Textbooks, workbooks, art materials, laboratory supplies and towels.
  - b. Supplies necessary for participation in any instructional course except as specifically authorized.
  - c. Field trips that are required as a part of a basic educational program or course.
  - d. Graduation caps, gowns or any other specific form of dress necessary for the educational program.
  - e. Instructional costs for necessary school personnel employed in any course or educational program required for graduation.
  - f. Library books required to be utilized for any educational course or program. (A fee may be charged for lost books).
  - g. Admission fees, dues or fees for any activity the student is required to attend.
  - h. Any admission or examination cost of any required educational course or program.
  - i. Locker rentals. (A deposit for a padlock or key is permissible)

## Field Trips

Occasionally certain classes offer opportunities for students to visit sites outside the school that are related to the course. These opportunities are a privilege and may be denied for just cause. It is required that students return the signed "permission slip" to their teacher before they leave on the field trip. Only school-authorized transportation will be used and at least one faculty member will chaperone each vehicle used for the field trip.

## General Security

The front door will be locked at all times throughout the day. Visitors must be preapproved by the principal or a teacher. Visitors must check in at the main office and wear a nametag in the building. Students and visitors are not allowed in the mail and copy room.

## Gifts to School District Employees

The school district recognizes that students, parents, and others may wish to show appreciation to school district employees. The policy of the school district, however, is to discourage gift-giving to employees and to encourage donors instead to write letters and notes of appreciation or to give small tokens of gratitude as memorabilia. Employees may accept items of insignificant value of a promotional or public relations nature. The superintendent has discretion to determine what value is "insignificant."

## Lost and Found

Lost and found articles are located in the school office. Students are encouraged to check this area for items that may have been lost. Unclaimed items will be donated at the end of the school year.

## Messages and Calls from Home

Except in cases of emergency, the office does not call students out of classes when parents leave messages for their student.

## Pledge of Allegiance

The School Board recognizes the need to provide instruction in the proper etiquette, display, and respect of the United States flag. The purpose of this policy is to provide for recitation of the Pledge of Allegiance and instruction in school to help further that end. Students in this School District shall recite the Pledge of Allegiance to the flag of the United States of America one or more times each week. The recitation shall be conducted by each individual classroom teacher or the teacher's surrogate; or over a school intercom system by a person designated by the school principal or other person having administrative control over the school. Any student or teacher may decline to participate in recitation of the Pledge of Allegiance to the flag. Others must respect the choice not to recite the Pledge. Students will be instructed in the proper etiquette toward, correct display of, and respect for the flag. Students will also be instructed in patriotic exercises.

## Reporting to Parents

It is School District policy to inform parents at regular intervals of their student's attendance, academic, and disciplinary matters. Consequently, the following reports will be available at appropriate times to parents:

### Attendance

Notices of irregular attendance practices will be forwarded to parents/guardians at appropriate intervals. Should poor attendance continue, a conference with the student's parents/guardians will be necessary. Continued poor attendance could result in the student's forfeiting credit in the particular class.

## Academic Reports

The grading system is A, B, C, D, F, No Credit and Incomplete. Report cards will be mailed to parents/guardians at the end of each grading period. Academic progress reports are available throughout the school year by request.

Parent conferences will be held during each school year. The dates for parent conferences are noted in the school calendar.

## Discipline Referrals

Whenever any form of disciplinary action is necessary, a discipline referral will be sent to the parents/guardians informing them of the misconduct as well as the administrative action taken.

## School Closing Procedures

School closings and late start announcements will be made over local television and radio stations beginning about 6:30 a.m. The school district will also activate its emergency communications system (ConnectEd). The same local media and ConnectEd will be used if school must be dismissed early.

## Searches

Equipment that belongs to the school district may be used by students at their convenience. The school insists that designated student space be properly cared for and not used for the storage of illegal items such as firearms, liquor, cigarettes, illegal drugs, etc.

## Student Rights

1. A search of a student's person should be limited to a situation where the administration has reasonable belief that the student is concealing evidence of an illegal act or school rule violation.
2. Dangerous items (such as firearms, weapons, etc.) and other items, which may be used to substantially disrupt the educational process, will be removed from the student's possession.
3. A general inspection of school properties including, but not limited to, student designated spaces or desks may be conducted on a regular basis. Illegal items and items belonging to the school or another person will be seized.
4. All items seized may be returned to the proper authorities or the true owner.
5. Students may be given the opportunity to be present when a search of personal possessions is conducted if there is no reason to believe that their presence would be a threat to the safety of themselves or others.

6. When a custodial interrogation takes place in school by a law enforcement official or police officer, students should be advised of their rights by the proper authority, including the right to counsel and the right to remain silent.
7. Designated student spaces may be searched by school authorities for any reason, at any time, without notice, without student consent, and without a search warrant. This is 1995 Minnesota Legislation (HF107, Article 3, Sec. 10-12).
8. It is a policy of the state of Minnesota (Subdivision 1) that school lockers/cubicles are the property of the school district. At no time does the school district relinquish its exclusive control of lockers/cubicles provided for the convenience of students. Inspection lockers/cubicles may be conducted by school authorities for any reason at any time, without notice, without student consent, and without a search warrant. These searches may be carried out by a specially trained dog. The personal possessions of students within a school locker may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's personal possessions, the school authorities must provide notice of the search to the students whose locker/cubicle were searched unless disclosure would impede an ongoing investigation by police or school officials.
9. School principals will conduct periodic inspections of the school space. These inspections may be announced or unannounced and may be carried out using specially trained dogs to sniff out and alert staff to the presence of substances prohibited by law or district police.

## Grievance Procedure

In an attempt to give our students an opportunity to present legitimate grievance, they may have access to the following grievance procedure, which has been adopted:

1. A student with a particular grievance or complaint is urged to first try to resolve the problem with the other party involved on a one-to-one basis (i.e., grades, discipline, school policy, etc.).
2. If the problem cannot be resolved at level one, the student should then bring that problem to the attention of the principal who will call together the grievant and the other party involved to attempt to mediate and resolve the problem.
3. If, after the final decision of the principal, the grievant still believes the problem is unresolved, further appeal may be granted through request made to the principal for review by the Superintendent of Schools.

## SECTION V: Health and Medication

### Emergency Care Policy

In the event of an emergency or serious illness, it is the policy of the School District to provide appropriate medical response and to contact the parent/guardian in a timely manner.

In a life-threatening emergency, the school will contact the Leo A. Hoffmann Center nursing staff and emergency response personnel immediately. The parent/guardian or designated emergency person will be contacted at the same time.

If the situation is not life threatening, but the student requires urgent care and the school cannot contact a parent/guardian or designee, school personnel will transport the student to the Saint Peter Community Hospital for care. The School District will not provide transportation outside of Saint Peter for care. When parents/guardians arrive at the hospital, they will be able to change health care providers if they so desire. It is the responsibility of the parent/guardian to pay any incurred medical expenses.

### Injuries or Illnesses/Accident Reporting Procedure/Insurance

#### Injuries and Illnesses

1. Students should notify the nearest teacher in case of injury, illness or emergency.
2. Students who become ill should go to the principal's office or the nurse's office. Students who become ill while at school should NOT go to the restroom and sit for the class period. Students who do this will be marked as absent unexcused and detention will be assigned.
3. When they are due in a class, students should report to class and obtain a pass before going to the nurse's office. This applies to all visits to the school nurse *except emergencies*.
4. Students may not leave the school building for illness without first reporting to the principal's office and obtaining a leave school permit. The nurse or principal's office will telephone the parents/guardians to obtain their permission for the student to leave the building.
5. Attendance in the nurse's office counts as an absence from class.

#### Accident Reporting Procedure

Students who suffer injuries from any particular accident should report to their teacher or immediate supervisor. If the supervisor is not available, the student should report to the principal's office, at which time the proper action will be taken.

## Notification of Health Office and Parents

Any adult on school staff has the responsibility to notify the Leo A. Hoffmann Center health office of an injury to any student, staff or visitor on school grounds.

Treatments or medications can only be given with signed permission of a physician and parent. When the injured or ill person is placed in the care of the family or emergency medical response team, the school's responsibility is fulfilled. The name of each person's health care provider is recorded on the health and emergency cards.

## Student Medication

The purpose of this policy is to set forth the provisions that must be followed when administering medication to students.

The school district acknowledges that some students need prescribed medication. Medication will be administered only by the Leo A. Hoffmann center staff. The only exception to this is if a student has a Leo A. Hoffmann Center *Authorization for Self-Administered Medications* on file which would allow students to administer their own medications. These forms are typically allowed only for emergency medications such as inhalers or Epi pens.

### Requirements

1. Medications are generally not to be carried by the student. Emergency medications are typically stored with the classroom teacher or in the school main office.
2. The Leo A. Hoffmann Center nurses and the school secretary shall be responsible for the filing of medication administration forms in the student health record section of the student file. The school secretary shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.

## First Aid Recommendations

In the event of an injury/or medical emergency, contact the Leo A. Hoffmann Center nurse office. The nurse will respond and make the determination if the building first aid team needs to respond.

- 507-761-8458 (cell)
- 507-934-7784 (office 1)
- 507-934-7743 (office 2)

## Physical Examinations

For the benefit of the individual student and the protection of other students and school personnel, it is the policy of the Saint Peter Public Schools to recommend periodic physical

examinations of all students by a licensed physician. The selection of a licensed physician shall be made by the parents or guardians and the examination shall be at their expense.

1. A physical examination is recommended for all students prior to entry into kindergarten.
2. A physical examination is recommended for all students prior to entry into seventh grade.

Exempting a student from the physical examination does not exempt the student from participating in the program of physical education. If such exemption is utilized, the student or parent (depending upon the student's age) shall furnish a written statement to the School District verifying that either the student has no disabilities and can fully participate or, setting forth the disabilities and limitations of the student.

## SECTION VI: Technology

Through the Saints Digital Learning Initiative, Saint Peter High School continues its commitment to offering students and teachers access to best-practice strategies and modern equipment to improve the classroom experience.

### Acceptable Use of Computers

It is the general policy that all computers used throughout Saint Peter Public Schools are to be used in a responsible, efficient, ethical and legal manner. Failure to adhere to the policy and the guidelines of the use of computers will result in the revocation of access privileges.

Students who intend to utilize the Saint Peter School District network and Internet connection will need to sign an Acceptable Use Statement at the beginning of their enrollment. This Statement will be on file and is included in the appendix of this handbook.

### Computers & Internet

If computers are utilized, teachers must make frequent rounds to check on students' activities. Teachers will sit where they can be watching students on computers at all times.

#### Protocols for Classroom iPad Use

- Student is assigned numbered Ipad
- Student chooses game, teacher puts on guided access
- While in use, the iPad screen is visible to the teacher. Number of students using at one time is determined by the number of staff in the classroom to supervise
- Teacher collects iPads and history is checked before placed back in charging station
- Teacher wipes down screen to remove fingerprints
- No website that has access to the internet can be used (i.e. Cool Math)

## SECTION VII: Staff Responsibilities

### Background Checks

All employees of Saint Peter Public Schools are required to pass criminal background checks. These checks include the Minnesota Bureau of Criminal Apprehension check and also the nationwide Orange Tree employment screening.

### Supervision of Students

Due to the nature of the behaviors of students attending the Oshawa Learning Academy, and the importance of keeping everyone safe, the following procedures should be followed at all times.

1. Students should be watched at all times, including when they get drinks of water, go to the front door, or other activities outside or inside the classroom;
2. All doors should be locked at all times unless the rooms are occupied by staff;
3. Students should not answer the front door unless the teacher is certain that the person at the door is unit staff;
4. Students should be supervised walking to the door if they are being picked up for appointments;
5. Staff should have eyes on students at all times.
6. Classroom should not be completely dark. During videos, blinds should be left open and office lights should be kept on;
7. Computer screens should be visible to staff at all times. This means that there should be only enough students in the computer lab at one time that can be supervised carefully;
8. When taking walks outside, students should walk in single file, or be in small groups with a staff person, to monitor communication and boundaries;
9. Individual safety plans that are developed by a teacher should be shared with all staff and followed at all times;
10. The best supervision is to move about the classroom frequently rather than staying in the same desk or chair all the time;
11. Students should always be sitting in a desk or chair apart from each other so no touching or secretive conversations can occur;
12. If students are sitting at a table together, staff should be sitting in a position to supervise what goes on under the table.

### Classroom Supervision

Teachers may be out of the classroom for short periods of time to attend a suspension conference, to call the unit, to confer with another teacher, or to make a phone call without additional supervision, provided there is a staff member in the room.

If the teacher is attending an evaluation conference at the Leo A. Hoffmann Center office and will be out of the classroom for an extended period of time (no longer than 30 minutes), the following may occur:

A substitute teacher may be hired for part or all of the time the teacher will be absent at the discretion of the classroom teacher and the principal. If a sub is not hired, the classroom teacher should request that two other teachers in the building assist with supervision of the classroom while the teacher is gone. This means that the two teachers assisting with supervision should check periodically with the paraprofessional to assess classroom climate and to see if assistance is needed. If the paraprofessional is uncomfortable with student behavior or with other classroom issues, more assistance from a licensed teacher should be offered.

### Supervision of Students to Avoid Sexual Behavior

1. Students should always be in desks or chairs or separated, never shoulder to shoulder.
2. If students are working at a table together, make sure you are in a position to supervise what goes on beneath the table.
3. If the lights are off for a movie, shades should be open and you should be in a position to supervise carefully. In these situations, it's especially important to separate students.
4. The best supervision is to move around the room frequently rather than staying in the same desk or chair all the time.
5. Some students have boundary contracts or anger management plans that are shared with school staff on an as-needed basis to promote consistency and support in all environments.
6. Students should never be anywhere without supervision, even in the hallways.

### Aggressive/Disruptive Behavior in PE

Paras should always take a school walkie with them to PE.

Classroom teachers should observe student behavior during classes, watching for signs of volatile or explosive behavior, and make judgments to the best of their ability about the student's ability to handle PE. If the teacher feels that the student is volatile or explosive, the teacher should notify the student and the unit that the student will not be going to PE.

