

# **MINNEHAHA ELEMENTARY STUDENT/PARENT HANDBOOK 2016-17**

**"Put Your Best Foot Forward"**



**421 7<sup>th</sup> Street  
Two Harbors, MN 55616  
218-834-8221**

**Brett Archer, Principal**

**VISION**

Minnehaha Elementary School, in partnership with students, parents, and community, is committed to creating a safe, nurturing environment that instills in every student, a passion for life-long learning

**MISSION**

Our school community strives to achieve the following principles:

- To create a safe and friendly environment where each individual student's academic and social needs can be met.
- To relate real life experiences to the curriculum.
- To emphasize hands-on learning as vital to a child's learning.
- To use technology and a variety of teaching materials.
- To create opportunities for discussion among children, and between children and adults.
- To utilize cooperative small group activities to support learning and to provide an opportunity for social and emotional development.
- To promote reading, writing, communication, problem solving, and mathematics which are essential for success in our changing society.
- To assist children as they continue to develop self-control and a sense of responsibility for their actions.
- To nurture and strengthen the child's development in attitude, behavior, and responsibility through the use of positive modeling and high expectations.

## **Parents Right to Know (NCLB)**

The No Child Left Behind Act of 2000 requires all Title I schools to notify parents of all children in all Title I schools that they have the right to request and receive timely information on the professional qualifications of their child's classroom teachers.

Schools are required to report:

- Whether the teacher has met state qualifying and licensing criteria for the grade levels and subject areas in which the teacher is teaching;
- Whether the teacher is teaching under emergency or other provisional statute through which state qualification or licensing criteria have been waived;
- The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field or discipline of the certification or degree.
- Whether the child is provided services by paraprofessionals and if so, their qualifications.

Parents may request the information from the school office and the information will be available within 10 days. Because of privacy issues, no personal information about the teacher will be provided.

**NOTICE**

**SPECIAL EDUCATION REFERRAL:** If your child is referred to special education for an assessment, the district will enter your child's name and date of birth into the Minnesota Medicaid System to find out if your child receiving Medical Assistance or MinnesotaCare. If you do not want the district to enter your child's name and date of birth into the Minnesota Medicaid System, please inform your child's principal that you do not want the district to check the Medicaid System.

**TABLE OF CONTENTS**

<b>Directory</b>	<b>3</b>
<b>Welcome</b>	<b>4</b>
<b>General Information</b>	<b>4</b>
Attendance and Tardies	4
Contact With Student	4
Behavior Expectations	9
Breakfast Program	4
Bus Regulations	4
Counselor	4
Dismissal During the School Day	5
Dress and Appearance	5
Early Childhood Family Education	5
Early Childhood Special Education	5
Electronic Devices	5
Enrollment/Emergency Forms	5
Entrance to Building	5
Excuse from Phy. Ed.	5
Field Trips	5
Fines/Charges	6
Health Screenings	6
Illness and Injury	6
Immunization Requirements	6
Lockers	6
Lost and Found	6
Lunch	7
MA Billing	8
Make-up Work	8
Medication	8
Mid-Morning Milk	8
Music Program Instruction	8
Parent-Teacher Conferences	8
Physical Education	12
Physical Examinations	12
Pledge of Allegiance	12
Progress Reporting System	12
PBIS (Behavior Expectations)	12
School Hours	12
School Parties & Treats	12
Special Education Services	12
Special Health Care Needs	12
Teacher Requests	13
Telephone/Cell Phone Usage	13
Title I	13
Title IX	13
Visitors in Classrooms	13
Weather Policy	13
Withdrawing a Child From School	13
Board Policies & State Laws	Appendix

## Welcome

The Minnehaha staff welcomes you. In addition to educating your child, it is our responsibility to provide a safe learning environment in which all students will learn. We invite you to become involved in the education of your child(ren). We hope this handbook will clearly define the rules and guidelines in order to promote consistent and fair treatment of all students and an atmosphere of open communication.

### **LAKE SUPERIOR SCHOOL DISTRICT MISSION STATEMENT**

THE MISSION OF THE LAKE SUPERIOR SCHOOL DISTRICT IS TO PROVIDE FOR ALL STUDENTS AN EDUCATIONAL ENVIRONMENT WHICH ENCOURAGES LIFELONG LEARNING, SELF-FULFILLMENT AND RESPONSIBLE CITIZENSHIP AT HOME AND WITHIN THE WORLD COMMUNITY.

### **PHILOSOPHY OF THE LAKE SUPERIOR SCHOOL DISTRICT**

The purpose of the Lake Superior School District is to work with the community in developing in our children civic responsibility, vocational competence, cultural appreciation, moral sensitivity, and mental and physical health. It is with the education aspects of these goals that the schools must be primarily concerned.

In addition, it is the desire of LSSD that each individual develop an enjoyment of learning which will lead him or her to continue his or her education throughout his or her life. People of all ages will be assisted in achieving their educational objectives.

Each child will be treated as an individual, to be helped to achieve as much as he or she can with the abilities and interests he or she possesses.

Working toward these goals we will cooperate with and seek the support of the entire community.

### **General Information**

#### **ATTENDANCE AND TARDINESS**

**Procedures for reporting absences:** For absences other than prearranged, the parents or guardians are requested to call the school office stating the student's name, grade and reasons for absence before 10:00 a.m. the same day. If you get our voicemail, please leave a message. **834-8221 ext. 8401**

**Tardies:** Three tardies to school will equate to one unexcused absence as per district policy. See appendix.

**Appointments during the school day:** If a student will be leaving during the school day they should bring a note to the office before the start of the school day to limit disruptions to classroom instruction.

**Students leaving before the end of the day:** The Administrative office **MUST** sign out any student leaving school prior to the end of the school day for any reason.

All children in the Lake Superior School District five (5) years of age or older by September 1 on any given year have the right to attend public school until they graduate from the twelfth grade or reach the age twenty-one (21). Children between the ages of seven (7) and seventeen (17) must attend, and children between the ages seventeen (17) and twenty-one (21) must attend until completion of the tenth grade. Children with certain special handicaps or physical or mental conditions may have to attend school at a location outside the district, if determined that the district does not have a program suitable for such children. Children in areas far removed from district schools may also have to attend school outside the district in some instances. The school board will make the decision as to when attendance outside the district is necessary. Tuition for all children attending outside the district, at the option of the school board, will be the responsibility of the district.

#### **SCHOOL ABSENCES:**

In order for an absence to be excused the school **MUST** be notified **WITHIN 24 HOURS OF AN ABSENCE** and it must meet one of the following criteria:

When a student cannot attend school as required, a phone call from a parent or guardian excusing the absence must be received by office staff or a written excuse, signed by parent/guardian, must be submitted. For long-term absences, a statement from a physician may be required. Board action may be necessary to approve excuses which extend for an entire school year or where there is no definite plan for a child's illness, or where a child will be absent for an extended time and school and child are experiencing a hardship.

**Excused absences:** Excused absences are **limited to illness, medical and dental appointments at the parent's request (we encourage parents to schedule these appointments outside of the school day if possible), family emergencies, special events such as funerals and weddings, legal matters such as court and social service appointments.**

Schoolwork may be made up and full credit received for these absences.

**Unexcused absences:** A student can leave school upon their parent's request but will receive an **unexcused absence**. Students are responsible for making up assignments missed as a result of all absences.

**Pre-arranged absences:** Parents who know in advance that their child will be absent from school for an extended period of time should contact the office. **This does not mean it is an excused absence.** Parents should also contact their child's teacher to arrange make-up work.

**Reporting Truancy** Your school is obligated to report excessive absences, continuing truancy, and habitual truancy to the Lake County Attorney's Office.

**"Continuing truant"** means a child who is absent from instruction in a school as defined in section 120A. 05, without valid excuse within a single school year for (1) three days if the child is in elementary school (260A.02) **"Habitual truant"** means a child under the age of 16 years who is absent from attendance at school without lawful excuse for seven school days.

#### **RESTRICTED CONTACT WITH A STUDENT**

It is the parent's/guardian's responsibility to inform and provide the school with current documentation if anyone is **legally restricted** from contact with a child.

#### **Breakfast Program**

The Lake Superior School District will participate in the School Breakfast Program. Breakfast will be offered 7:30 to 7:50 a.m. in all schools at a cost of \$1.25. Children eligible for free or reduced priced lunch are eligible for free breakfast.

If, at a particular school, participation is fewer than 25 students, the breakfast program may be dropped at that school.

A school breakfast is a fast, fun, and economical way for your child(ren) to obtain what is probably the most important meal of the day. We look forward to having your child(ren) join us.

#### **BUS REGULATIONS**

Bus drivers are not permitted to take on children other than their regular assigned passengers, except in emergency cases when the parent may send a request which must be signed by the principal before being presented to the driver. Permission will not be granted for going to birthday parties, school meetings, etc. The bus driver has the obligation to get children to and from school safely and on time.

Misbehavior of children may interfere with the bus driver's job and may cause a serious accident. Pupils must obey the directions of the driver and the rules for riding the bus. Those who fail to do so will receive warning notices and **may be excluded from riding**. See Transportation Policy in appendix.

#### **COUNSELOR**

At the elementary level, the counselor provides developmental education through classroom lessons and group or individual counseling for educational, personal, and social, concerns. Your school has a full-time counselor to work with students who have been referred or who request to speak to her. If you need help arranging this, contact your child's teacher or the office

#### **DISMISSAL DURING THE SCHOOL DAY**

Please report to the office if you must pick your child up during the school day. You may be asked to show a picture I.D. The student will be called out of class by the office staff. A parent/guardian must provide a written note if someone else has been given permission to pick his/her child up from school. This regulation is for the safety of your child.

#### **DRESS AND APPEARANCE**

Students are not subjected to a formal dress code, however they are expected to dress appropriately for the weather and school environment including the playground. 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. Another example would be flip-flops, sandals or slip on clogs or slide type shoes. These are not appropriate for school because students are on the playground running and climbing and these have been known to cause injury. (See Policy 504 in Appendix)

#### **EARLY CHILDHOOD FAMILY EDUCATION (ECFE)**

This program provides a variety of quality learning opportunities and resources for parents and their children from birth up to kindergarten. Learning activities in the children's classroom promote cognitive skill development. The parent discussions focus on child development, child raising strategies and parent concerns.

#### **EARLY CHILDHOOD SPECIAL EDUCATION (ECSE)**

Early intervention for children with disabilities enhances school success and the ECSE program provides these services from birth to kindergarten. Families are encouraged to assume an important role in the development and delivery of services for their children. Professional staff work with families to develop an individualized plan. Services are provided in a variety of places including the student's home, center-based classrooms, early childhood family education settings, and community

preschool classrooms.

The program focuses on the development of a child's skills in one or more of the following areas: a) speech/language, b) social/emotional development, c) self-help, d) motor, and e) pre-academics. You may call to discuss concerns about the development of your child and refer him/her for services. Please call 218-834-8221 x 8414 for more information.

#### **ELECTRONIC DEVICES**

Radios (including headsets), CD players, MP3 players, iPods, tape recorders, pagers/beepers, cell phones, and other electronic devices are not allowed during school hours. If any situation arises where an electronic device is a disruption, the device will be confiscated. *The school district is not responsible for any lost items.*

#### **ENROLLMENT/ EMERGENCY FORMS**

Parents will be asked to fill out an enrollment information sheet for each student the first week of school. It is very important that all information is filled in, including work or cell phone numbers, and current address and phone numbers. This information is kept in the office and is used for emergencies only. If you should have an address, phone, or change in work place during the school year, please notify the office so that we keep our records current. If an emergency occurs, and a parent cannot be contacted, the contact person on the child's emergency form will be called. Parent's cooperation in providing complete information on this form is requested and appreciated. It is very important to have this information as current as possible. Please list two parties on this form. If the child is extremely ill and we cannot contact anyone, the school will then contact the Lake View Memorial Hospital for care under a doctor's supervision. If the emergency is an urgent nature, school staff will call 911. A copy of the emergency information will be given to the ambulance attendant.

#### **ENTRANCE TO THE BUILDING**

*It is necessary to check in* at the school's main office anytime a visitor enters the building. If you are staying for any length of time, other than to attend a program, you will need to sign in and wear a name tag identifying you as a visitor.

#### **EXCUSE FROM PHYSICAL EDUCATION**

Please send a request to the teacher if your child needs to be excused from physical education. Written instructions are required from the student's physician if he/she is to be excused for more than two days, and they must include a re-entry date.

#### **FIELD TRIPS**

Class trips provide concrete learning experiences with opportunities for student training in courtesy, safety, and good citizenship. The cost of field trips may require a small fee to pay for part of the expense. Parent/guardian permission is also required for children to participate in field trips.

**STUDENTS WHO ARE BEHIND ON SCHOOL WORK OR HAVE HAD BEHAVIORAL PROBLEMS WILL NOT BE ALLOWED TO PARTICIPATE IN THESE FIELD TRIPS. PARENTS WILL BE NOTIFIED IF THEIR SON/DAUGHTER CANNOT ATTEND AND STUDENTS THAT STAY BEHIND WILL BE REQUIRED TO ATTEND SCHOOL AND WILL BE ASSIGNED ALTERNATIVE LESSONS TO THE FIELD TRIP EXPERIENCE.**

#### **FINES/CHARGES**

School textbooks, media resources, and other instructional materials are expensive. Children are expected to take care of the items issued to them. School personnel will assess the cost for material that either are not returned to school or have been damaged. **You are responsible for paying this cost.**

#### **HEALTH SCREENINGS**

Vision testing will be done routinely and upon the request from teacher and/or parent. Hearing screening will also be done routinely and upon the request from a teacher and/or parent. Please inform us if your child has special health problems so we may plan a program accordingly. In a like manner, we will inform individual families of any new health problem we detect.

#### **ILLNESS AND INJURY**

The school provides the best first aid possible. The nurse's office does not diagnose illnesses or assume care that may be required by a doctor. All injuries are referred to the nurse's office where first aid is administered. If judged serious, parents will be notified. In any questionable situations, parents will be called or adults listed on the emergency form if parents cannot be reached.

A child is usually sent to the nurse's office if they report they are ill during the school day, or if the teacher observes that a child is not feeling well. The child's complaints are checked and sometimes only a short rest is needed in the nurse's office. However, if a child has an elevated temperature, symptoms of an upper respiratory infection, rash, pain, or vomiting, the parents will be called to come and take their child home.

Children who have a contagious illness or are experiencing vomiting, diarrhea, or other symptoms of illness that may prohibit active participation in school routines should not be in school. **Children should be free of vomiting, and diarrhea symptoms for 24 hours prior to their return to school.**

If a doctor has confirmed that a child has contracted a contagious disease, the parent/guardian should inform the school nurse. Parents of other children may then be cautioned to watch for signs of the disease and help prevent its spread throughout the classroom.