If the student is not to go to PE, inform the PE paraprofessional so that the student does not report to the gym. If a student goes to PE and is aggressive or disrupting the class (refusing to sit where directed, disrupting the teacher, antagonizing other students) to the point where he can't be maintained in class any longer, the following procedures should be followed:

If the student is only disruptive, but needs to be picked up by the unit staff, call:

Oshawa Learning Academy (934-9820)  
North (934-7740)  
Evergreen (934-7789)

## Items that can be used as weapons against self or others

Teachers must keep scissors and all other potentially dangerous items in places not accessible to students. If students are using scissors, they will be counted as they are handed out and when they are collected.

These following items need to be accounted for and monitored closely

- Scissors
- Kitchen/eating utensils
- Metal items that can be sharpened
- Spirals from notebooks
- Glass

## Mandated Reporting

By law, all school employees are mandated reporters. Failure to report could result in serious legal implications for staff. The responsibility of reporting is with the person who has received information that leads them to believe that abuse may have occurred.

## Professional Ethics

School personnel should not discuss students and other confidential school business in the community. It is sometimes necessary to discuss student problems and parent related problems at school with other school personnel providing it is done for constructive purposes. It is not ethical or fair to the child to discuss student problems and situations in the community.

## Professional Boundaries

Teachers and paraprofessionals have a responsibility to be aware of the professional boundaries between students or parents and themselves. A teacher/paraprofessional who is unaware of, or who ignores the boundary between professional and unprofessional behavior, could be in serious difficulty. Even an unfounded allegation of professional misconduct can be damaging to a teacher/paraprofessional.

In general, those activities that take a teacher/paraprofessional beyond the accepted expectation of the employer could easily qualify as boundary violations and could result in disciplinary action. The following are examples of issues that could result in questions about appropriate teacher/paraprofessional behavior:

- Socializing with students and/or parents outside of regular teaching duties;

- Disclosing personal or confidential information (address, phone numbers, family relationships) about yourself to students;
- Lapsing into casual or "street" language with students;
- Giving unofficial notes or cards to students or parents;
- Inappropriate physical contact with students;
- Non-professional involvement in student issues outside of school;
- Communicating informally or unofficially with students by letter, e-mail, instant messenger, cell phone text messaging, or cell phone;
- Communicating with students outside of the school day for any purpose that is not official;
- Initiating communication with students after discharge. After discharge, students may call the school during the school day to speak to a teacher or paraprofessional but this should be infrequent and done with caution.

## SECTION VIII: POLICY

### Required Board Policies

Scan QR code to access required board policies listed below:

- [Employment Background Checks: Policy 404](#)
- [Bullying Prohibition: Policy 514](#)
- [Distribution of Nonschool-Sponsored Materials: Policy 505](#)
- [Harassment and Violence: Policy 413](#)
- [Hazing Prohibition: Policy 526](#)
- [Student Attendance: Policy 503](#)
- [Student Discipline: Policy 506](#)
- [Tobacco-Free Environment: Policy 419](#)
- [Unpaid Meal charges: Policy 534](#)



### Changelog

2022.1	Jana Sykora	Updated required school board policies Addition of policies to reflect other school handbooks Addition of ASVAB to assessments
2021.1	Jana Sykora	Initial Creation - based on 2020.0 staff handbook and 2019-2020 student-staff handbook and 2021-2022 guidelines for district handbooks

## Policy 404: EMPLOYMENT BACKGROUND CHECKS

### I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment in the school district in order to promote the physical, social, and psychological well-being of its students. To that end, the school district will seek a criminal history background check for applicants who receive an offer of employment with the school district and on all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, regardless of whether any compensation is paid, or such other background checks as provided by this policy. The school district may also elect to do background checks of other volunteers, independent contractors, and student employees in the school district.

### II. GENERAL STATEMENT OF POLICY

- A. The school district shall require that applicants for school district positions who receive an offer of employment and all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, regardless of whether any compensation is paid, submit to a criminal history background check. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by the school district that an individual's criminal history does not preclude the individual from employment with, or provision of services to, the school district.
- B. The school district specifically reserves any and all rights it may have to conduct background checks regarding current employees, applicants, or service providers without the consent of such individuals.
- C. Adherence to this policy by the school district shall in no way limit the school district's right to require additional information, or to use procedures currently in place or other procedures to gain additional background information concerning employees, applicants, volunteers, service providers, independent contractors, and student employees.

### III. PROCEDURES

- A. Normally an individual will not commence employment or provide services until the school district receives the results of the criminal history background check. The school district may conditionally hire an applicant or allow an individual to provide services pending completion of the background check but shall notify the individual that the individual's employment or opportunity to provide services may be terminated based on the result of the background check. Background checks will be performed by the Minnesota Bureau of Criminal Apprehension (BCA). The BCA shall conduct the background check by retrieving criminal history data as defined in Minn. Stat. § 13.87. The school district reserves the right to also have criminal history background checks conducted by other organizations or agencies.
- B. In order for an individual to be eligible for employment or to provide athletic coaching

services or other extracurricular academic coaching services to the school district, except for an enrolled student volunteer, the individual must sign a criminal history consent form, which provides permission for the school district to conduct a criminal history background check, and provide payment for conducting the criminal history background check. The cost of the criminal history background check is the responsibility of the individual, unless the school district decides to pay the costs for a volunteer, an independent contractor, or a student employee. If the individual to provide a criminal background check at the time the individual receives a job offer, or permission to provide services, the individual will be considered to have voluntarily withdrawn the application for employment or request to provide services.

- C. When required, individuals must provide fingerprints to assist in a criminal history background check. If the fingerprints provided by the individual are unusable, the individual will be required to submit another set of prints.
- D. Copies of this policy shall be available in the school district's employment office and will be distributed to applicants for employment and individuals who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services upon request. The need to submit to a criminal history background check may be included with the basic criteria for employment or provision of services in the position posting and position advertisements.
- E. The individual will be informed of the results of the criminal background check(s) to the extent required by law.
- F. If the criminal history background check precludes employment with, or provision of services to, the school district, the individual will be so advised.
- G. The school district may apply these procedures to other volunteers, independent contractors, or student employees.
- H. At the beginning of each school year or when a student enrolls, the school district will notify parents and guardians about this policy and identify those positions subject to a background check and the extent of the school district's discretion in requiring a background check. The school district may include this notice in its student handbook, a school policy guide, or other similar communication. A form notice for this purpose is included with this policy.

#### **IV. CRIMINAL HISTORY CONSENT FORM**

A form to obtain consent for a criminal history background check is included with this policy.

## 514 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 a student's ability to learn and/or a 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 to remediate and discipline for 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 disruptive and detrimental 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 school district property, at school functions or activities, 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 or 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 or negate 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, retaliation, 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 the 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 research-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.

- 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 harming 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 harming 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 defined 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 person 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 in 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 responsible 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, 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 officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the 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 an 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; the student

discipline policy (See MSBA/MASA Model Policy 506) and other applicable school district policies; and applicable 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 to 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, reprisal, 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 target or victim, and to make resources or referrals to resources available to targets or 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 (See MSBA/MASA Model Policy 515) 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.

## **505 DISTRIBUTION OF NONSCHOOL-SPONSORED MATERIALS ON SCHOOL PREMISES BY STUDENTS AND EMPLOYEES**

### **I. PURPOSE**

The purpose of this policy is to protect the exercise of students' and employees' free speech rights, taking into consideration the educational objectives and responsibilities of the school district.

### **II. GENERAL STATEMENT OF POLICY**

- A. The school district recognizes that students and employees have the right to express themselves on school property. This protection includes the right to distribute, at a reasonable time and place and in a reasonable manner, nonschool-sponsored material.
- B. To protect First Amendment rights, while at the same time preserving the integrity of

the educational objectives and responsibilities of the school district, the school board adopts the following regulations and procedures regarding distribution of nonschool-sponsored material on school property and at school activities.

### III. DEFINITIONS

- A. "Distribute" or "Distribution" means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying material, or placing material in internal staff or student mailboxes.
- B. "Nonschool-sponsored material" or "unofficial material" includes all materials or objects intended for distribution, except school newspapers, employee newsletters, literary magazines, yearbooks, and other publications funded and/or sponsored or authorized by the school. Examples of nonschool-sponsored materials include, but are not limited to, leaflets, brochures, buttons, badges, flyers, petitions, posters, and underground newspapers whether written by students or employees or others, and tangible objects.
- C. "Obscene to minors" means:
1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
  2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and
  3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- D. "Minor" means any person under the age of eighteen (18).
- E. "Material and substantial disruption" of a normal school activity means:
1. Where the normal school activity is an educational program of the district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
  2. Where the normal school activity is voluntary in nature (including school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

In order for expression to be considered disruptive, specific facts must exist upon

which the likelihood of disruption can be forecast including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.

- F. "School activities" means any activity sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods.
- G. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower that individual in the esteem of the community.

#### **IV. GUIDELINES**

- A. Students and employees of the school district have the right to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, nonschool-sponsored material.
- B. Requests for distribution of nonschool-sponsored material will be reviewed by the administration on a case-by-case basis. However, distribution of the materials listed below is always prohibited. Material is prohibited that:
  1. is obscene to minors;
  2. is libelous or slanderous;
  3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended;
  4. advertises or promotes any product or service not permitted to minors by law;
  5. advocates violence or other illegal conduct;
  6. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religious, or ethnic origin);
  7. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.
- C. Distribution by students and employees of nonschool-sponsored materials on school district property are subject to reasonable time, place, and manner restrictions set forth below. In making decisions regarding the time, place, and manner of distribution, the administration will consider factors including, but not limited to, the following:

1. whether the material is educationally related;
2. the extent to which distribution is likely to cause disruption of or interference with the school district's educational objectives, discipline, or school activities;
3. whether the materials can be distributed from the office or other isolated location so as to minimize disruption of traffic flow in hallways;
4. the quantity or size of materials to be distributed;
5. whether distribution would require assignment of school district staff, use of school district equipment, or other resources;
6. whether distribution would require that nonschool persons be present on the school grounds;
7. whether the materials are a solicitation for goods or services not requested by the recipients.

**V. TIME, PLACE, AND MANNER OF DISTRIBUTION**

- A. No nonschool-sponsored material shall be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.
- B. Distribution of nonschool-sponsored material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the school, and school parking lots. Distribution shall not impede entrance to or exit from school premises in any way.
- C. No one shall coerce a student or staff member to accept any publication.
- D. The time, place, and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy.

**VI. PROCEDURES**

- A. Any student or employee wishing to distribute (as defined in this policy) nonschool-sponsored material must first submit for approval a copy of the material to the principal at least 24 hours in advance of desired distribution time, together with the following information:
  1. Name and phone number of the person submitting the request and, if a student, the room number of his or her first-period class.
  2. Date(s) and time(s) of day intended for distribution.
  3. Location where material will be distributed.
  4. If material is intended for students, the grade(s) of students to whom the

distribution is intended.

- B. Within one school day, the principal will review the request and render a decision. In the event that permission to distribute the material is denied or limited, the person submitting the request should be informed in writing of the reasons for the denial or limitation.
- C. If the person submitting the request does not receive a response within one school day, the person shall contact the office to verify that the lack of response was not due to an inability to locate the person.
- D. If the person is dissatisfied with the decision of the principal, the person may submit a written request for appeal to the superintendent. If the person does not receive a response within three (3) school days (not counting Saturdays, Sundays, and holidays) of submitting the appeal, the person shall contact the office of the superintendent to verify that the lack of response is not due to an inability to locate the person.
- E. Permission or denial of permission to distribute material does not imply approval or disapproval of its contents by either the school, the administration of the school, the school board, or the individual reviewing the material submitted.

#### **VII. DISCIPLINARY ACTION**

- A. Distribution by any student of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place, and manner of distribution as described above will be halted and disciplinary action will be taken in accordance with the school district's Student Discipline Policy.
- B. Distribution by any employee of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place, and manner of distribution as described above will be halted and appropriate disciplinary action will be taken, in accordance with any individual contract, collective bargaining agreement, school district policies and procedures, and/or governing statute.
- C. Any other party violating this policy will be requested to leave the school property immediately and, if necessary, the police will be called.

#### **VIII. NOTICE OF POLICY TO STUDENTS AND EMPLOYEES**

A copy of this policy will be published in student handbooks and posted in school buildings.

#### **IX. IMPLEMENTATION**

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

## 413 HARASSMENT AND VIOLENCE

### I. PURPOSE

The purpose of this policy is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.

### II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.
- B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, as defined by this policy. (For purposes of this policy, school district personnel include school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)
- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who is found to have violated this policy.

### III. DEFINITIONS

- A. "Assault" is:
  - 1. an act done with intent to cause fear in another of immediate bodily harm or death;

2. the intentional infliction of or attempt to inflict bodily harm upon another; or
  3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability when the conduct:
1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
  2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
  3. otherwise adversely affects an individual's employment or academic opportunities.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions
1. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:
    - a) has a physical, sensory, or mental impairment which materially limits one or more major life activities;
    - b) has a record of such an impairment; or
    - c) is regarded as having such an impairment.
  2. "Familial status" means the condition of one or more minors being domiciled with:
    - a) their parent or parents or the minor's legal guardian; or
    - b) the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
  3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
  4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
  5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
  6. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an

orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.

7. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.
- E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.

F. Sexual Harassment; Definition

1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:
  - a) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
  - b) submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
  - c) that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
2. Sexual harassment may include, but is not limited to:
  - a) unwelcome verbal harassment or abuse;
  - b) unwelcome pressure for sexual activity;
  - c) unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
  - d) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
  - e) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
  - f) unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.

G. Sexual Violence; Definition

1. Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minn. Stat. § 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
2. Sexual violence may include, but is not limited to:
  - a) touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
  - b) coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
  - c) coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
  - d) threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

H. Violence; Definition

1. Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to, race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.

**IV. REPORTING PROCEDURES**

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct which may constitute harassment or violence 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. Nothing in this policy shall prevent any person from reporting harassment or

violence 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 the school district human rights officer by the reporting party or complainant.

- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. 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 a primary contact on policy and procedural matters.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- G. In the District. The school board hereby designates Kelly Jensen as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.<sup>1</sup>
- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.