### **IMMUNIZATION REQUIREMENTS**

According to state law, all children must be in compliance with state immunization requirements, be in the process of receiving the immunization series, or meet exemption criteria before starting school. Exemptions are permitted for medical reasons or due to the conscientiously held beliefs of the parent/guardian.

A chart of vaccinations that are required or recommended for K-12 children is listed below. Find your child's age or grade level and read across to the right. Have they had the number of shots shown by the checkmark(s)? Each row is meant to be read separately, so don't add up the columns of checkmarks under each vaccine.

Vaccine→ ↓Grade and/or Age	DTP diphtheria, tetanus, pertussis (whooping cough)	Polio OPV and/or IPV	MMR measles, mumps, rubella	Hepatitis B	Varicella chicken pox
<b>Kindergarten</b>	✓ ✓ ✓ ✓ ✓ shot #5 not needed if #4 was taken after age 4	✓ ✓ ✓ ✓ shot #4 not needed if #3 was taken after age 4	✓ ✓	✓ ✓ ✓	✓
<b>Age 7 through grade 6</b>	at least ✓ ✓ ✓	at least ✓ ✓ ✓	✓		
<b>Grades 7 – 12</b>	at least ✓ ✓ ✓ PLUS 1 Td shot at age 11 or older*	at least ✓ ✓ ✓	✓ ✓	✓ ✓ ✓ required for 7 <sup>th</sup> grade; recommended for grades 8-12	✓ required for 7 <sup>th</sup> grade; recommended for grades 8-12

\*unless a Td was given after the 7<sup>th</sup> birthday; then it must be repeated 10 years after the last dose

### **LOCKERS**

School lockers are provided for the convenience of the children and are the property of the school district. Inspection of the locker interiors may be conducted by school authorities for any reason, at any time, without notice, student consent, and a search warrant. The personal possessions within a school locker may be searched only when school authorities suspect that the search will uncover evidence of a violation of law or school rules.

### **LOST AND FOUND**

**Please label all of your children's belongings.** Tag gloves, mittens, hats, sweaters, boots, shoes, etc. Each year many such articles are left in our lost and found box and never claimed. We will hold these articles for a reasonable period of time and then dispose of them. We ask that when you visit the school, please take the time to examine our lost and found items on the table in the cafeteria.

We urge you to mark ALL clothing items with your child's name. Permanent ink and/or tape securely sewn in place are the best methods. **The District is not responsible for any lost or stolen items.**

### **ATTENTION PARENTS:**

***Do your part to bring additional funding to our school district.***

*Applications for free and reduced meals are available online at:*

<https://arcc.infinitecampus.org/campus/portal/lakesuperior.jsp> in your child's school office or in the District Office. Look for the colored form called "Application for Educational Benefits" to come in the mail before the school year begins. These applications should be returned as soon as possible so that determinations of eligibility can be made.

All households are encouraged to play a part in bringing additional funding to the district. In order for your school to receive extra federal funding, our district must submit your application to the federal government by **October 1, 2016**. You may turn in an application at any time during the year, but **applications processed after that time will not help schools receive extra funding**. Applications are for the current school year only; **you must reapply each school year**. Applications are kept confidential and only the district office will have access to the information on your application.

### **Lunch/Breakfast Program**

Students and staff in the Lake Superior School District must have money in their food service account to make purchases in the kitchen. No cash will be accepted at the register. If there was money remaining in an account at the end of the school year, it will transfer to the next school year. PIN numbers will remain the same. Food service accounts can be paid in the school office or through e-Store at <https://arcc.infinitecampus.org/campus/portal/lakesuperior.jsp>

If you would like, we can place limitations on your child's purchases regarding ala carte or snack items.

<b>Breakfast:</b>	<b>Lunch:</b>
Served 7:30-8:00 a.m.	Grades K-5: \$2.40
Students: \$1.25	
Adults: \$2.25	Adults: \$4.50
Reduced: Free	Reduced: Free

Milk: \$0.50

Kindergarten Milk (Lunch): \$0.50

Kindergarten Milk (Snack): Free

#### **MA Billing**

If your child is referred to special education for an assessment, the district will enter your child's name and date of birth into the Minnesota Medicaid System to find out if your child receiving Medical Assistance or MinnesotaCare. If you do not want the district to enter your child's name and date of birth into the Minnesota Medicaid System, please inform your child's principal that you do not want the district to check the Medicaid System. "

#### **MAKE-UP WORK**

Elementary personnel feel that the majority of the student's energies should be spent on getting well. However, if a parent decides after several days of illness that the child is able to do school work, he/she should contact the school office.

Homework will be given. Assignments may be modified for absent children. ***All assigned work should be completed and returned in a reasonable length of time once the student returns to school.***

#### **MEDICATION**

School personnel will dispense only medications that have been prescribed by a physician. If medication is needed during the school day, the policy is as follows:

1. ***Parents/guardians must inform the nurse*** when a pupil requires medications during the school day.
2. ***A written statement is required*** from the parent/guardian and physician authorizing the administration of all medications thereby releasing school personnel from liability should reactions result from the medication. The written statement must include the student's name, diagnosis, name of medication, dose, time to be given, and signatures of parent/guardian and physician. Forms are available from the Office.
3. ***Medication must be provided*** in pharmacy labeled containers that indicate pharmacy name and telephone number, student's name, physician, name and dosage of medication. The pharmacy shall be requested to split medication into duplicate bottles if it is necessary to give medication during school hours. One bottle will be kept at home and the other at school under the care of school authorities.
4. The nurse will administer prescribed medication. In the absence of the nurse, the medication will be dispensed by a designee named by the principal in consultation with the nurse. Children will be allowed to carry and self-administer medications only with a physician's and parent's written permission, in cases of potential emergency.
5. Tylenol or other over-the-counter medicines will be administered to children only with a physician's written order in addition to the parent authorization as required above. ***Over-the-counter medication must be in the original container.***
6. Inhalers: Students may carry their inhalers, with parent and doctor's permission. All students with inhalers must fill out the permission form and have it returned to keep on file. Students are encouraged to keep an inhaler in the nurse's office for emergency use.

We would appreciate it if you would limit school-administered medications to those that are absolutely necessary.

#### **Mid-Morning Milk- Kindergarten**

Milk will be furnished to kindergarten students free of charge.

#### **MUSIC PROGRAM INSTRUCTION**

A specialist teaches music to all students in grades K-5 for forty-five minutes every other day. A program is presented in December and in March.

#### **PARENT-TEACHER CONFERENCES**

Parent-teacher conferences usually result in a better understanding and an improved relationship between home and school. This year, conferences are scheduled for November 13<sup>th</sup> from 5:00- 8:00 PM and November 14 All day and 5:00- 8:00 PM. Specific times for individual conferences will be sent home with your child at the end of October.

## **Behavior Expectations**

### **MISSION**

Minnehaha Elementary School, in partnership with students, parents, and community, is committed to creating a safe, nurturing environment that instills in every student, a passion for life-long learning.

### **VISION:**

Our school community strives to achieve the following principles:

- To create a safe and friendly environment where each individual student's academic and social needs can be met.
- To relate real life experiences to the curriculum.
- To emphasize hand-on learning as vital to a child's learning.
- To use technology and a variety of teaching materials.
- To create opportunities for discussion among children, and between children and adults.
- To utilize cooperative small group activities to support learning and to provide an opportunity for social and emotional development.
- To promote reading, writing, communication, problem solving, and mathematics which are essential for success in our changing society.
- To assist children as they continue to develop self-control and a sense of responsibility for their actions.
- To nurture and strengthen the child's development in attitude, behavior, and responsibility through the use of positive modeling and high expectations.