- L. 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.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

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

## **V. INVESTIGATION**

- A. By authority of the school district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed

the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.

- F. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

## **VI. SCHOOL DISTRICT ACTION**

- A. Upon completion of an investigation that determines a violation of this policy 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 behavior. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school district policies and regulations.
- B. 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 targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.
- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) 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 to engage in acts of harassment or violence.

## **VII. RETALIATION OR REPRISAL**

The school district will discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged harassment or violence prohibited by this policy, who testifies, assists, or participates in an investigation of retaliation or alleged harassment or violence, or who testifies, assists, or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, 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 harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

## **VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

**IX. HARASSMENT OR VIOLENCE AS ABUSE**

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minn. Stat. § 626.556 may be applicable.
- B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

**X. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members.
- B. This policy shall be given to each school district employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- C. This policy shall appear in the student handbook.
- D. The school district will develop a method of discussing this policy with students and employees.
- E. The school district may implement violence prevention and character development education programs to prevent and 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, resourcefulness, and/or sexual abuse prevention.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

**526 HAZING PROHIBITION****I. PURPOSE**

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. Retaliation against a victim, good faith reporter, or a witness of hazing is prohibited.

- E. False accusations or reports of hazing against a student, teacher, administrator, volunteer, contractor, or other employee are prohibited.
- F. A person who engages in an act of hazing, reprisal, retaliation, or false reporting of hazing or permits, condones, or tolerates hazing shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, tolerate, or are a party to prohibited acts of hazing may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

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

- G. This policy applies to hazing that occurs during and after school hours, on or off school premises or property, at school functions or activities, or on school transportation.
- H. 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.
- I. 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 school-related 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 student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
  3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the student 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, that 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. "Immediately" means as soon as possible but in no event longer than 24 hours.
  - C. "On school premises or school district property, or 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 hazing at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.
  - D. "Remedial response" means a measure to stop and correct hazing, prevent hazing from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of hazing.
  - E. "Student" means a student enrolled in a public school or a charter school.
  - F. "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 target or 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. A person may report hazing 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 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.

The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of hazing at the building level. Any adult school district personnel who receives a report of hazing prohibited by this policy shall inform the building report taker immediately. 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 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 a

primary contact on policy and procedural matters.

- C. A teacher, administrator, volunteer, contractor, and other school employees shall be particularly alert to possible situations, circumstances, or events which might include hazing. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct which may constitute hazing shall make reasonable efforts to address and resolve the hazing and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute hazing or who fail to make reasonable efforts to address and resolve the 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, work assignments, or educational or work environment.
- E. 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 building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of hazing and the record of any resulting investigation.
- F. 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. Within three (3) days of the 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 building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the hazing, the complainant, the reporter, and students or others pending completion of an investigation of alleged hazing prohibited by this policy.
- C. The alleged perpetrator of the hazing 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 an investigation that determines hazing 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 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; and applicable 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 or victims of hazing and the parent(s) or guardian(s) of alleged perpetrators of hazing who have been involved in a reported and confirmed hazing incident of the remedial or disciplinary action taken, to the extent permitted by law.

- F. In order to prevent or to respond to hazing committed by or directed against a child with a disability, the school district shall, where 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 to engage in hazing.

## **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 hazing, who provides information about hazing, who testifies, assists, or participates in an investigation of alleged hazing, or 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, 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.

## **VII. DISSEMINATION OF POLICY**

- A. This policy shall appear in each school's student handbook and in each school's building and staff handbooks.
- B. The school district will develop a method of discussing this policy with students and employees.

# 503 STUDENT ATTENDANCE

## **I. PURPOSE**

- A. The school board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.
- B. This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher, and administrators. This policy will assist students in attending class.

## **II. GENERAL STATEMENT OF POLICY**

- A. Responsibilities
  - 1. Student's Responsibility

It is the student's right to be in school. It is also the student's responsibility to attend all assigned classes and study halls every day that school is in session and to be aware of and follow the correct procedures when absent from an assigned class or study hall. Finally, it is the student's responsibility to request any missed assignments due to an absence.

2. Parent or Guardian's Responsibility

It is the responsibility of the student's parent or guardian to ensure the student is attending school, to inform the school

in the event of a student absence, and to work cooperatively with the school and the student to solve any attendance problems that may arise.

3. Teacher's Responsibility

It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher's responsibility to provide any student who has been absent with any missed assignments upon request. Finally, it is the teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.

4. Administrator's Responsibility

a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.

b. In accordance with the Minnesota Compulsory Instruction Law, Minn. Stat. § 120A.22, the students of the school district are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

B. Attendance Procedures

Attendance procedures shall be presented to the school board for review and approval.

1. Excused Absences

- a. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.
- b. Although excusing absenteeism and tardiness is at the discretion of the principal, the following reasons are valid and should be used by parents and students as guidelines:
  - (1) Illness.
  - (2) Serious illness in the student's immediate family.
  - (3) A death or funeral in the student's immediate family or of a close friend or relative.
  - (4) Medical, dental, or orthodontic treatment, or a counseling appointment.
  - (5) Court appearances occasioned by family or personal action.
  - (6) Religious instruction not to exceed three hours in any week.
  - (7) Observance of religious events
  - (8) Physical emergency conditions such as fire, flood, storm, etc.
  - (9) Official school field trip or other school-sponsored outing.
  - (10) Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
  - (11) Family emergencies.
  - (12) Active duty in any military branch of the United States.
  - (13) A student's condition that requires ongoing treatment for a mental health diagnosis.
  - (14) The building principal can/may make exceptions for unusual situations.
  - (15) Family vacations with prior Principal approval; Personal trips to

schools or colleges.

c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.
- (2) Work missed because of absence must be made up as indicated in each School's handbook. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

2. Unexcused Absences

a. The following are examples of absences which will not be excused:

- (1) Truancy. An absence by a student which was not approved by the parent and/or the school district.
- (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.
- (3) Work at home.
- (4) Work at a business, except under a school-sponsored work release program.
- (5) Vacations with family.
- (6) Personal trips to schools or colleges.
- (7) Any other absence not included under the attendance procedures set out in this policy.

b. Consequences of Unexcused Absences

- (1) Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.
- (2) Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.
- (3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the

juvenile court, pursuant to Minnesota statutes.

- (4) Students with unexcused absences shall be subject to discipline in the following manner:
- (a) In cases of unexcused absences, the student may be allowed to make up work missed due to such absence.
  - (b) After the \_\_\_\_\_ cumulated unexcused absence in a [quarter or semester], a student's parent or guardian will be notified by certified mail that his or her child is nearing a total of \_\_\_\_\_ unexcused absences and that, after the \_\_\_\_\_ unexcused absence, the student's grade shall be reduced by one increment for each unexcused absence thereafter.
  - (c) After such notification, the student or his or her parent or guardian may, within a reasonable time, request a conference with school officials regarding the student's absences and the prescribed discipline. The notification will state that the school strongly urges the student's parent or guardian to request such a conference.
  - (d) After \_\_\_\_\_ cumulative unexcused absences in a [quarter or semester] the teacher will reduce the student's letter grade by one increment for each unexcused absence thereafter (i.e. A to A-). However, prior to reducing the student's grade, an administrative conference must be held among the principal, student, and parent.
  - (e) After \_\_\_\_\_ cumulated unexcused absences in a [quarter or semester], the administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior to loss of credit, an administrative conference must be held among the principal, student, and parent.
  - (f) If the result of a grade reduction or loss of credit has the effect of an expulsion, the school district will follow the procedures set forth in the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

C. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness.
2. Procedures for Reporting Tardiness

- a. Students tardy at the start of school must report to the school office for an admission slip.
- b. Tardiness between periods will be handled by the teacher.

3. Excused Tardiness

Valid excuses for tardiness are:

- a. Illness.
- b. Serious illness in the student's immediate family.
- c. A death or funeral in the student's immediate family or of a close friend or relative.
- d. Medical, dental, orthodontic, or mental health treatment.
- e. Court appearances occasioned by family or personal action.
- f. Physical emergency conditions such as fire, flood, storm, etc.
- g. Any tardiness for which the student has been excused in writing by an administrator or faculty member.

4. Unexcused Tardiness

- a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
- b. Parents/guardians of students with excessive tardiness will be notified and an individual behavior plan will be developed with the student support team. Failure to meet these plans may result in disciplinary action

D. Participation in Extracurricular Activities and School-Sponsored On-the-Job Training Programs

- 1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.
- 2. In order to participate in co-curricular activities, students must be in attendance at school during the afternoon on the day of the event/practice unless excused by a doctor's note. Individuals with unexcused absences on the day of the event/practice may not participate.
- 3. School-initiated absences will be accepted and participation permitted.
- 4. A student may not participate in any activity or program if he or she has an

unexcused absence from any class during the day.

5. If a student is suspended from any class, he or she may not participate in any activity or program that day.
6. If a student is absent from school due to medical reasons, he or she must present a physician's statement or a statement from the student's parent or guardian clearing the student for participation that day. The note must be presented to the coach or advisor before the student participates in the activity or program.

### **III. DISSEMINATION OF POLICY**

Copies of this policy shall be made available to all students and parents at the commencement of each school year. This policy shall also be available upon request in each principal's office.

### **IV. REQUIRED REPORTING**

#### **A. Continuing Truant**

Minn. Stat. § 260A.02 provides that a continuing truant is a student who is subject to the compulsory instruction requirements of Minn. Stat. § 120A.22 and is absent from instruction in a school, as defined in Minn. Stat. § 120A.05, without valid excuse within a single school year for:

1. Three days if the child is in elementary school; or
2. Three or more class periods on three days if the child is in middle school, junior high school, or high school.

#### **B. Reporting Responsibility**

When a student is initially classified as a continuing truant, Minn. Stat. § 260A.03 provides that the school attendance officer or other designated school official shall notify the student's parent or legal guardian, by first class mail or other reasonable means, of the following:

1. That the child is truant;
2. That the parent or guardian should notify the school if there is a valid excuse for the child's absences;
3. That the parent or guardian is obligated to compel the attendance of the child at school pursuant to Minn. Stat. § 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under Minn. Stat. § 120A.34;
4. That this notification serves as the notification required by Minn. Stat. § 120A.34;

5. That alternative educational programs and services may be available in the child's enrolling or resident district;
6. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
7. That if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minn. Stat. Ch. 260;
8. That if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to Minn. Stat. § 260C.201; and
9. That it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

C. Habitual Truant

1. A habitual truant is a child under the age of 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school, junior high school, or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year and who has not lawfully withdrawn from school.
2. A school district attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minn. Stat. Ch. 260A.

## 506 STUDENT DISCIPLINE

### I. PURPOSE

The purpose of this policy is to ensure that students are aware of and comply with the school district's expectations for student conduct. Such compliance will enhance the school district's ability to maintain discipline and ensure that there is no interference with the educational process. The school district will take appropriate disciplinary action when students fail to adhere to the Code of Student Conduct established by this policy.

### II. GENERAL STATEMENT OF POLICY

The school board recognizes that individual responsibility and mutual respect are essential components of the educational process. The school board further recognizes that nurturing the maturity of each student is of primary importance and is closely linked with the balance that must be maintained between authority and self-discipline as the individual progresses from a child's dependence on authority to the more mature behavior of self-control.

All students are entitled to learn and develop in a setting which promotes respect of self,

others, and property. Proper positive discipline can only result from an environment which provides options and stresses student self-direction, decision-making, and responsibility. Schools can function effectively only with internal discipline based on mutual understanding of rights and responsibilities.

Students must conduct themselves in an appropriate manner that maintains a climate in which learning can take place. Overall decorum affects student attitudes and influences student behavior. Proper student conduct is necessary to facilitate the education process and to create an atmosphere conducive to high student achievement.

Although this policy emphasizes the development of self-discipline, it is recognized that there are instances when it will be necessary to administer disciplinary measures. The position of the school district is that a fair and equitable district-wide student discipline policy will contribute to the quality of the student's educational experience. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

In view of the foregoing and in accordance with Minn. Stat. § 121A.55, the school board, with the participation of school district administrators, teachers, employees, students, parents, community members, and such other individuals and organizations as appropriate, has developed this policy which governs student conduct and applies to all students of the school district.

### **III. AREAS OF RESPONSIBILITY**

- A. The School Board. The school board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.
- B. Superintendent. The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students, and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.
- C. Principal. The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of behavior referrals and shall make use of those agencies appropriate for assisting students and parents. A principal, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.
- D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.
- E. Other School District Personnel. All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the

superintendent. A school employee, school bus driver, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.

- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the academic progress, behavior, and attendance of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

#### **IV. STUDENT RIGHTS**

All students have the right:

- A. to an education and ~~the right~~ to learn.
- B. to feel safe and included.
- C. to think freely and ask questions

#### **V. STUDENT RESPONSIBILITIES**

All students, as appropriate for their grade level and individual programs, have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
- B. To attend school daily, except when excused, and to be on time to all classes and other school functions;
- C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the school staff in maintaining a safe school for all students;
- F. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H. To be aware of and comply with federal, state, and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;

- L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M. To conduct themselves in an appropriate physical or verbal manner; and
- N. To recognize and respect the rights of others.

## **VI. CODE OF STUDENT CONDUCT**

- A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; 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 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 unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.
  - 1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
  - 2. The use of socially offensive language, or the possession of obscene materials;
  - 3. Gambling, including, but not limited to, playing a game of chance for monetary stakes;
  - 4. Violation of the school district's Hazing Prohibition Policy;
  - 5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
  - 6. (Violation of the school district's Student Attendance Policy)
  - 7. Opposition to authority using physical force or violence;
  - 8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices Policy;
  - 9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
  - 10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);

11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district's Weapons Policy;
14. Violation of the school district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
19. Violation of any local, state, or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;
23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district's Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which

bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;

31. Criminal activity;
32. Falsification of any records, documents, notes, or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other school district personnel;
36. Violation of the school district's Harassment and Violence Policy;
37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;
38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
40. Verbal assaults or verbally abusive behavior including, but not limited to, use of words, symbols, acronyms, or language, whether oral or written, that are discriminatory, abusive, obscene, threatening, intimidating, degrading to other people, or threatening to school property;
41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;
43. Violation of the school district's Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees Policy;
44. Violation of the school district's one-to-one device rules and regulations;
45. Violation of school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
46. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the

school district or the safety or welfare of students or employees.

## **VII. DISCIPLINARY ACTION OPTIONS**

The general policy of the school district is to utilize progressive discipline to the extent reasonable and appropriate based upon the specific facts and circumstances of student misconduct. The specific form of discipline chosen in a particular case is solely within the discretion of the school district. At a minimum, violation of school district rules, regulations, policies, or procedures will result in discussion of the violation and a verbal warning. The school district shall, however, impose more severe disciplinary sanctions for any violation, including exclusion or expulsion, if warranted by the student's misconduct, as determined by the school district. Disciplinary action may include, but is not limited to, one or more of the following:

- A. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;
- B. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
- C. Parent contact;
- D. Parent conference;
- E. Removal from class;
- F. In-school suspension;
- G. Suspension from extracurricular activities;
- H. Detention or restriction of privileges;
- I. Loss of school privileges;
- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;
- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or

- U. Other disciplinary action as deemed appropriate by the school district.

### **VIII. REMOVAL OF STUDENTS FROM CLASS**

- A. The teacher of record shall have the general control and government of the classroom. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean any actions taken by a teacher, principal, or other school district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

Grounds for removal from class shall include any of the following:

1. Willful conduct that significantly disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn;
2. Willful conduct that endangers surrounding persons, including school district employees, the student or other students, or the property of the school;
3. Willful violation of any school rules, regulations, policies or procedures, including the Code of Student Conduct in this policy; or
4. Other conduct, which in the discretion of the teacher or administration, requires removal of the student from class.

Such removal shall be for at least one (1) activity period or class period of instruction for a given course of study and shall not exceed five (5) such periods.

A student must be removed from class immediately if the student engages in assault or violent behavior. "Assault" is an act done with intent to cause fear in another of immediate bodily harm or death; or the intentional infliction of, or attempt to inflict, bodily harm upon another. The removal from class shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.

- B. If a student is removed from class more than ten (10) times in a school year, the school district shall notify the parent or guardian of the student's tenth removal from class and make reasonable attempts to convene a meeting with the student's parent or guardian to discuss the problem that is causing the student to be removed from class.
- C. **Procedures for Removal of a Student From a Class.**
  1. A student will be removed from class only upon agreement of the appropriate teacher and Principal or Principal's designee resulting in an informal conference with the student. The decision to remove a student will ultimately be the responsibility of the Principal or Principal's designee. All attempts should be made to keep the student in class by redirecting, providing space, time, and positive reinforcement before seeking approval to remove the student.
  2. Staff will attempt to follow the procedures above; however, a student can be removed without an informal conference if the student has or will create an immediate and substantial danger to himself/herself or to persons or property. The teacher will need to notify the office immediately for assistance or to let the office know the student has been removed.

3. The length of the removal is at the discretion of the principal or principal's designee after consultation with the teacher, subject to the provisions of Minn. Pupil Fair Dismissal Act.
4. All classroom removals are documented within each school. Major infractions will be documented in Infinite Campus.

**D. Responsibility for and Custody of a Student Removed From Class.**

1. Each building will have designated spaces for students to go to when removed from class. Upon approval from Principal or Principal's designee, the teacher will direct the student to the appropriate space.
2. The teacher will notify the appropriate support staff or principal if the student is on the way.
3. The teacher will seek assistance from support staff or principal if the student needs to be supervised.
4. Students will be directed to the appropriate space for a conference with support staff, principal or principal's designee.
5. A student removed from class is the responsibility of the principal or principal's designee.

**E. Procedures for Return of a Student to a Class From Which the Student Was Removed.**

1. The principal or principal's designee will use PBIS strategies and restorative approaches to develop a readmission plan in addition to completing the necessary disciplinary consequences and appropriate documentation.
2. The principal or principal's designee readmits the student pursuant to the readmission plan.

**F. Procedures for Notification.**

1. The principal or designee will determine the need for and method of notification to parent or guardian.
2. The principal or principal's designee will work with the teacher to notify the student of the violation of the discipline rules, resulting disciplinary action, and readmission plan.

**G. Students with an Individual Education Plan (IEP)**

1. The principal or principal's designee will determine whether the student's removal from class requires a meeting to review the adequacy of the student's current IEP or whether there is need for further assessment. The principal or principal's designee is encouraged to consult with the superintendent and/or director of special education.
2. The principal or principal's designee will notify the case manager of the removal from class, reason(s) for removal, and determine if there is a need for any IEP services or a need for an IEP meeting to be scheduled.

**H. Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises.**

1. Principal or principal's designee will notify support services personnel of any chemical

abuse problems. Administration is encouraged to work with the school health staff throughout the process.

2. Teachers with concerns of student(s) chemical abuse will notify principal, principal's designee or support services personnel of their concerns pursuant to Minn. Stat. § 121A.29.
  - a. Establishment of a chemical abuse pre assessment team pursuant to Minn. Stat. § 121A.26;
  - b. Establishment of teacher reporting procedures to the chemical abuse pre assessment team pursuant to Minn. Stat. § 121A.29.

**I. Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student Conduct.**

1. Principal or principal's designee will make the necessary arrangements with the appropriate staff for immediate interventions tied to the violation of the code of student conduct.

**J. Any Procedures Determined Appropriate for Encouraging Early Involvement of Parents or Guardians in Attempts to Improve a Student's Behavior.**

1. The principal or designee will review the following:
  - a. Any procedures or services appropriate for encouraging early involvement of parents or guardians to improve the student's behavior;
  - b. Any procedures or services determined appropriate for encouraging early detection of behavioral problems should be discussed with the parent or guardians;

**K. Any Procedures Determined Appropriate for Encouraging Early Detection of Behavioral Problems.**

1. Whether the student may need to be referred to the MTSS team for further interventions ties to increasing positive behaviors;
2. The appropriateness of referring the student to the chemical abuse pre assessment team;
3. The appropriateness of studying the student's behavior through a functional behavioral assessment.

**IX. DISMISSAL**

- A. "Dismissal" means the denial of the current educational program to any student, including exclusion, expulsion and suspension. Dismissal does not include removal from class.

The school district shall not deny due process or equal protection of the law to any student involved in a dismissal proceeding which may result in suspension, exclusion or expulsion.

The school district shall not dismiss any student without attempting to provide alternative educational services before dismissal proceedings, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

- B. Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:
1. Willful violation of any reasonable school board regulation, including those found in this policy;

2. 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
3. Willful conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.

C. Suspension Procedures

1. "Suspension" means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.
2. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the student's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration 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. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.
4. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP 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 IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6<sup>th</sup>) consecutive day of suspension or the tenth (10<sup>th</sup>) cumulative day of suspension has elapsed.

5. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. 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 assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the student to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.
6. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student 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. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.
7. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:
  - a. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
  - b. petition the juvenile court that the student is in need of services under Minn. Stat. Ch. 260C.
8. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
9. 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 the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference.
10. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
11. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) days.

D. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.

2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56; describe alternative educational services accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district shall advise the student'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 Minnesota Department of Education (MDE).
6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.
8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.
10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.

13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.
14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation 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 (Commissioner) of the basis and reason for the decision.
18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minn. Stat. § 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.
19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student 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. The dismissal report must include state student identification numbers of affected students.
21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school district.

#### **X. ADMISSION OR READMISSION PLAN**

A school administrator shall prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan may include measures to improve the student's behavior, including completing a character education program consistent with Minn. Stat. § 120B.232, Subd. 1, and require parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

## **XI. NOTIFICATION OF POLICY VIOLATIONS**

Notification of any violation of this policy and resulting disciplinary action shall be as provided herein, or as otherwise provided by the Pupil Fair Dismissal Act or other applicable law. The teacher, principal or other school district official may provide additional notification as deemed appropriate.

In addition, the school district must report, through the MDE electronic reporting system, each physical assault of a school district employee by a student within thirty (30) days of the assault. This report must include a statement of the alternative educational services or other sanction, intervention, or resolution given to the student in response to the assault and the reason for, the effective date, and the duration of the exclusion or expulsion or other sanction, intervention, or resolution. The report must also include the student's age, grade, gender, race, and special education status.

## **XII. STUDENT DISCIPLINE RECORDS**

The policy of the school district is that complete and accurate student discipline records be maintained. The collection, dissemination, and maintenance of student discipline records shall be consistent with applicable school district policies and federal and state law, including the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13.

## **XIII. DISABLED STUDENTS**

Students who are currently identified as eligible under the IDEA or Section 504 will be subject to the provisions of this policy, unless the student's IEP or 504 plan specifies a necessary modification.

Before initiating an expulsion or exclusion of a student with a disability, relevant members of the child's IEP team and the child's parent shall, consistent with federal law, conduct a manifestation determination and determine whether the child's behavior was (i) caused by or had a direct and substantial relationship to the child's disability and (ii) whether the child's conduct was a direct result of a failure to implement the child's IEP. If the student's educational program is appropriate and the behavior is not a manifestation of the student's disability, the school district will proceed with discipline – up to and including expulsion – as if the student did not have a disability, unless the student's educational program provides otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team shall conduct a functional behavioral assessment and implement a behavioral intervention plan for such student provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that resulted in a change of placement. Where a behavioral intervention plan previously has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior.

When a student who has an IEP is excluded or expelled for misbehavior that is not a manifestation of the student's disability, the school district shall continue to provide special education and related services during the period of expulsion or exclusion.

## **XIV. OPEN ENROLLED STUDENTS**

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minn. Stat. § 124D.03) or Enrollment in Nonresident District (Minn. Stat. § 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minn. Stat. Ch. 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of seventeen (17) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

**XV. DISTRIBUTION OF POLICY**

The school district will notify students and parents of the existence and contents of this policy in such manner as it deems appropriate. Copies of this discipline policy shall be made available to all students and parents at the commencement of each school year and to all new students and parents upon enrollment. This policy shall also be available upon request in each principal's office.

**XVI. REVIEW OF POLICY**

The principal and representatives of parents, students and staff in each school building shall confer at least annually to review this discipline policy, determine if the policy is working as intended, and to assess whether the discipline policy has been enforced. Any recommended changes shall be submitted to the superintendent for consideration by the school board, which shall conduct an annual review of this policy.

## 419 TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO- RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION

**I. PURPOSE**

The purpose of this policy is to maintain a learning and working environment that is tobacco free.

**II. GENERAL STATEMENT OF POLICY**

- A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the school district, or person smokes or uses tobacco, tobacco-related devices, or carries or uses an activated electronic delivery device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- B. A violation of this policy occurs when any elementary school, middle school, or secondary school student possesses any type of tobacco, tobacco-related devices, or electronic delivery devices in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.

**III. DEFINITIONS**

- A. "Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of aerosol or vapor from the product. Electronic delivery devices includes but is not limited to devices manufactured, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- B. "Heated tobacco product" means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.
- C. "Tobacco" means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- D. "Tobacco-related devices" means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- E. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.
- F. "Vaping" means using an activated electronic delivery device or heated tobacco product."

#### **IV. EXCEPTIONS**

- A. A violation of this policy does not occur when an Indian adult lights tobacco on school district property as a part of a traditional Indian spiritual or cultural ceremony
- B. A violation of this policy does not occur when an adult nonstudent possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed

and sold solely for such an approved purpose. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on school property or at off- campus events sponsored by the school district.

It shall not be a violation of this policy for an Indian adult or student to carry loose tobacco in a tobacco pouch intended for spiritual or cultural ceremonial support with the permission of the student's parent or guardian and the written or verbal notice to the site administrator.

## **V. VAPING PREVENTION INSTRUCTION**

- A. The school district must provide vaping prevention instruction at least once to students in grades 6 through 8.
- B. The school district may use instructional materials based upon the Minnesota Department of Health's school e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as part of the school district's locally developed health standards.

## **VI. ENFORCEMENT**

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.
- C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.
- D. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and school district policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other school district supervisory personnel responsible for the area or program at which the violation occurred.
- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.
- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

## **VII. DISSEMINATION OF POLICY**

- A. This policy shall appear in the student handbook.
- B. The school district will develop a method of discussing this policy with students and employees.

## 534 UNPAID MEAL CHARGES

### I. PURPOSE

The purpose of this policy is to ensure that students receive healthy and nutritious meals through the school district's nutrition program and that school district employees, families, and students have a shared understanding of expectations regarding meal charges. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day and minimize identification of students with insufficient funds to pay for school meals as well as to maintain the financial integrity of the school nutrition program.

### II. PAYMENT OF MEALS

- A. Families can pay for meals online via Infinite Campus at no charge or submit a check or cash at any school office or cafeteria.
- B. All students, regardless of their lunch account balance, shall be offered a reimbursable school breakfast and lunch each school day.
- C. Students with a negative meal account balance of -\$20.00 or more are not allowed to charge for additional items, however students may purchase extra items with cash.
- D. The school district may provide an alternate meal that meets federal and state requirements to a student who does not have sufficient funds in the student's account or cannot pay cash for a meal. The school district will accommodate special dietary needs with respect to alternate meals. The cost of the alternative meal will be charged to the student's account or otherwise charged to the student.
- E. When a student has a negative account balance, the student will not be allowed to charge a snack item.
- F. If a parent or guardian chooses to send in one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the students' accounts. Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.

### III. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free and reduced-price meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than \$200, not paid prior to the end of the school year will be turned over to the superintendent or superintendent's designee for collection. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not deny any student the opportunity to participate in graduation ceremonies or other commencement activities due to unpaid meal charges.

### IV. UNPAID MEAL CHARGES

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free and reduced-price meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than \$200, not paid prior to the end of the school year, will be turned over to the superintendent or superintendent's designee for collection. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.
- E. The school district may not deny any student the opportunity to participate in graduation ceremonies or other commencement activities due to unpaid meal charges.

**V. COMMUNICATION OF POLICY**

- A. This policy and any pertinent supporting information shall be provided in writing (i.e., mail, email, back-to-school packet, student handbook, etc.) to:
  - 1. all households at or before the start of each school year;
  - 2. students and families who transfer into the school district, at the time of enrollment; and
  - 3. all school district personnel who are responsible for enforcing this policy.
- B. The school district may post the policy on the school district's website, in addition to providing the required written notification described above.