### **MAJOR EXPECTATIONS:**

- **BE SAFE-** Being safe means that no one gets hurt physically or emotionally
- **BE RESPECTFUL-** Being respectful means to be polite, cooperative and caring of others
- **BE RESPONSIBLE-** Being responsible means to be dependable, trustworthy and hardworking with schoolwork and with people.

---

Teacher Signature

---

Student Signature

---

Parent Signature

**BEHAVIOR EXPECTATIONS FOR MINNEHAHA ELEMENTARY**

**Hallway**

<b>We are Respectful</b>	<b>We are Responsible</b>	<b>We are Safe</b>
<ul style="list-style-type: none"> <li>★ Voice Level 0 - 1</li> <li>★ Respect artwork &amp; other displays</li> </ul>	<ul style="list-style-type: none"> <li>★ Keep feet quiet</li> <li>★ Keep hallways clean</li> <li>★ Stay in line</li> <li>★ Close lockers quietly</li> </ul>	<ul style="list-style-type: none"> <li>★ Walk facing forward</li> <li>★ Keep body &amp; objects to yourself</li> </ul>

**Bathroom**

<b>We are Respectful</b>	<b>We are Responsible</b>	<b>We are Safe</b>
<ul style="list-style-type: none"> <li>★ Voice Level 0 - 1</li> <li>★ Respect privacy of others</li> <li>★ Keep bathroom clean</li> </ul>	<ul style="list-style-type: none"> <li>★ Quickly in, quickly out</li> <li>★ 2 soap 2 towels</li> <li>★ Flush</li> <li>★ Keep bathroom clean</li> </ul>	<ul style="list-style-type: none"> <li>★ Report problems to adults</li> <li>★ Wash hands</li> <li>★ Keep bathroom clean</li> <li>★ Walk</li> </ul>

**Cafeteria**

<b>We are Respectful</b>	<b>We are Responsible</b>	<b>We are Safe</b>
<ul style="list-style-type: none"> <li>★ Keep food on plate or in mouth</li> <li>★ Include others</li> <li>★ Use manners</li> <li>★ Level 0-2 voice</li> </ul>	<ul style="list-style-type: none"> <li>★ Keep table &amp; floor clean</li> <li>★ Wait to be excused</li> <li>★ Get what you need before sitting down</li> </ul>	<ul style="list-style-type: none"> <li>★ Form a line &amp; take turns</li> <li>★ Eat only your own food</li> <li>★ Keep body &amp; objects to yourself</li> <li>★ Sit on chair properly</li> </ul>

**Computer Lab**

<b>We are Respectful</b>	<b>We are Responsible</b>	<b>We are Safe</b>
<ul style="list-style-type: none"> <li>★ Treat equipment with care</li> </ul>	<ul style="list-style-type: none"> <li>★ Stay on Task</li> <li>★ Academic use only</li> <li>★ Exit programs properly</li> </ul>	<ul style="list-style-type: none"> <li>★ Walk, carefully line up</li> <li>★ Sit properly in chairs</li> </ul>

### Library

<b>We are Respectful</b>	<b>We are Responsible</b>	<b>We are Safe</b>
<ul style="list-style-type: none"> <li>★ 0-1 voice level</li> <li>★ Follow adult directions</li> <li>★ Use kind words and actions.</li> </ul>	<ul style="list-style-type: none"> <li>★ Leave area neat</li> <li>★ Handle books with care</li> <li>★ Return books on time</li> </ul>	<ul style="list-style-type: none"> <li>★ One per chair</li> <li>★ Sit properly in chairs</li> <li>★ Keep hands, feet, and objects to self</li> </ul>

### Gym

<b>We are Respectful</b>	<b>We are Responsible</b>	<b>We are Safe</b>
<ul style="list-style-type: none"> <li>★ Follow directions</li> <li>★ Be a good sport</li> <li>★ Play fair</li> </ul>	<ul style="list-style-type: none"> <li>★ Follow activity rules</li> <li>★ Be cooperative</li> <li>★ Take care of equipment</li> <li>★ Wear gym shoes</li> </ul>	<ul style="list-style-type: none"> <li>★ Report problems to adult</li> <li>★ Be safe with your body and equipment</li> <li>★ Safe contact</li> </ul>

### Playground

<b>We are Respectful</b>	<b>We are Responsible</b>	<b>We are Safe</b>
<ul style="list-style-type: none"> <li>★ Follow directions</li> <li>★ Include everyone</li> <li>★ Use kind words</li> </ul>	<ul style="list-style-type: none"> <li>★ Follow rules</li> <li>★ Line up quickly &amp; quietly with belongings</li> <li>★ Share and return equipment</li> </ul>	<ul style="list-style-type: none"> <li>★ Report problems to adults</li> <li>★ Dress for the weather</li> <li>★ Keep body &amp; objects to yourself</li> <li>★ Safe contact</li> </ul>

### Bus

<b>We are Respectful</b>	<b>We are Responsible</b>	<b>We are Safe</b>
<ul style="list-style-type: none"> <li>★ Listen to driver</li> <li>★ Use kind words</li> <li>★ Voice level 0-1</li> </ul>	<ul style="list-style-type: none"> <li>★ Follow driver's directions</li> <li>★ Be on time</li> <li>★ Keep bus clean</li> </ul>	<ul style="list-style-type: none"> <li>★ Body &amp; belongings to yourself &amp;inside the bus.</li> <li>★ Stay in seat</li> <li>★ Keep aisles clear</li> </ul>

## **PHYSICAL EDUCATION**

Specialists teach physical education to students in grades K-5 every other day. **Tennis shoes are required for safe participation in physical education.**

## **PHYSICAL EXAMINATIONS**

Physical examinations are encouraged, although not required, on a regular basis. While we recommend that you follow your physician's exam schedule, we routinely send forms before kindergarten and at the end of third grade.

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance is recited daily in our school. Participation is voluntary. Anyone who does not wish to participate may elect not to do so. Staff and children must respect another person's right to make that choice."

## **PROGRESS REPORTING SYSTEM (Report Card)**

The purpose of the progress report is to communicate what your child has learned during the quarter and where he/she is performing relative to a grade-level standard at the end of the year. Your child will receive a progress report at the end of each quarter. : November, January, March and June.

## **SCHOOL HOURS**

Parents/guardians should not send their children to school more than ten (10) minutes before the school day begins. Time prior to the start of the school day is used by teachers to prepare for the day's work. School begins at 7:50 AM and is dismissed at 3:30 PM. School is in session four days per week. See calendar in appendix.

## **SCHOOL PARTIES AND TREATS**

During the school year, three parties might typically be held in a classroom. These activities are well planned and the treats are simple and sensible. The parties are planned for the latter part of the school day and are limited to approximately one hour. Food for these parties cannot be homemade, but must be commercially prepared to avoid the danger of improperly handled foods. Parents wishing to commemorate events such as birthdays or personal achievements may bring commercially prepared treats that can be easily distributed within the classroom.