## ADDENDUM

### REGULAR BOARD MEETING Monday, August 15, 2022 SPCC-Governor's Room 6:30PM

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#### VI. ACTION ITEMS

##### **4. AGENDA ITEM #4**

**Subject:** Consider Approval of Substitute Rates for 2022-2023

**Action:** Requires a Motion

**Background:** For the past two years we have increased substitute pay rates for teachers and paraprofessionals due to COVID. Many surrounding districts are maintaining or increasing these rates. In order to stay competitive, we are recommending a permanent increase to these pay rates: Teachers \$180/day, \$90/half day; and Paraprofessionals \$14.50/hr.

The Finance Committee discussed this proposal and made a motion to bring it forward to the whole school board for consideration.

**Presentation:** Superintendent of Schools

**Options/Recommendation:** I recommend approving the substitute rates for 2022-2023.



**MEMO TO:** Bill Gronseth, Superintendent  
School Board

**FROM:** Ytive Prafke, Special Programs  
Administrator

**DATE:** July 20, 2022

**SUBJECT:** Teacher and Paraprofessional  
Substitute Rate  
Recommendation 2022-2023  
School Year

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In response to COVID, the District raised the substitute teacher rate during the 2020-21 and 2021-22 school years to from \$130 per day/\$65 half day to \$175 per day/ \$87.50 half day and substitute paraprofessional rate from \$11.60 per hour to \$12.75 per hour. At the time these rates were approved by the School Board, this increase was thought to be a temporary need to recruit substitutes during a difficult time.

Area School Districts, including St. Peter Public Schools continue to experience a shortage of coverage in both teacher and paraprofessional positions. Substitute pay data has been gathered from area school districts and in an effort to be competitive in recruiting and retaining substitute teachers and substitute paraprofessionals please consider the following recommendations:

1. An increase of the substitute teacher rate from \$130 per day/\$65 half day to **\$180 per day/ \$90.00 half day.**
2. An increase of the substitute paraprofessional rate from \$11.60 per hour to **\$14.50 per hour.**

If approved, this rate change would go into effect for the 2022-2023 school year.

Thank you for your consideration.



## ADDENDUM

### REGULAR BOARD MEETING Monday, August 15, 2022 SPCC-Governor's Room 6:30PM

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#### VI. ACTION ITEMS

##### ***5. AGENDA ITEM #5***

**Subject:** Consider Approval of a Three-Year Lease with the City of Saint Peter for Saint Peter Community and Family Education

**Action:** Requires a Motion

**Background:** The current lease has expired and a new three-year lease has been developed. The new lease includes a separation clause which allows us to terminate the lease with 120 days notice.

**Presentation:** Superintendent of Schools

**Options/Recommendation:** I recommend approving the Three-Year Lease with the City of Saint Peter for Saint Peter Schools Community and Family Education.

**LEASE BY AND BETWEEN THE CITY OF SAINT PETER AND SAINT PETER SCHOOL  
DISTRICT NO. 508**

This Sublease is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by and between the City of Saint Peter, a Minnesota municipal corporation (**CITY**), and Saint Peter School District No. 508 Community Education, a Minnesota non-profit corporation (**TENANT**).

WHEREAS, the **CITY** has space within the Community Center to lease to various non-profit organizations;

WHEREAS, **TENANT** is engaged in the business of Community Education for all ages and is a Minnesota non-profit corporation;

WHEREAS, **TENANT** wishes to lease space from the **CITY** under the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual promises and agreements, the parties make the following:

1. Description of Premises.

A. Rented premises include Rooms #s 206, 207, 208, 209 and 210 of the Community Center located at 600 South Fifth Street, Saint Peter, Minnesota.

B. Common areas include rest rooms, hallways, kitchen facilities and storage cubicle.

C. **TENANT** shall have the right of ingress and egress through the halls and corridors of the building.

D. **TENANT** acquires no other right in any other part of the building than the parts herein specified.

E. **TENANT** shall have the right to use one, four (4) hour block of meeting room time each month of the lease. This use must be scheduled through the designated party at the City of Saint Peter.

F. **TENANT** shall have the right to schedule and use of the gymnasium and Governors' Room at no charge for elementary education, middle/high school athletics and public meetings.

2. Restrictions on Use. **TENANT** shall not use or permit the premises, or any part of the premises, to be used for any purposes other than those set forth in this lease. **TENANT** shall neither permit on the premises any act, sale, or storage that may be prohibited under standard forms of fire insurance policies, nor use the premises for any such purpose. In addition, no use shall be made or permitted to be made that result in:

A. Waste on the premises;

B. A public or private nuisance that may disturb the quiet enjoyment of other tenants in the building;

C. Improper, unlawful or objectionable use, including sale, storage or preparation of food, alcoholic beverages, or materials generating an odor on the premises; or

- D. Noises or vibrations that may disturb other tenants.
- E. Installation of signage within the facility without the express written approval of **CITY**.

**TENANT** shall comply with all governmental regulations and statutes affecting the premises either now or in the future.

3. Responsibility of **CITY**.

- A. General maintenance of the building.
- B. General maintenance of the grounds for all seasons.
- C. General maintenance of rest rooms and hallways.
- D. Provide utility services of heat, electricity, garbage, water and sewer.
- E. Provide generation supervision of the building.
- F. Provide locks for building entrance and office entrance, and keys to tenants for the tenant's space.
- G. Provide phone lines to the building.
- H. Provide initial floor covering, wall construction, ceiling and overhead lighting.

4. Responsibility of **TENANT**.

- A. General maintenance of area leased by **TENANT**.
- B. **TENANT** agrees that **CITY** has no liability for property lost, stolen or damaged on the common or leased premises.
- C. General supervision and responsibility for securing the rented space.
- D. General supervision and responsibility for securing the building at all times other than 7:00 a.m. to 11:00 p.m., Monday through Friday -- or other such times as subsequently indicated by **CITY** upon written notice -- unless otherwise arranged with the Building Supervisor.
- E. Phone lines from the point of entry into the building to the leased premises and phone service.
- F. **TENANT** shall ensure that users under its supervision assist in the set-up and take-down of chairs, tables, and other equipment before and after athletic activities in the gym.

5. Term and Rent.

A. Term. This lease shall run for a period of three (3) years commencing on October 1, 2022 until September 30, 2025.

B. Rental. For a period of time from October 1, 2022 to September 30, 2023, **TENANT** shall pay, in advance, on the first day of each and every month, the sum of \$3,647.08.

For a period of time from October 1, 2023 to September 30, 2024, TENANT shall pay, in advance, on the first day of each and every month, the sum of \$3,756.50.

For a period of time from October 1, 2024 to September 30, 2025, TENANT shall pay, in advance, on the first day of each and every month, the sum of \$3,869.203,403.36

C. Payments. Payments shall be made to the **CITY** at 227 South Front Street, Saint Peter, Minnesota.

D. Late Payments. A payment shall be delinquent if not paid by the 15th day of each month. A late charge of \$5.00 per day thereafter will be added to the amount due until paid. Failure to declare default on any particular payment that becomes delinquent shall not constitute a waiver of the rights to exercise the same at any subsequent time. If expenses are incurred or suit is commenced on this lease because of delinquent payments, **TENANT** agrees to pay all costs of collection, including reasonable attorney fees.

6. Default.

A. Events of Default. If **TENANT** does not pay the full amount of each monthly rental payment on the date it is due or violates any agreement contained in this lease, **TENANT** will be in default.

B. Right to Cancel. Upon evidence of default, **CITY** shall have the right to cancel and terminate this lease, as well as all of the right, title and interest of **TENANT** under this lease.

C. Notice of Default. If **TENANT** is in default, **CITY** may give **TENANT** 30 days' notice of the cancellation and termination.

D. Remedies on Default. On expiration of the time fixed in the notice and **TENANT**'s failure to cure the default within the time allowed in the notice, this lease and the right, title and interest of **TENANT** shall terminate.

**CITY** shall have the right to obtain reimbursement from **TENANT** of all expenses incurred in regaining possession of the premises and the right to recover all additional rental required under the lease term if **CITY** re-enters and re-lets the premises for the benefit of **TENANT**.

On expiration of the time fixed in the notice and **TENANT**'s failure to cure the default within the time allowed in the notice, **CITY** may enter immediately and remove the property and personnel of **TENANT** and store the property in a public warehouse or at a place selected by **CITY**, at the expense of **TENANT**. **CITY** may resort to any legal proceedings to obtain the possession of the premises and disposal of **TENANT**'s property.

**CITY** may elect but shall not be obligated to make any payment required of **TENANT** or comply with any agreement, term or condition required to be performed by **TENANT**, for the purpose of correcting or remedying any such default at the expense of **TENANT**. Any expenditure for the correction by **CITY** shall not be deemed to waive or release **TENANT**'s default or **CITY**'s right to take any action as may be otherwise permissible hereunder in the case of any default.

7. Modifications. There shall be no modifications or materials affixed to the interior or exterior walls, doors, windows, floors or other inner structure of the leased premises without the express written approval of the **CITY**.

8. Damage. If the premises or any portion of the building or any equipment contained therein during the term of this lease shall be damaged by the act, default or negligence of **TENANT**, or of **TENANT**'s agents, employees, patrons, guests or any person admitted to the premises by **TENANT**, **TENANT** will pay to the **CITY** upon demand such sum as shall be necessary to restore the premises or equipment contained therein to their present condition.

**TENANT** hereby assumes full responsibility for the character, acts, and conduct of all persons admitted to the premises or any portion of said building by the consent of **TENANT** or by or with the consent of any person acting for or on behalf of **TENANT**.

9. Insurance. It shall be the responsibility of **TENANT** to assure that its leased premises and personal property are covered by hazard and public liability insurance policies. The public liability insurance policy shall provide coverage at least in the amount of the **CITY**'s maximum liability limits as set by statute. **TENANT** shall at the request of the **CITY** provide proof of insurance coverage required by this section.

10. Indemnification. **TENANT** covenants and agrees to save **CITY** harmless and to indemnify **CITY** against any claims or liabilities for compensation which may arise or accrue by reason of the use of **TENANT**, **TENANT**'s agents, employees, patrons, guests or any person admitted to the premises by **TENANT**.

11. Casualty. In case said building or any part thereof shall be destroyed or damaged by fire or any other cause, or if any other casualty or unforeseen occurrence renders the fulfillment of this lease by **CITY** impossible, the **CITY** may terminate the lease, and **TENANT** shall pay rent for said premises only up to the time of such termination, at the rate set in this lease. **CITY** waives any claims or damages or compensation from **TENANT** should this lease be so terminated.

**TENANT** may, with approval of **CITY**, lease equipment, as set forth on Exhibit A attached, in the premises, but **TENANT** assumes full responsibility in the event of a casualty and in accordance with the above.

12. Option to Renew. **TENANT** shall have the option to renew this lease before **CITY** offers the premises to any other party. Written notice of intention to renew must be furnished to the **CITY** 120 days prior to the expiration of the lease or any renewal hereunder. The terms of the lease shall be subject to renegotiation at the time of any renewal with the proposed rental price furnished to **TENANT** 90 days prior to the expiration of the lease.

13. Mail Distribution. All tenant mail shall be distributed from the central mail facility. Each tenant will be assigned a Post Office Box. No tenant mail will be delivered directly to the tenant's leased space. There shall be a nominal Post Office box key rental fee.

14. Election Regulation Compliance. **TENANT** shall be required to comply with all State election regulations including removal of any and all campaign materials from the leased property and/or parking lot when the building is being used as a polling place and/or as directed by City officials.

15. Termination Prior To End Of Lease Term. In the event the **TENANT** completes or reasonably anticipates completion of construction or purchase of its own building, then **TENANT** may terminate this lease without penalty by giving **CITY** one hundred and twenty (120) days written notice.

16. Waivers. The failure of the **CITY** to insist on a strict performance of any of the terms and conditions of this Lease shall not be deemed a waiver of any subsequent breach or default of any terms or conditions of this Lease.

17. Notice. All notices to be given with respect to this Lease shall be in writing. Each notice shall be sent by registered or certified mail, postage pre-paid and return receipt requested to the parties as follows:

**CITY OF SAINT PETER**  
Attn: City Administrator  
227 South Front Street  
Saint Peter, Minnesota 56082

**SCHOOL DISTRICT #508**  
Attn: Superintendent of Schools  
100 Lincoln Drive  
Saint Peter, Minnesota 56082

18. Surrender of Possession. **TENANT** shall, on the last day of the term or renewal, or on earlier termination or forfeiture of the lease, peaceably and quietly surrender and deliver the lease premises to the **CITY** free of any encumbrance placed on it by **TENANT**, except movable trade fixtures, all in good condition and repair. In the event **TENANT** does not remove its personal property at the termination or default of the Lease, the **CITY** may elect to consider the property abandoned and the property of the **CITY** without any further payment or offset.

19. Assignment. This Lease may not be assigned by either party without the written consent of the other party. The written consent shall not be unreasonably withheld.

20. Total Agreement. This Lease contains the entire agreement between the parties and cannot be changed or terminated except by a written instrument executed by all parties. This Lease and terms and conditions of the Lease apply to and are binding on the legal representatives, successors and assigns of both parties.

21. APPLICABLE LAW. **THIS AGREEMENT SHALL BE GOVERNED BY AND CONSTRUED IN ACCORDANCE WITH THE LAWS OF THE STATE OF MINNESOTA.**

22. TIME OF THE ESSENCE. **TIME IS OF THE ESSENCE AND ALL TERMS OF THIS LICENSE.**

23. Further Assurances. Each of the parties agree to execute all documents and instruments and to take or to cause to be taken all action which are necessary or appropriate to comply with the terms of this Agreement.

24. Amendments, Supplements, etc.. This Agreement may be amended or supplemented at any time by additional written agreements as may mutually be determined by the parties to be necessary, desirable, or expedient to further the purpose of this Agreement or to clarify the intention of the parties.

25. Rights Cumulative. All rights and remedies of each of the parties under this Agreement will be cumulative, and the exercise of one or more rights or remedies will not preclude the exercise of any other right or remedy available under this Agreement or applicable law.

26. Severability. Any term or provision of this Agreement that is invalid or unenforceable will not be ineffective to the extent of such invalidity or unenforceability without rendering invalid or unenforceable but remaining rights of the party benefiting from the provision or any other provisions of this Agreement.



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Notary Public



## ADDENDUM

### REGULAR BOARD MEETING Monday, August 15, 2022 SPCC-Governor's Room 6:30PM

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#### VI. ACTION ITEMS

<b>6. AGENDA ITEM #6</b>
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**Subject:** Consider Approval of Changes to the 2022-2023 Mobile Device Handbook

**Action:** Requires a Motion

**Background:** Technology Director Gus Sorbo reviewed and updated the mobile device handbook for the 2022-2023 school year in order to prepare for student device distribution beginning in August. The dates have been updated but no substantial changes have been made. Students and parents are required to sign the form included in the handbook at the beginning of Middle School (Gr 5) and High School (Gr 9). New families are also required to complete the form.

**Presentation:** Superintendent of Schools

**Options/Recommendation:** I recommend approval of the 2022-23 Mobile Device Handbook.



**TO:** Bill Gronseth, Superintendent

**FROM:** Gus Sorbo

**DATE:** 8/11/22

**RE:** 1:1 Device Handbook

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I have updated the 21-22 1:1 Device Handbook with the following changes:

- Updated version date from 2021 to 2022
- Replaced Chris Ovrebo's name with my name as Technology Director
- Updated Board Policy numbers to reflect new policy numbering system
- Several grammatical corrections



# ISD 508

# Saint Peter Public Schools

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## 1:1 Device Handbook

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## Overview

Through the Saints Digital Learning Initiative, Saint Peter Public Schools continues its commitment to offering students and teachers access to best-practice strategies and modern equipment to improve the classroom experience. The Saints Digital Learning Initiative will provide students and teachers modern technology tools to enhance teaching and engage students in the skills necessary for them to achieve success in the 21st Century.

The Saints Digital Learning Initiative will provide modern tools to assist teachers to enhance our high-quality instruction and rigorous learning experiences for students in ways that cannot be achieved using traditional tools and materials. By utilizing mobile devices, such as iPads and Chromebooks, teachers are enabled to more effectively engage different types of students, because the resources for learning are in the hands of the learner. Face-to-face learning experiences will be enhanced by mobile devices through increased student engagement and new opportunities that empower students to become self-motivated learners and develop positive digital citizenship skills.

All students will be issued a mobile device through a 1-to-1 digital learning program that will provide each student a personal learning tool that can be adapted to various courses and learning experiences. Our 1-to-1 digital learning program will provide students new opportunities for authentic experiences to develop the skills and strategies for using emerging digital tools that they will need to be prepared to achieve success in college and careers after high school.

This is an exciting time for our school, and we look forward to working with our students and families to further enhance the educational experience at Saint Peter Schools. Please contact us if you have any questions. We are here to help.

Bill Gronseth  
Superintendent  
Saint Peter Public Schools

Gus Sorbo  
Director of Technology  
Saint Peter Public Schools

## Student Responsibilities

- A. Students are expected to use the mobile device appropriately for educational purposes and follow all classroom procedures set by their individual teachers.
- B. Students are expected to have their mobile device in school each day with a fully charged battery. Forgetting the mobile device or having a dead battery are not acceptable reasons for failing to complete work or turn in assignments. Charging stations are available in the media center and/or some classrooms for students who need a recharge during the school day or for students who do not bring their mobile device home. Repeated failure to bring the mobile device to school or failing to charge the battery may result in the loss of home privileges.
- C. Students are responsible to download to the mobile device any necessary documents, assignments, apps, and/or materials from their teachers. If a family does not have wireless access at home, students must do this before school, during the school day, or after school.
- D. Students may load photos and videos on their mobile device as long as all content complies with the District's Internet Acceptable Use and Safety Policy. The use of music on the mobile device during instructional time is at the discretion of the classroom teacher. The presence of inappropriate music, photos, or videos may result in the loss of the mobile device and/or other disciplinary actions.
- E. If non-conforming apps or software are discovered on the mobile device, the mobile device will be restored to the school set of software and disciplinary actions may be enacted. Technology staff are not responsible for saving, restoring, or backing up documents, music, videos, or photos that students store on the mobile device.
- F. Students are encouraged to store documents, worksheets, notes and other files on their mobile device, and are responsible for backing up or saving all work. Students are encouraged to either email documents to themselves as a backup or use their school Google Drive account.
- G. Students attempting to hack or jailbreak the mobile device will be subject to disciplinary action.
- H. Students are not allowed to personalize the case provided by the school. If students wish to provide their own case and personalize it, the case must be approved by technology staff and the case provided by the school must be returned.
- I. Student mobile devices are not configured to print. Students are encouraged to use email and cloud-storage solutions to transfer documents to their instructors.
- J. Students will use their Saint Peter Schools managed AppleID and school issued Google account on district owned devices.

## Receiving Your Mobile Device

Mobile devices that are taken home will be distributed to students once their families have reviewed the Mobile Device Loan Agreement and have accepted the terms of the Mobile Device Loan Agreement available through the District website. In addition to accepting the Mobile Device Loan Agreement, families will determine if they will opt for the District Mobile Device Maintenance Plan or take full responsibility for the repair/replacement of the mobile device if damaged, requires non-warranty repair, is lost, or stolen.

*Under normal school conditions*, students in grades EC - 12 may have take home privileges and their devices will be stored at the school (determined by each building).

**If devices are kept at school:** The families will not be responsible for device maintenance or repairs, unless the student intentionally damages the mobile device.

**If devices are sent home with students:** Students with take home privileges will need to sign the Mobile Device Loan Agreement and decide if they will opt in to the Device Maintenance Plan. Students will receive their devices during the first week of classes.

*Under distance or hybrid learning conditions*, all students will have take home privileges. All families will have to agree to the Device Loan Agreement and decide if they will opt in to the Mobile Device Maintenance Plan before the device is issued to the family. Each building or program will communicate with families how and when devices will be distributed.

## Mobile Device Returns / Fines

Individual school mobile devices and accessories must be returned to the designated location within your child's school at time of collection. Students who graduate early, withdraw, are suspended or expelled, or terminate enrollment with Saint Peter Public Schools for any other reason must return on the date of withdrawal their individually issued school mobile device, district provided case (if applicable), cord, and charger in damage-free, working condition.

If a student fails to return the mobile device and accessories (case, cable, power adapter charging brick, etc.) at the end of the school year or upon termination of enrollment within Saint Peter Public Schools, the student's Infinite Campus account will be charged the replacement cost of the mobile device and any related accessories. District mobile device serial numbers have been registered with Apple's Device Enrollment Program servers or Google Management Console and may only be activated with a valid Saint Peter username and password.

Furthermore, students will be responsible for any damage to the mobile device, consistent with the District's Mobile Device Maintenance Plan and must return the mobile device and accessories to the designated location within your child's school in satisfactory condition upon the end of the school year.

## Using Your Mobile Device at School

### **Mobile Devices Left at Home**

If students leave their mobile device at home, they are responsible for getting the coursework completed as if they had their mobile device present.

### **Mobile Device Undergoing Repair**

When a mobile device is damaged and returned to the school for repair, following the payment of any damage repair or replacement fees, during the regular school year a replacement mobile device will be issued in its place. Mobile Devices that are fully functional but may have cosmetic damage such as bends, dents and scratches may not be immediately repaired.

### **Charging Your Mobile Device's Battery**

Mobile devices must be brought to school each day adequately charged to work throughout the school day. Students need to charge their mobile device each evening by plugging them into an electrical wall outlet only. Lay the mobile device flat while charging and avoid locations that may create trip hazards. Do not charge the mobile devices from a computer port.

### **Sound, Music, Games, or Programs**

Sound must be muted at all times unless permission is obtained from the teacher for instructional purposes. Apps installed on mobile devices must be approved and installed by a member of the Saint Peter Public Schools Technology Department or building designee.

### **Home Internet Access**

Students are allowed to set up wireless networks on their mobile device. This will assist them with mobile device use while at home. However, the District Acceptable Use Policy (ISD 508 Policy 005.83) must be followed while at home, using a district owned device.

### **Saving to the iPad/Home Directory/Submitting Work**

Email and Productivity apps: Most mobile device productivity apps support the ability to open and edit email, word processing, documents, presentations, spreadsheets, PDFs, images, or other common file types. Students and teachers can exchange course-related files through their district- provided email and our learning management system accounts.

Cloud-Based Services: Students also have a school provided Google Drive account to store files and back up work.

### **Network Connectivity**

Saint Peter Public Schools makes no guarantee that their network will be up and running 100% of the time. In the rare case that the network is down, the District will not be responsible for lost or missing data.

## Settings and Operation

### **Circumvention of Managed Settings**

All student mobile devices are provisioned by the Technology Department for the purposes of initializing and managing all mobile devices in a secure and organized fashion. Any attempts by students to circumvent any district management settings through software restoration, Chrome or iOS setting manipulation, remote proxy settings or jailbreaking will result in the confiscation of the mobile device and/or disciplinary action.

### **Inspection**

Students may be selected at random, at any time, to provide their mobile device for inspection.

### **Procedure for Re-Loading Software**

If technical difficulties occur, the mobile device will be restored to factory settings. This approach minimizes the “down time” for use of the device during the instructional day. The school does not accept responsibility for the loss of any software or documents deleted due to a re-format and re-image. It is recommended to have all data backed up to Google Drive at all times. iCloud backup may be used for students with their managed Apple IDs. Students should be able to recover files they have saved to these cloud storage services. Apps remain associated with the student’s profile and may be downloaded from the Mosyle Manager app on the iPad or Chrome Web Store on Chromebooks. In addition, depending upon the nature of the issues, potential consequences for issues caused intentionally to one’s own or another’s issued iPad may result in confiscation of the iPad with usage allowed only during the school day.

## Acceptable Use

The use of Saint Peter Public Schools technology resources is a privilege, not a right. The privilege of using the technology resources provided by the district is not transferrable or extendable by students to people or groups outside the district and terminates when a student is no longer enrolled in Saint Peter Public Schools. This Mobile Device Handbook and ISD 508 Policy 524 are provided to make all users aware of the responsibilities associated with efficient, ethical, and lawful use of technology resources. If a person violates any of the User Terms and Conditions named in this document or the Acceptable Use of District Technology (ISD 508 Policy 524), privileges may be terminated, access to the school district technology resources may be denied, and the appropriate disciplinary action shall be applied. The Saint Peter Public Schools’ Student Discipline policy (ISD 508 Policy 007.2) shall be applied to all student infractions. Violations may result in disciplinary action up to and including

suspension/expulsion for students. When applicable, law enforcement agencies may be involved.

## Parent Expectations

- A. Parents are required to sign the Saint Peter Public Schools 1:1 Guidelines and Agreement Form found at the end of this handbook or agree to terms through an online approval form. Parent signatures allow students to take mobile devices off campus. Parents are not required to sign for a student issued mobile device that does not leave school.
- B. Parents are asked to support the acceptable use of mobile devices by communicating with their student about the standards of appropriate content and helping to monitor the use of the mobile device at home.
- C. Parents are asked to assist their student in communicating report theft or damage.
- D. Parents are encouraged to become familiar with the mobile device and use it to track their student's progress. The mobile device allows parents and students to view class assignments, calendars, homework and monitor progress in classes.
- E. Parents are asked to ensure that only the student and parents use the school-assigned mobile device.

### **Additional things to review with your child:**

- Anything they do or post online creates a digital record, often called a "Digital Footprint." Nothing online is totally private, even if it is intended to be. Once digitized, it can be saved, sent and reposted elsewhere, even without permission or knowledge.
- A good rule of thumb: If you don't want a parent, teacher, principal, future employer or college admissions office to know something, don't post it online. Set up some sort of test question to frequently ask your child, such as "Would Grandma approve?"
- "Friends" aren't always who they say they are. Encourage your child to only be friends online with friends they know in person. Never give access to personal information to people met online.
- Never post personally identifiable information online. This includes: full name, address, phone number, email, where you are meeting friends or where you hang out. Discuss with your child how easy it is for someone to find you based on what you post online.
- Regularly check your child's privacy settings on all commonly used sites and networks. Ignoring privacy settings on social networking sites such as Facebook or Twitter means your child's photos, contact information, interests, and possibly even cell phone GPS location could be shared with more than a half-billion people.

- Cyberbullying (threatening or harassing another individual through technology) is a growing concern. It takes many forms, such as forwarding a private email, photo, or text message for others to see, starting a rumor, or sending a threatening or aggressive message, often anonymously. Talk with your child about not partaking in this behavior and encourage her/him to report incidents of cyberbullying to an adult.

## Terms and Conditions

- A. Mobile devices are distributed once the 1:1 Guidelines and Agreement Form has been signed and received by Saint Peter Public Schools.
- B. Legal ownership of the mobile device remains with the District. The use of the mobile device is a privilege extended to students and is conditioned upon compliance with the requirements of this handbook, the District's Internet Acceptable Use and Safety Policy, and all other District policies.
- C. Mobile devices and accessories are checked in at the end of each school year. Students who graduate early, transfer, withdraw or are expelled are required to return the mobile device and accessories at the time of withdrawal. Students returning to school the following year are issued the same mobile device that was previously assigned to them.
- D. The District reserves the right to repossess the mobile device and accessories at any time if the student does not fully comply with the terms of this handbook. The District may also choose to limit and/or withdraw home use privileges for failure to comply.
- E. Failure to return the property in a timely fashion may result in the involvement of law enforcement.
- F. Due to the need to comply with licensing agreements, all software and apps are managed by the school district.
- G. Mobile devices are subject to routine monitoring by teacher, administrators, and/or technology staff. Users have no expectation of privacy when using District equipment or technology systems.
- H. If technical difficulties arise with a mobile device, or non-conforming content is discovered, the mobile device will be restored by technology staff. If the school is required to restore an mobile device, the school is not responsible for the loss of any content added to the mobile device by the student.
- I. Each mobile device has identifying labels, which must not be removed or altered. Students are not allowed to permanently mark the mobile device or case.
- J. The use of the mobile device during instructional times is governed by classroom teachers. Failure to follow the instructions of the teacher may result in disciplinary action.
- K. The mobile device may ONLY be used by the student to whom it is assigned or by the parents of the student. Students are not allowed to loan the mobile device to another student.