## **SPECIAL EDUCATION SERVICES**

Special education services are provided to meet the needs of children with disabilities. Children receiving special education services are found eligible for services through an evaluation and must meet criteria in one of the state disability categories. Teachers licensed in the area of special education provide special education services along with related service providers, such as school psychologists, occupational therapists, speech/language pathologists, social workers, and physical therapists. An individual education program (IEP) is developed to address the needs that result from the student's disability. Children receiving services have disabilities in one or more of the following categories: a) autism spectrum disorder, b) deaf or blindness, c) emotional or behavioral disorders, d) deaf or hard-of-hearing, e) developmental cognitive disability, f) other health disabled, g) physically impaired, h) severely multiply impaired, i) specific learning disabilities, j) speech or language impairments, k) visually impaired, l) traumatic brain injury, m) developmentally delayed, and n) developmental adapted physical education.

"If your child is referred to special education for an assessment, the district will enter your child's name and date of birth into the Minnesota Medicaid System to find out if your child receiving Medical Assistance or MinnesotaCare. If you do not want the district to enter your child's name and date of birth into the Minnesota Medicaid System, please inform your child's principal that you do not want the district to check the Medicaid System. "

## **SPECIAL HEALTH CARE NEEDS**

The primary responsibility for a student's health care rests with the parent/guardian. School health service is supportive health care that enables education of the student in a safe manner. A student with a "special health care need" is one with a chronic health problem that requires specialized health support beyond routine medication administration during the school day in order to attend school. These children may or may not require special education.

## **SPECIAL HEALTH NEEDS PROCEDURE**

1. Children with special health care needs must be identified and appropriate initial plans developed. A team meeting that includes parents/guardians, student (if reasonable), nurse, appropriate teacher, and others as directed by the principal shall be held for the purpose of –
  - establishing the needs and the plan of care (Individualized Healthcare Plan); and
  - initiating the 504 or IEP process, if indicated.
2. Provision of direct health care procedures beyond medication administration (g-tube feedings, catheterization, etc.) shall be authorized by physician order and parent/guardian signature. *Orders must be renewed at least yearly or at the time of any changes in the procedure.*
4. The school nurse will be responsible for the case management of all special health needs. The nurse may delegate health care in accordance with the Minnesota Nurse Practice Act when necessary. A regular documented program of training and supervision of appropriate teachers and other involved school personnel will be required.

5. An Individualized Healthcare Plan (IHP) shall document the student's health concern/need, plan of care, and goals/desired outcomes. The IHP should also include an emergency plan if a student's condition may predictably result in an emergency situation. The IHP is the result of the initial team conference. It is written by the nurse and filed in the student's health folder.
6. Information regarding a student's health needs shall be shared with those personnel who need to know in order to work with that student. This information shall be considered private in accordance with federal and state data practices law.
7. The provision of special health care will be done in a manner that will protect privacy, promote developmentally appropriate student independence, and minimize interruption to the education of the individual student and other children in the classroom. The location of services will be determined on an individual basis with previous factors, safety, and classroom needs in mind.

#### **TEACHER REQUESTS**

**There is no school or district policy that says parents may choose their child's teacher.** Please do not send letters requesting a particular teacher for your child. All of the teachers at the Minnehaha are highly qualified and maintain classrooms that are orderly and conducive to learning. Students are assigned to classrooms based upon their individual social and academic skills to achieve a balance of learners with varying needs. Your understanding is appreciated. If you have further questions, please call the principal.

#### **TELEPHONE USAGE/CELL PHONES**

**Children** will be permitted to use the school telephone *in case of an emergency only* or as directed by a staff member. **Cell phones** are not allowed during school hours. If a situation occurs where they cause a disruption, the device will be confiscated. The school district is not responsible for any lost or stolen items.

#### **Title I**

Title I services are for those students who are struggling with basic skills in reading and/ or math. Title I services are in addition to the regular classroom instruction of 123 minutes of reading and 75 minutes of math. Extended time Title I services may be available for those students who qualify. Title I Teachers work with the classroom teachers and parents to plan a program to assist the child in learning. Parental involvement in the Title I program is strongly encouraged.

#### **Title IX**

It is the policy of the Lake Superior School District #381 not to discriminate on the basis of sex, race, color, or national origin on its education programs, activities, or employment policies, as required by Title IV and Title IX of the 1972 Education Amendment.

#### **VISITORS IN CLASSROOMS**

District 381 encourages parent involvement in your child's educational experience. We ask that parents prearrange visits with the classroom teacher and generally limit visits to 30-60 minutes. ID may be required. No other children will be permitted to accompany the parent during the visit. Children (cousins, friends, etc.) are not permitted to visit classrooms. **We ask all visitors to please sign in at the office.**

#### **Weather Policy**

The decision of sending or not sending children to school in stormy weather is the responsibility of the parent. In the event that the schools are closed because of severe weather conditions you will be notified by the district's Instant Alert System. Please be sure you have all phone numbers you want called indicated on the student enrollment form. An announcement will be made on the radio station **KDAL (610)** and **Television Channel 6**.

#### **WITHDRAWING A CHILD FROM SCHOOL**

When transferring from one school to another, both school offices involved should be notified in advance of the move. *Parents/guardians are requested to inform the school office of their intent to move as far in advance as possible.* If the move is within District 381, records will be automatically transferred to the new school. If moving out of District 381, the new school is responsible for requesting school records from the student's current school.

## **EMERGENCY/CRISIS DISMISSAL & STUDENT RELEASE PROTOCOL**

Certain situations may warrant the dismissal of students from school early or from an alternate location. In the event of a crisis during the school day parents may wish to sign students out for the remainder of the day. Please refer to the following guidelines for dismissing or releasing students.

### **EVACUATION**

In the event that students are evacuated from the school and school is dismissed, you will receive a message from the instant alert system. It will provide detailed information regarding how and where to pick up your child. Please leave the school telephone line open for emergency personnel. Students on a regular bus route will proceed to their bus. The parent or legal guardian must report to the office to pick up their child.

### **LOCK DOWN**

Lock Down situations are very serious. If a LOCK DOWN situation is required, parents should not proceed to the school. Students will not be released **during** a lock down. Parents who proceed to the school property during a lock down will be considered hostile and placed under arrest by law enforcement officials. Parents should stay off the phone and wait for the instant alert message providing detailed instructions as to the situation and how and when to proceed.

### **SEVERE WEATHER/SHELTERING**

Students will be released in a severe weather or sheltering emergency following established sign out procedures.

## **STATE LAWS/DISTRICT POLICIES/RULES**

The Board of Education decides the policies or "laws" by which the district is governed. The policies, procedures and guidelines are available to parents in the District Office. School Board policies of particular interest to parents of elementary age children include 502-*Student Lockers*; 503-*Attendance and Absences*; 504-*Student Dress*; 506-*Student Discipline*; 514-*Bullying Prohibition*; 515-*Education Records*; 524-*Internet Acceptable Use and Safety*; -*Harassment and Violence*; 709-*Student Transportation Safety*.

## **502 SEARCH OF STUDENT LOCKERS, DESKS, PERSONAL POSSESSIONS, AND STUDENT'S PERSON**

### **I. PURPOSE**

The purpose of this policy is to provide for a safe and healthful educational environment by enforcing the school district's policies against contraband.

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

#### **A. Lockers and Personal Possessions Within a Locker**

Pursuant to Minnesota statutes, 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 officials for any reason at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a school locker may be searched only when school officials 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 officials must provide notice of the search to students whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials.

#### **B. Desks**

School desks are the property of the school district. At no time does the school district relinquish its exclusive control of desks provided for the convenience of students. Inspection of the interior of desks may be conducted by school officials for any reason at any time, without notice, without student consent, and without a search warrant.

#### **C. Personal Possessions and Student's Person**

The personal possessions of students and/or a student's person may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law or school rules. The search will be reasonable in its scope and intrusiveness.

#### **D. It shall be a violation of this policy for students to use lockers and desks for unauthorized purposes or to store contraband. It shall be a violation for students to carry contraband on their person or in their personal possessions.**

### **III. DEFINITIONS**

- A. "Contraband"** means any unauthorized item possession of which is prohibited by school district policy and/or law. It includes but is not limited to weapons and "look-alikes," alcoholic beverages, controlled substances and "look-alikes," overdue books and other materials belonging to the school district, and stolen property.
- B. "Personal possessions"** includes but is not limited to purses, backpacks, book bags, packages, and clothing.
- C. "Reasonable suspicion"** means that a school official has grounds to believe that the search will result in evidence of a violation of school district policy, rules, and/or law. Reasonable suspicion may be based on a school official's personal observation, a report from a student, parent or staff member, a student's suspicious

- behavior, a student's age and past history or record of conduct both in and out of the school context, or other reliable sources of information.
- D. "Reasonable scope" means that the scope and/or intrusiveness of the search is reasonably related to the objectives of the search. Factors to consider in determining what is reasonable include the seriousness of the suspected infraction, the reliability of the information, the necessity of acting without delay, the existence of exigent circumstances necessitating an immediate search and further investigation (e.g. to prevent violence, serious and immediate risk of harm or destruction of evidence), and the age of the student.
- IV. PROCEDURES**
- A. School officials may inspect the interiors of lockers and desks for any reason at any time, without notice, without student consent, and without a search warrant.
  - B. School officials may inspect the personal possessions of a student and/or a student's person based on a reasonable suspicion that the search will uncover a violation of law or school rules. A search of personal possessions of a student and/or a student's person will be reasonable in its scope and intrusiveness.
  - C. As soon as practicable after a search of personal possessions within a locker pursuant to this policy, the school officials must provide notice of the search to students whose possessions were searched unless disclosure would impede an ongoing investigation by police or school officials.
  - D. Whenever feasible, a search of a person shall be conducted in private by a school official of the same sex. A second school official of the same sex shall be present as an observer during the search of a person whenever feasible.
  - E. A strip search is a search involving the removal of coverings or clothing from private areas. Mass strip searches, or body cavity searches, are prohibited. Strip searches will be conducted only in circumstances involving imminent danger.
  - F. A school official conducting any other search may determine when it is appropriate to have a second official present as an observer.
  - G. A copy of this policy will be printed in the student handbook or disseminated in any other way which school officials deem appropriate. The school district shall provide a copy of this policy to a student when the student is given use of a locker.

**V. DIRECTIVES AND GUIDELINES**

School administration may establish reasonable directives and guidelines which address specific needs of the school district, such as use of tape in lockers, standards of cleanliness and care, posting of pin-ups and posters which may constitute sexual harassment, etc.

**VI. SEIZURE OF CONTRABAND**

If a search yields contraband, school officials will seize the item and, where appropriate, turn it over to legal officials for ultimate disposition.

**VII. VIOLATIONS**

A student found to have violated this policy and/or the directives and guidelines implementing it shall be subject to discipline in accordance with the school district's Student Discipline Policy, which may include suspension, exclusion, or expulsion, and the student may, when appropriate, be referred to legal officials.

**503 STUDENT ATTENDANCE**

**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 the studies ordinarily 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. When approved by the school board, the attendance procedures will be included as an addendum to this policy.

1. Excused Absences

- a. The following reasons shall be sufficient to constitute excused absences:
  - (1) Illness.
  - (2) Serious illness in the student's immediate family.
  - (3) A death in the student's immediate family or of a close friend or relative.
  - (4) Medical or dental treatment.
  - (5) Court appearances occasioned by family or personal action.
  - (6) Religious instruction not to exceed three hours in any week.
  - (7) Physical emergency conditions such as fire, flood, storm, etc.
  - (8) Official school field trip or other school-sponsored outing.
  - (9) 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.

b. 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 within 2 days from the date of the student's return to school for each day absent. Any work not completed within this period shall result in "no credit" for the missed assignment. 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 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) Absences resulting from cumulated unexcused tardies (3 tardies) equal one unexcused absence.
    - (8) 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) All areas subject to review by review board (teacher, administrator, and counselor)
    - (a) Ten (10) days missed (unverified or unexcused): dropped from class, no credit for semester. Days missed do not include school related activities or days missed covered under the pupil fair dismissal act.
    - (b) Three (3) truants or seven (7) unexcused tardies from a course: student dropped.
    - (c) School Tardy: No more than 10 minutes after the start of class without a valid excuse.
    - (d) Class Tardy: Any time after the starting time of class (bell).
- 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 in the student's immediate family or of a close friend or relative.
    - d. Medical or dental 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. Consequences of tardiness may include detention after 1 unexcused tardy. In addition 3 unexcused tardies are equivalent to one unexcused absence.
- 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. School-initiated absences will be accepted and participation permitted.
  3. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
  4. If a student is suspended from any class, he or she may not participate in any activity or program that day.
  5. 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 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 16 years who is absent from attendance at school without lawful excuse for seven school days if the child is in elementary school or for one or more class periods on seven school days if the child is in middle school, junior high school, or high school, or a child who is 16 or 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days 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.

## 504 STUDENT DRESS AND APPEARANCE

### I. PURPOSE

The purpose of this policy is to enhance the education of students by establishing expectations of dress and grooming that are related to educational goals and community standards.

### II. GENERAL STATEMENT OF POLICY

- A. It is the policy of this school district 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).
- B. 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).
- C. Inappropriate clothing includes, but is not limited to, the following:
  1. Short shorts and short skirts; no shorter than the tips of the fingers when arms are draped at persons side; Sagging pants
  2. Tank tops strap width less than 3 in. and tops that expose the shoulder, back, midriff or have low necklines.
  3. Clothing which bears a message which is lewd, vulgar or obscene;
  4. Apparel promoting products or activities that are illegal for use by minors, including but not limited to references to tobacco, alcohol, and drugs and including racial, religious, and/or sexual harassment;
  5. Clothing reflecting gang affiliations;
  6. Clothing reflecting abusive or suggestive language or symbolism;
  7. Exposed inappropriate tattoos;
  8. Caps or hats, bandanas on head in the building;
  9. Jackets (please keep them in your lockers);
  10. Sunglasses;
  11. Barefoot (Students are to wear shoes at all times).

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. If the student is sent home, the parents/guardians will be notified.
- D. It is not the intention of this policy 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.

- E. "Gang," as defined in this policy, means any ongoing organization, association or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or whose members engaged in a pattern of criminal gang activity. "Pattern of gang activity" means the commission, attempt to commit, conspiring to commit, or solicitation of two or more criminal acts, provided the criminal acts were committed on separate dates or by two or more persons who are members of or belong to the same criminal street gang.

**III. PROCEDURES**

- A. 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.
- B. The administration may recommend a form of dress considered appropriate for a specific event and communicate the recommendation to students and parents/guardians.
- C. Likewise, an organized student group may recommend a form of dress for students considered appropriate for a specific event and make such recommendation to the administration for approval.

**506 STUDENT DISCIPLINE**

**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. It is the position of the school district 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 behavior 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 to an education and the right to learn.