- L. Students are responsible for the security of the mobile device at all times. The mobile device should never be left unsecured. When not with the student, the mobile device should be secured or stored in a locked location out of view. During after-school activities and/or away events, students are still responsible for securing the mobile device.
- M. Students should keep personal information about themselves and others off of the mobile device. Password security for network systems should be maintained, as should the privacy of locker combinations. It is the responsibility of the student to keep his or her information secure.

## General Care Instructions

- A. iPad screens are to be cleaned with a soft, clean cloth. Chemical cleaners or liquids, including water, should not be used on the iPads.
- B. Charging cables/cords are to be inserted and removed carefully to prevent damage. This is done by grasping the plugs rather than the cord. The charging cord should be plugged into the wall outlet before connection to the iPad. When disconnecting, remove the cable from the iPad before pulling the plug from the wall outlet.
- C. iPads must be kept in the protective cases at all times.
- D. iPads are not designed to have weight placed on top of them. Students should never stack items on top of an iPad or wedge the device tightly into a backpack or case. The iPad case should not be used as a folder to carry other items, including any sharp or pointed items such as pens or pencils.
- E. iPads are easily damaged by liquids, food and other debris. iPads should be closed in cases and put away during meal and snack times.
- F. iPads are not to be exposed to extreme temperatures. iPads are not to be left in any location where the temperature falls below freezing or exceeds 95 degrees Fahrenheit. If the iPad is cold, it must be warmed up to room temperature before use. iPads exposed to direct sunlight or high temperatures must cool down before use.
- G. Battery life is shortened by using Wi-Fi, Bluetooth, a high screen brightness, and video. Students will learn management settings and apps to improve battery performance.

### Where can students and parents learn more about the iPad?

- The Apple.com website is a great starting place to learn about the features and operation of an iPad.
  - Overview: <https://www.apple.com/education/>
  - User guide: <https://support.apple.com/guide/ipad/welcome/ios>
- Student use many Google tools to collaborate and produce work
  - Google Education: <https://edu.google.com/>
- Guide to digital safety/citizenship
  - Common Sense Media: <https://www.commonsensemedia.org>
- Frequently asked questions can be found on the school website.

## Damage, Theft, Repair

- A. Damage or hardware issues must be reported immediately to school personnel. For cases of hardware failure or accidental damage, a loaner will be provided for the student throughout the repair/replacement process.
- B. Students/parents are responsible for the full cost of any willful, negligent or intentional damage to the mobile device. Failure to pay for willful, negligent or intentional damage will be turned over to law enforcement.
- C. Students who leave Saint Peter Public Schools during the school year must return the mobile device, along with any other accessories, at the time they leave. The mobile device and all accessories should be returned to the Technology Department Staff.
- D. Theft must be reported immediately. Parents and/or students are required to complete a theft report through the local police department.
- E. Tracking software may be used to locate and recover missing iPads.

## SPPS Mobile Device Maintenance Plan

Saint Peter Public Schools recognizes that with the implementation of our digital learning initiatives there is a need to protect the investment by both the District and the Family. The participation cost for those opting to enroll in the Mobile Device Maintenance Plan is \$25.00 per student. The family must opt in to the maintenance plan before a student is issued a mobile device to get coverage. Enrollment in the Mobile Device Maintenance Plan coverage will be provided by the school district for families that qualify for free and reduced priced lunch.

The Mobile Device Maintenance Plan provides coverage for non-warranty repair, accidental damage (drops), cracked screens, power surges, theft (with filed police report), vandalism by others, fire, flood and other natural disasters. The \$25.00 school year fee payment is nonrefundable. Students that enroll after 2nd semester will be charged \$12.50 This annual coverage begins upon receipt of the payment and ends at the conclusion of the regular school year. The Mobile Device Protection Plan does not cover lost iPads, intentional damage –OR– stolen, lost or damaged charging cables, power adapter charging “bricks,” or cases.

### **INTENTIONAL DAMAGE**

Students/parents are responsible for full payment of intentional damages to their mobile device or accessories, or intentional damage to the mobile device or accessories of others. The School District Mobile Device Maintenance Plan DOES NOT cover intentional damage to the mobile device or accessories. This includes any damage to the mobile device while the case is not appropriately on the mobile device, or while in a case that itself is damaged and not offering full protection to the device.

**Comparison of Costs (estimated - damage fees are assessed on a case by case basis)**

Damage Type	Maintenance Plan	No Maintenance Plan
Cracked screen	\$0 - First occurrence \$40 - Additional occurrences	\$40
Broken Digitizer (iPad)	\$25 - First occurrence \$80 - Additional occurrences	\$80
Charging Cord	\$5 - First replacement \$10 - Additional replacements	\$10
Charging Block	\$5 First replacement \$10 Additional replacements	\$10
Keyboard Damage (Chromebook)	\$10 First occurrence \$40 Additional occurrences	\$40
Lost Keyboard Case (iPad)	\$50 - One-time	\$100
Lost Device	\$300 - iPad \$250 - Chromebook	\$300 - iPad \$250 - Chromebook
Complete replacement due to accidental damage	\$200 - iPad \$175 - Chromebook One-time	\$300 - iPad \$250 - Chromebook
Intentional damage	Full repair/replacement cost	Full repair/replacement cost

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**Please sign and return this page to Saint Peter Public Schools  
There is also an online agreement form on the school website**

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## **Saint Peter Public Schools 1-to-1 Guidelines and Agreement**

Access to the technology in the Saint Peter Public School District has been established for educational purposes. The use of the Saint Peter Public School District's electronic technologies is a valued resource to our community. All electronic technologies must be used in support of the educational program of the District. This access may be revoked at any time for abusive or inappropriate conduct related to the use of electronic technologies.

Failure to comply with the District's Bullying Policy, Acceptable Use and Internet Policy (005.83), and the guidelines stated in the Saint Peter 1:1 Learning Handbook for care and use of the mobile device may result in the loss of privilege to take the mobile device home or use the mobile device in general.

The mobile device is the property of Saint Peter Public Schools and as a result may be seized and reviewed at any time. The student should have NO expectation of privacy of materials found on an iPad.

- Please opt my student in to the Mobile Device Protection Plan. A \$25 fee will be placed in your Infinite Campus account and can be paid online or submitted at the school office.

### **STUDENT**

**I have read all the policies and guidelines in the Saint Peter Public Schools 1-to-1 Guidelines and Agreement document and understand my responsibilities as a student:**

Student name: \_\_\_\_\_

Student signature: \_\_\_\_\_

Date: \_\_\_\_\_

### **PARENT**

**I/we have read all the policies and guidelines in the Saint Peter Public Schools 1-to-1 Guidelines and Agreement document and understand my/our responsibilities as a parent:**

Parent name: \_\_\_\_\_

Parent signature: \_\_\_\_\_

Date: \_\_\_\_\_



## ADDENDUM

### REGULAR BOARD MEETING Monday, August 15, 2022 SPCC-Governor's Room 6:30PM

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#### VI. ACTION ITEMS

##### ***7. AGENDA ITEM #7***

**Subject:** Consider Approval of Adult Lunch Price Revision for 2022-2023

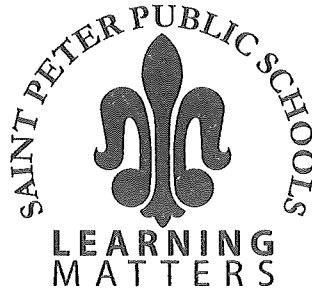
**Action:** Requires a Motion

**Background:** Each year the Federal Government and MDE provide direction to school districts participating in the school breakfast and lunch programs regarding meal pricing. The school district has reviewed this year's information and meal price recommendations are included in your Board packet.

The Business Committee reviewed the proposal at its meeting and to recommend the approval of the proposed increases for the 2022-2023 school year, however, we received an updated change from the Federal Government since the meeting which is reflected in your packet. The change increases Adult Lunch prices to \$4.75.

**Presentation:** Superintendent of Schools

**Options/Recommendation:** I recommend approving the breakfast and lunch prices for the 2022-2023 school year.



DISTRICT OFFICE · 100 Lincoln Dr Ste 229 · Saint Peter MN 56082-1351 · 507-934-5703 (Office) · 507-934-2805 (Fax) · www.stpeterschools.org

Date: 8/5/2022  
To: Bill Gronseth  
From: Tim Regner *TR*  
RE: Update to recommended Breakfast and lunch Prices Memo 7/5/22 - Adult lunch Price

At the July meeting the Board of Directors approved the school lunch prices for 2022-23. MDE last week Released guidance on the adult meal prices for 2022-23 and set the minimum price for breakfast at \$2.25 and lunch at \$4.95. In July the rates we set were \$2.35 for breakfast and \$4.35 for lunch.

We need to adjust our rate for adult lunch to \$4.95 as per MDE adult meal pricing requirements.

The increase is large in part because last year, MDE did not calculate a minimum price, in 20-21 it was \$3.85, and they recommended an increase of 3-10%. We were at 4.10 last year which is \$3.85 x about 6.5 % so we were right about in the middle of where they recommended. This year the increase must be due to the high level of inflation, we are currently experiencing and possibly partly due to not raising them enough last year.



## ADDENDUM

### REGULAR BOARD MEETING Monday, August 15, 2022 SPCC-Governor's Room 6:30PM

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#### VI. ACTION ITEMS

<b>8. AGENDA ITEM #8</b>
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**Subject:** Consider an MOU with the Paraprofessionals Regarding a Newly Created Certified Intervener Position

**Action:** Requires a Motion

**Background:** Specific student needs have created a need for an Intervener position. This MOU provides for a differentiated pay rate for the paraprofessional who undergoes the year long training to become an Intervener. This is intended to be in place for interveners in training.

**Presentation:** Superintendent of Schools

**Options/Recommendation:** I recommend approving this MOU with the Paraprofessionals.



**Intervener Position  
Memorandum of Understanding  
Between  
Independent School District no. 508  
Saint Peter Paraprofessional Educators**

This Memorandum of Understanding (MOU) is entered into between Independent School District no. 508, Saint Peter, MN (District) and the Saint Peter Paraprofessionals to allow for differentiated pay for a paraprofessional educator in training to be a certified intervener.

Due to specific student needs, a position of intervener is being created. This will be a paraprofessional educator who has completed the required training to be certified as an intervener. The training is provided through the school district over the course of a school year and requires out of school time work and travel, including some weekends.

In recognition of the additional training and obligations, this MOU defines a pay rate for an individual in the training process. The rate will follow the Health Assistant pay rate found in the Paraprofessional Educator Agreement. It is the intention of the school district to include a new lane in the contract to provide for the intervener position.

This is a non-precedent setting agreement and not an indication of similar agreements in the future.

Signed:

For: Saint Peter Paraprofessional Educators

For: Independent School District 508  
Saint Peter Public Schools

\_\_\_\_\_  
President

\_\_\_\_\_  
Superintendent

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Board Chair

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_



## ADDENDUM

### REGULAR BOARD MEETING Monday, August 15, 2022 SPCC-Governor's Room 6:30PM

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#### VI. ACTION ITEMS

##### ***9. AGENDA ITEM #9***

**Subject:** Consider Approval of a Three-Year Contract with Superintendent of Schools for 2023-2024, 2024-2025, 2025-2026

**Action:** Requires a Motion

**Background:** The Negotiations Committee has reached a tentative agreement with Superintendent Gronseth on a three-year superintendent contract for the 2023-24, 2024-25, 2025-26 school years. Details of the agreement are as follows:

1. Salary:

- a. 2023-2024 \$162,318 (2% increase)
- b. 2024-2025 \$166,376 (2.5% increase)
- c. 2025-2026 \$170,535 (2.5% increase)

**Presentation:** School Board Chair, Ben Leonard

**Options/Recommendation:** I recommend your approval of this three-year contract.

## **SUPERINTENDENT CONTRACT**

### **ARTICLE I PURPOSE**

This Contract is entered into between Independent School District No. 508, Saint Peter, Minnesota, hereinafter referred to as the School District, and William Gronseth, hereinafter referred to as the Superintendent, a legally qualified and licensed superintendent who agrees to perform the duties of the Superintendent of the School District.

### **ARTICLE II APPLICABLE STATUTE**

This Contract is entered into between the School District and the Superintendent in conformance with M.S. 123B.143.

### **ARTICLE III LICENSE**

The Superintendent shall furnish the School Board, throughout the life of this Contract, a valid and appropriate license to act as superintendent in the State of Minnesota as provided by applicable laws, rules, and regulations.

### **ARTICLE IV DURATION, EXPIRATION, TERMINATION DURING THE TERM, MUTUAL CONSENT, AND CONTINGENCY**

Section 1. Duration: This Contract is for a term of three years commencing on July 1, 2023, and ending on June 30, 2026. It shall remain in full force and effect unless modified by mutual consent of the School Board and the Superintendent or unless terminated as provided in this Contract.

Section 2. Expiration: This Contract shall expire at the end of the term specified in Section 1. above. At the conclusion of its term, neither party shall have any further claim against the other, and the School District's employment of the Superintendent shall cease, unless a subsequent Contract is entered into in accordance with M.S. 123B.143, Subd. 1.

Section 3. Termination During the Term: The Superintendent's employment may be terminated during the term of this Contract only for cause as defined in M.S. 122A.40, Subd. 9. and Subd. 13., but, except for purposes of describing grounds for discharge, the provisions of M.S. 122A.40 shall not be applicable. If the School Board proposes to terminate the Superintendent during the term of this Contract for cause as described in M.S. 122A.40, Subd. 9. or Subd. 13., it shall notify the Superintendent in writing of the proposed grounds for termination. The Superintendent shall be entitled to a hearing before an arbitrator provided

the Superintendent makes such a request in writing to the School Board Chair within fifteen (15) calendar days after receipt of the written notice of the proposed termination. In such event, the parties shall jointly petition the Minnesota Bureau of Mediation Services (BMS) for a list of five (5) arbitrators. The arbitrator shall be selected by the parties through the striking process as provided by BMS rules. The arbitrator shall conduct a hearing under arbitration procedure rules and issue a written decision. The decision of the arbitrator shall be final and binding on the parties, subject to judicial review of arbitration decisions as provided by law. The Superintendent may be suspended with pay pending final determination by the arbitrator. If the Superintendent fails to request a hearing as provided in this section within the fifteen (15)-day calendar period, he/she shall be deemed to have acquiesced to the School Board's proposed action, and the proposed action shall become final on such date as determined by the School Board, and the Superintendent shall have no further claim or recourse.