#### **V. 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.

#### **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; 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. 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 profanity or obscene language, or the possession of obscene materials;
  3. Gambling, including, but not limited to, playing a game of chance for stakes;
  4. Hazing;
  5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;

6. Opposition to authority using physical force or violence;
7. Using, possessing, or distributing tobacco or tobacco paraphernalia;
8. Using, possessing, distributing, or being under the influence of alcohol or other intoxicating substances or look-alike substances;
9. Using, possessing, distributing, or being under the influence of narcotics, drugs, or other controlled substances, or look-alike substances, except as prescribed by a physician, including one student sharing prescription medication with another student;
10. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
11. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
12. Violation of the school district Weapons Policy;
13. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
14. 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;
15. 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;
16. 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;
17. Violation of any local, state or federal law as appropriate;
18. 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;
19. 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;
20. Violation of school bus or transportation rules or the school bus safety policy;
21. 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;
22. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
23. Possession or distribution of slanderous, libelous or pornographic materials;
24. 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;
25. Criminal activity;
26. Falsification of any records, documents, notes or signatures;
27. 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;
28. 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;
29. Impertinent or disrespectful language toward teachers or other school district personnel;
30. Sexual and/or racial abuse and/or harassment;
31. 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;
32. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
33. 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;

34. Verbal assaults, or verbally abusive behavior, including, but not limited to, use of language that is discriminatory, abusive, obscene, threatening, intimidating or that degrades other people;
35. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
36. 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;
37. Violation of school rules, regulations, policies, or procedures;
38. 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

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

## VIII. REMOVAL OF STUDENTS FROM CLASS

- A. 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 three (3) 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.
- 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.  
 Notify Dean of Students or Principal:
1. Specify procedures to be followed by a teacher, administrator or other school district employee to remove a student from a class;
  2. Teacher will obtain approval to remove student from Dean of Students or Principal.
  3. Teacher will complete a Student Incident Report (Electronic or Paper).
- D. Responsibility for and Custody of a Student Removed From Class.
1. Where student is to go when removed;
  2. How student is to get to designated destination;
  3. Whether student must be accompanied;
  4. What student is to do when and while removed will be discussed and decided upon with the individual teacher involved and administration.
  5. Who has control over and responsibility for student after removal from class.
- E. Procedures for Return of Student to a Class shall be Decided upon by the Individual Teacher and the Administration.
- F. Procedures for Notification.
1. The administrator or teacher will make a reasonable attempt to notify parents/guardians of violations of the rules of conduct and resulting disciplinary action.
- G. Disabled Students; Special Provisions.
1. The administrator will adhere to the Pupil Fair Dismissal Act in regards to disabled students.
- H. Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises.
1. Establishment of a chemical abuse preassessment team pursuant to Minn. Stat. § 121A.26;
  2. Establishment of a school and community advisory team to address chemical abuse problems in the district pursuant to Minn. Stat. § 121A.27; and
  3. Establishment of teacher reporting procedures to the chemical abuse preassessment team pursuant to Minn. Stat. § 121A.29.

## **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, except as may be provided in federal law for a student with a disability.

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 pupil'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. In the case of a student with a disability, the student's individual education plan team shall meet immediately but not more than ten (10) school days after the date on which the decision to remove the student from the student's current education placement is made. The individual education plan team shall, at the meeting, conduct a review of the relationship between the child's disability and the behavior subject to disciplinary action, and determine the appropriateness of the child's education plan.  
The requirements of the individual education plan team meeting apply when: (1) the parent requests a meeting; (2) the student is removed from the student's current placement for five (5) or more consecutive days; or (3) the student's total days of removal from the student's placement during the school year exceed ten (10) cumulative days in a school year. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. A separate administrative conference shall be conducted for each period of suspension.
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 pupil 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. strongly encourage a parent or guardian of the student to attend school with the student for one day;
- b. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
- c. petition the juvenile court that the student is in need of services under Minn. Stat. Ch. 260C.
- 8. 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. (See attached sample Notice of Suspension.)
- 9. 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.
- 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.

#### **XII. STUDENT DISCIPLINE RECORDS**

It is the policy of the school district 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.

Where a student is dismissed for five (5) or more consecutive days, or has accumulated more than ten (10) days of dismissal over the course of the school year, the school district will convene a meeting to determine whether the student's educational program is appropriate and to review all relevant information in order to determine whether the behavior subject to discipline is a manifestation of the student's disability. Such a meeting must be held within ten (10) school days of the school district's decision to remove the student from his or her current educational placement and must be held before commencing an expulsion or exclusion of the student. 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. If the student was placed in a 45-day interim alternative educational setting pending the manifestation determination, the student will be returned to the placement from which the student was removed unless the student and school district agree to a change of placement as part of the modification of the behavioral intervention plan.

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 sixteen (16) 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.

*[Note: School districts are required by statute to have a policy addressing bullying.]*

## 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 (See MSBA/MASA Model Policy 506). 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.
- G. 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.
- G. 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.
- G. 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.

**413 HARASSMENT AND VIOLENCE**

**I. PURPOSE**

The purpose of this policy is to maintain a learning and working environment that is free from religious, racial or sexual harassment and violence. The school district prohibits any form of religious, racial or sexual harassment and violence.

**II. GENERAL STATEMENT OF POLICY**

- A. It is the policy of the school district to maintain a learning and working environment that is free from religious, racial or sexual harassment and violence. The school district prohibits any form of religious, racial or sexual harassment and violence.
- B. It shall be a violation of this policy for any pupil, teacher, administrator or other school personnel of the school district to harass a pupil, teacher, administrator or other school personnel through conduct or communication of a sexual nature or regarding religion and race as defined by this policy. (For purposes of this policy, school personnel includes school board members, school employees, agents, volunteers, contractors or persons subject to the supervision and control of the district.)
- C. It shall be a violation of this policy for any pupil, teacher, administrator or other school personnel of the school district to inflict, threaten to inflict, or attempt to inflict religious, racial or sexual violence upon any pupil, teacher, administrator or other school personnel.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of religious, racial or sexual harassment or violence, and to discipline or take appropriate action against any pupil, teacher, administrator or other school personnel who is found to have violated this policy.

**III. RELIGIOUS, RACIAL AND SEXUAL HARASSMENT AND VIOLENCE DEFINED**

**A. 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 or retaining employment, or of obtaining 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 pupil(s) by teachers, administrators or other school 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 gender.

**B. Racial Harassment; Definition**

Racial harassment consists of physical or verbal conduct relating to an individual's race 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. Religious Harassment; Definition**

Religious harassment consists of physical or verbal conduct which is related to an individual's religion 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.
- D. 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.
- E. Racial Violence; Definition

Racial violence is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, race.
- F. Religious Violence; Definition

Religious violence is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, religion.
- G. Assault; Definition

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.

#### **IV. REPORTING PROCEDURES**

- A. Any person who believes he or she has been the victim of religious, racial or sexual harassment or violence by a pupil, teacher, administrator or other school personnel of the school district, or any person with knowledge or belief of conduct which may constitute religious, racial or sexual harassment or violence toward a pupil, teacher, administrator or other school personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. The school district encourages the reporting party or complainant to use the report form available from the principal of each building or available from the school district office, but oral reports shall be considered complaints as well. 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.
- B. In Each School Building. The building principal is the person responsible for receiving oral or written reports of religious, racial or sexual harassment or violence at the building level. Any adult school district personnel who receives a report of religious, racial or sexual harassment or violence shall inform the building principal immediately.
- C. Upon receipt of a report, the principal must notify the school district human rights officer immediately, without screening or investigating the report. The principal 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 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 officer. Failure to forward any harassment or violence report or complaint as provided herein will result in disciplinary action against the principal. 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.
- D. In the District. The school board hereby designates Bill Crandall as the school district human rights officer(s) to receive reports or complaints of religious, racial or sexual harassment or violence. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.<sup>1</sup>
- E. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- F. Submission of a good faith complaint or report of religious, racial or sexual harassment or violence will not affect the complainant or reporter's future employment, grades or work assignments.
- G. Use of formal reporting forms is not mandatory.