Section 4. Mutual Consent: This Contract may be terminated at any time by mutual consent of the School Board and the Superintendent.

Section 5. Contingency: If this Contract is a subsequent Contract entered into prior to the completion of an existing Contract, this subsequent Contract is contingent upon the Superintendent completing the terms of the existing Contract.

## **ARTICLE V**

### **DUTIES**

The Superintendent shall have charge of the administration of the schools under the direction of the School Board. The Superintendent shall be the chief executive officer of the School District; shall direct and assign teachers and other School District employees under the Superintendent's supervision; shall organize, reorganize, and arrange the administrative and supervisory staff, including instruction and business affairs, as best serves the School District subject to the approval of the School Board; shall select all personnel subject to the approval of the School Board; shall, from time to time, suggest policies, regulations, rules, and procedures deemed necessary for the School District; and, in general, perform all duties incident to the office of the Superintendent and such other duties as may be prescribed by the School Board from time to time. The Superintendent shall abide by the policies, regulations, rules, and procedures established by the School Board and the State of Minnesota. The Superintendent shall have the right to attend all School Board meetings and all School Board and citizen committee meetings, serve as an ex-officio member of the School Board and all School Board committees, and provide administrative recommendations on each item of business considered by each of these groups.

## **ARTICLE VI**

### **DUTY YEAR AND LEAVES OF ABSENCE**

Section 1. Basic Work Year: The Superintendent's duty year shall be for the entire twelve (12)-month Contract year, and the Superintendent shall perform duties on those legal

holidays on which the School Board is authorized to conduct school if the School Board so determines. The Superintendent shall be on duty during any emergency, natural or unnatural, unless otherwise excused in accordance with School Board administrative policy.

**Section 2. Vacation:** The Superintendent shall earn twenty (20) working days of annual paid vacation each Contract year. Unused vacation must be taken within six (6) months after the end of the Contract year in which it is earned. Five days may be carried forward for each year of service to a maximum of 50 days. No more than 25 vacation days may be used in a calendar year, and not more than 10 days consecutively unless specific school board approval has been granted. Upon voluntary termination of employment or expiration of the Contract, if not offered a subsequent Contract, the Superintendent shall be entitled to payment for any unused vacation days earned and accrued pursuant to the provisions of this section; however, if the Superintendent is involuntarily terminated, he/she shall not be entitled to unused earned and accrued vacation days. On an annual basis, the Superintendent may submit up to five (5) unused vacation days for payment at the Superintendent's daily rate.

**Section 3. Holidays:** The Superintendent shall be entitled to twelve (12) paid holidays as designated by the School Board each Contract year.

New Year's Day	Thanksgiving Day
Good Friday	Friday after Thanksgiving
Memorial Day	Christmas Eve Day
Independence Day	Christmas Day
Labor Day	New Year's Eve Day
Presidents' Day	Martin Luther King Day-(unless school is in session or a teacher's workday is scheduled)

**Section 4. Sick Leave:** The Superintendent shall earn paid sick leave at the rate of one (1) day(s) each working month, and earned sick leave may accumulate to a maximum of 240 days. Upon voluntary termination of employment or expiration of the Contract, if not offered a subsequent Contract, the Superintendent shall be entitled to payment for any unused sick leave days earned and accrued pursuant to the provisions of this section and Article XI; section 5; however, if the Superintendent is involuntarily terminated, he/she shall not be entitled to unused earned and accrued sick leave days.

**Section 5. Workers' Compensation:** Pursuant to M.S. Chapter 176, the Superintendent injured on the job in the service of the School District and collecting workers' compensation insurance may draw sick leave and receive full salary from the School District, the salary to be reduced by an amount equal to the insurance payments, and only that fraction of the days not covered by insurance will be deducted from accrued sick leave.

**Section 6. Bereavement Leave:** The Superintendent shall be granted bereavement leave for a death within the Superintendent's immediate family. The time utilized shall be in an amount to be determined after conferring with the School Board Chair. Days utilized will not be deducted from the Superintendent's sick leave. "Immediate family" is defined as the

Superintendent's spouse, child, parent, brother, sister, or other relative who was living in the same household as the Superintendent. The School Board Chair may authorize leave days for other extended family members or a special friend after conferring with the Superintendent.

Section 7. Emergency Leave: The Superintendent may be granted paid emergency leave at the discretion of the School Board.

Section 8. Jury Service: The Superintendent who serves on jury duty shall be granted the day or days necessary as stipulated by the court to discharge this responsibility without any salary deduction or loss of basic leave allowance. The compensation received for jury duty service shall be remitted to the School District.

Section 9. Military Leave: Military leave shall be granted pursuant to applicable law.

Section 10. Disability: If the Superintendent is unable to perform his/her regular duties because of personal illness or disability and has exhausted all accumulated sick leave, the School Board shall provide additional paid sick leave at a salary equal to 66 and 2/3 percent of the Superintendent's regular salary until the expiration of the waiting period for long-term disability insurance.

Section 11. Medical Leave: Pursuant to M.S. 122A.40, Subd. 12., the Superintendent shall have a right to a leave of absence for health reasons.

Section 12. Insurance Application: A Superintendent on unpaid leave is eligible to continue to participate in group insurance programs if permitted under the insurance policy provisions. The Superintendent shall pay the entire premium for such insurance commencing with the beginning of the leave and shall pay to the School District the monthly premium in advance. In the event the Superintendent is on paid leave from the School District under Section 4. above or supplemented by sick leave pursuant to Section 5. above, the School District will continue insurance contributions as provided in this Contract until sick leave is exhausted. Thereafter, the Superintendent must pay the entire premium for any insurance retained.

## **ARTICLE VII INSURANCE**

Section 1. Health and Hospitalization and Dental Insurance: The School District shall provide the Superintendent and the Superintendent's dependents with full family health and hospitalization insurance coverage under the School District's group health and hospitalization insurance plan. The School District shall contribute the annual sum toward the premium for such insurance. The School District shall also provide the Superintendent and the Superintendent's dependents with full family dental insurance coverage under the School District's group dental insurance plan.

**Section 2. Life Insurance:** The School District shall provide, at its own expense, term life insurance for the Superintendent under the School District's group term life insurance plan in the amount of \$200,000, payable to the Superintendent's named beneficiary(ies).

*NOTE: According to the Internal Revenue Service rules, the amount of School District premium contribution that pays for life insurance coverage in excess of \$50,000 is considered taxable income, so the School District should be certain that it is reporting that contribution as such, and the Superintendent needs to know why that amount is being reported.*

**Section 3. Long-Term Disability Insurance:** The School District shall provide, at its own expense, long-term disability insurance for the Superintendent under the School District's group long-term disability insurance plan.

**Section 4. Eligibility:** The eligibility of the Superintendent and the Superintendent's dependent(s) and beneficiary(ies) for insurance benefits shall be governed by the terms of the insurance policies purchased by the School District pursuant to this article.

**Section 5. Claims Against the School District:** The School District's only obligation is to purchase the insurance policies described in this article, and no claim shall be made against the School District as a result of denial of insurance benefits by an insurer if the School District has purchased the policies and paid the premiums described in this article.

## **ARTICLE VIII OTHER BENEFITS**

**Section 1. Tax-Sheltered Annuities:** The Superintendent is eligible to participate in a tax-sheltered annuity plan through payroll deduction established pursuant to Section 403(b) of the Internal Revenue Code of 1986, M.S. 123B.02, Subd. 15., School District policy, and as otherwise provided by law.

**Section 2. Vehicle:** The School District shall compensate the Superintendent for business use of his/her private vehicle at the rate allowed by the Internal Revenue Service pursuant to M.S. 471.665, Subd. 1.

**Section 3. Conferences and Meetings:** The School District shall pay all legally valid expenses and fees for the Superintendent's attendance at professional conferences and meetings with other educational agencies when such attendance is required, directed, or permitted by the School Board. The Superintendent shall periodically report to the School Board relative to all meetings and conferences attended. The Superintendent shall file itemized expense statements to be processed and approved as provided by School Board policy and law.

## **ARTICLE IX SALARY**

The Superintendent shall be paid an annual salary of \$162,318 for the 2023-2024 Contract year, \$166,376 for the 2024-2025 Contract year, and \$170,535 for the 2025-2026 Contract year. During the term of this Contract, the annual salary may be modified but shall not be reduced. The annual salary shall be paid in 24 equal installments during the Contract year.

**ARTICLE X**  
EVALUATE PERFORMANCE

The School Board shall oversee, direct, and evaluate the Superintendent's performance as the School Board sees fit.

**ARTICLE XI**  
OTHER PROVISIONS

Section 1. Outside Activities: While the Superintendent shall devote full time and due diligence to the affairs and the activities of the School District, he/she may also serve as a consultant to other school districts or educational agencies, lecture, engage in writing and speaking activities, and engage in other activities if, as solely determined by the School Board, such activities do not impede the Superintendent's ability to perform the duties of the superintendency. However, the Superintendent may not engage in other employment, consultant service, or other activity for which a salary, fee, or honorarium is paid without the prior approval of the School Board.

Section 2. Indemnification and Provision of Counsel: In the event that an action is brought or a claim is made against the Superintendent arising out of or in connection with his/her employment and the Superintendent is acting within the scope of employment or official duties, the School District shall defend and indemnify the Superintendent to the extent provided by law. Indemnification, as provided in this section, shall not apply in the case of malfeasance in office or willful or wanton neglect of duty, and the obligation of the School District in this regard shall be subject to the limitations as provided in M.S. Chapter 466.

Section 3. Dues: The Superintendent is encouraged to belong to and participate in appropriate professional, educational, economic development, community, and civic organizations when such membership will serve the best interests of the School District. Accordingly, the School District will pay the membership dues for such organizations as are required, directed, or permitted by the School Board. The Superintendent shall present appropriate statements for approval as provided by law.

Section 4. Retirement: Upon retirement at the end of the year in which the Superintendent reaches the age of fifty-six (56), the Superintendent may remain in the District's insurance plans:

With regards to medical insurance, the District will provide \$60,000 that may be used towards the purchase of any of the District's medical insurance plans. This money is for continuing medical coverage in any of the District's medical plans or a provider of the Superintendent's choosing. After the District's contribution has been depleted, the Superintendent may remain in the group insurance program indefinitely at his own expense. In the event of the Superintendent's death, this benefit ceases.

With regards to life insurance in effect at the time of the Superintendent's retirement, the District will continue to pay life insurance premiums until the Superintendent reaches the age of sixty-five (65) years.

With regard to dental insurance in effect at the time of the Superintendent's retirement, The District will allow the Superintendent to remain in the group and purchase dental insurance at his own expense.

Section 5. Severance Pay: Upon retirement at age fifty-six (56) or thereafter, or upon retirement or resignation after ten (10) years of full time employment with the District, or upon death, the Superintendent or his beneficiary shall be paid forty-five dollars (\$45) per day for each day of accumulated sick leave up to a maximum of one hundred eighty five (185) days. IN addition, upon retirement or resignation from the district ~~after ten (10) years of full time employment with the district~~, or upon death, the Superintendent, or his beneficiary, shall be paid full daily salary for a maximum of fifty five (55) additional days of such leave accrued under the terms of this contract. This section pertains to sick leave accrued under Article VI, Section 4.

*NOTE: Since July 31, 1993, severance pay for highly compensated employees has been restricted. A "highly compensated employee" is an employee with estimated annual wages that are greater than sixty percent (60%) of the governor's salary and are equal to, or greater than, eighty percent (80%) of the estimated annual wages of the second highest paid employee of the School District. Severance pay for highly compensated employees is restricted to an amount equivalent to six (6) months of wages. For purposes of this restriction, payments for accumulated vacation and sick leave liquidated to cover the cost of group term insurance may be paid in addition to the six (6) months of severance pay. For exceptions to the six (6)-month restriction, see M.S. 465.722, Subd. 3., which may be found in section "D.5." of "Chapter 3" in the MSBA Service Manual.*

~~Section 6.~~ Section 5 Daily Rate of Pay: For purposes of this contract, the Superintendent's daily rate of pay is determined by dividing the Superintendent's annual salary by 240 days.

## ARTICLE XII

### SEVERABILITY

The provisions of this Contract shall be severable, and if any such provision or the application of any such provision under any circumstances is held invalid, it shall not affect any other provisions of this Contract or the application of any provision thereof.

IN WITNESS WHEREOF, I have subscribed  
subscribed my signature this \_\_\_\_ day of  
\_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Superintendent

IN WITNESS WHEREOF, we have  
our signatures this 16th day of  
March, 2020.

\_\_\_\_\_  
School Board Chair

\_\_\_\_\_  
School Board Clerk



## ADDENDUM

### REGULAR BOARD MEETING Monday, August 15, 2022 SPCC-Governor's Room 6:30PM

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#### VII. INFORMATION ITEMS

<b>1. AGENDA ITEM #1</b>
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**Subject:** Building & Grounds Update

**Background:** Operations and Maintenance staff have been working diligently to prepare our buildings for the start of the school year. We have also had construction projects. Sharon Petersen, Operations and Maintenance Supervisor, will be on hand to provide an update.

**Presentation:** Operations and Maintenance Supervisor



## ADDENDUM

### REGULAR BOARD MEETING Monday, August 15, 2022 SPCC-Governor's Room 6:30PM

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#### VII. INFORMATION ITEMS

<b>2. AGENDA ITEM #2</b>
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**Subject:** Summer Programs Update

**Background:** It has been a busy summer for many students and staff. Ytive Prafke will provide an overview of the programs that have taken place over the summer.

**Presentation:** Special Programs Administrator