- H. 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 with any discovery or disclosure obligations.

**V. INVESTIGATION**

- A. By authority of the school district, the human rights officer, upon receipt of a report or complaint alleging religious, racial or sexual harassment or violence, shall immediately 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 complainant, pupils, teachers, administrators or other school personnel pending completion of an investigation of alleged religious, racial or sexual harassment or violence.
- E. 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 receipt of a report, 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. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law and school district policies.
- B. The result of the school district's investigation of each complaint filed under these procedures will be reported in writing to the complainant by the school district in accordance with state and federal law regarding data or records privacy.

**VII. REPRISAL**

The school district will discipline or take appropriate action against any pupil, teacher, administrator or other school personnel who retaliates against any person who makes a good faith report of alleged religious, racial or sexual harassment or violence or any person who testifies, assists or participates in an investigation, 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.

**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 pupils and staff members.
- B. This policy shall be given to each school district employee and independent contractor at the time of entering into the person's employment contract.
- 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, and resourcefulness.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

**709 STUDENT TRANSPORTATION SAFETY POLICY**

**I. PURPOSE**

The purpose of this policy is to provide safe transportation for students and to educate students on safety issues and the responsibilities of school bus ridership.

**II. PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING**

**A. School Bus Safety Week**

The school district may designate a school bus safety week. The National School Bus Safety Week is the third week in October.

**B. Student Training**

1. The school district shall provide students enrolled in grades kindergarten (K) through 10 with age-appropriate school bus safety training of the following concepts:
  - a. transportation by school bus is a privilege, not a right;
  - b. school district policies for student conduct and school bus safety;
  - c. appropriate conduct while on the bus;
  - d. the danger zones surrounding a school bus;
  - e. procedures for safely boarding and leaving a school bus;
  - f. procedures for safe vehicle lane crossing; and
  - g. school bus evacuation and other emergency procedures.
2. All students in grades K through 6 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training by the end of the third week of school. All students in grades 7 through 10 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training or receive bus safety instruction materials by the end of the sixth week of school, if they have not previously received school bus training. Students in grades K through 10 who enroll in a school after the second week of school, are transported by school bus, and have not received training in their previous school districts shall undergo school bus safety training or receive bus safety instructional materials within four weeks of their first day of attendance.
3. The school district and a nonpublic school with students transported by school bus at public expense must provide students enrolled in grades K through 3 school bus safety training twice during the school year.
4. Students taking driver's training instructional classes must receive training in the laws and proper procedures for operating a motor vehicle in the vicinity of a school bus as required by Minn. Stat. § 169.446, Subd. 2.
5. The school district and a nonpublic school with students transported by school bus at public expense must conduct a school bus evacuation drill at least once during the school year.
6. The school district will make reasonable accommodations in training for students known to speak English as a second language and students with disabilities.
7. The school district may provide kindergarten students with school bus safety training before the first day of school.
8. The school district may provide student safety education for bicycling and pedestrian safety for students in grades K through 5.
9. The school district shall adopt and make available for public review a curriculum for transportation safety education.
10. Nonpublic school students transported by the school district will receive school bus safety training by their nonpublic school. The nonpublic schools may use the school district's school transportation safety education curriculum. Upon request by the school district superintendent, the nonpublic school must certify to the school district's school transportation safety director that all students enrolled in grades K through 10 have received the appropriate training.

### **III. CONDUCT ON SCHOOL BUSES AND CONSEQUENCES FOR MISBEHAVIOR**

- A. Riding the school bus is a privilege, not a right. The school district's general student behavior rules are in effect for all students on school buses; including nonpublic and charter school students.
- B. Consequences for school bus/bus stop misconduct will be imposed by the school district under adopted administrative discipline procedures. In addition, all school bus/bus stop misconduct will be reported to the school district's transportation safety director. Serious misconduct may be reported to local law enforcement.
  - 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. In most circumstances, 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. Rules at the Bus Stop
    - a. Get to your bus stop five minutes before your scheduled pick up time. The school bus driver will not wait for late students.
    - b. Respect the property of others while waiting at your 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, harassment, intimidation, or horseplay.
    - j. No use of alcohol, tobacco, or drugs.
  - 3. Rules on the Bus
    - a. Immediately follow the directions of the driver.
    - b. Sit in your 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, intimidation, or horseplay.
    - g. Do not throw any object.
    - h. No eating, drinking, or use of alcohol, tobacco, or drugs.
    - i. Do not bring any weapons or dangerous objects on the school bus.
    - j. Do not damage the school bus.
  - 4. Consequences
    - a. Consequences for school bus/bus stop misconduct will apply to all regular and late routes. Decisions regarding a student's ability to ride the bus in connection with cocurricular and extracurricular events (for example, field trips or competitions) will be in the sole discretion of the school district. Parents or guardians will be notified of any suspension of bus privileges.
      - (1) Elementary (K-6)

1st offense	- warning
2nd offense	- 3 school-day suspension from riding the bus
3rd offense	- 5 school-day suspension from riding the bus
4th offense	- 10 school-day suspension from riding the bus/meeting with parent
      - (2) Secondary (7-12)

1st offense	- warning
2nd offense	- 3 school-day suspension from riding the bus
3rd offense	- 5 school-day suspension from riding the bus

Further offenses – individually considered. Students may be suspended for longer periods of time, including the remainder of the school year.

- (2) Secondary (7-12)

1st offense	- warning
2nd offense	- 3 school-day suspension from riding the bus
3rd offense	- 5 school-day suspension from riding the bus

- |             |  |
|-------------|--|
| 4th offense | - 10 school-day suspension from riding the bus/meeting with parent   |
| 5th offense | - suspended from riding the bus for the remainder of the school year |

Note: When any student goes 60 transportation days without a report, the student's consequences may start over at the first offense.

(3) Other Discipline

Based on the severity of a student's conduct, more serious consequences may be imposed at any time. Depending on the nature of the offense, consequences such as suspension or expulsion from school also may result from school bus/bus stop misconduct.

(4) 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 student misbehavior on a school bus or in a bus-loading or unloading area that causes an immediate and substantial danger to the student or surrounding persons or property will be provided by the school district to the Department of Public Safety in accordance with state and federal law.

(5) Vandalism/Bus Damage

Students damaging school buses will be responsible for the damages. Failure to pay such damages (or make arrangements to pay) within two weeks may result in the loss of bus privileges until damages are paid.

(6) Notice

School bus and bus stop rules and consequences for violations of these rules will be reviewed with students annually and copies of these rules will be made available to students. School bus rules are to be posted on each school bus.

(7) Criminal Conduct

In cases involving criminal conduct (for example, assault, weapons, drug possession, or vandalism), the appropriate school district personnel and local law enforcement officials will be informed.

**IV. PARENT AND GUARDIAN INVOLVEMENT**

A. Parent and Guardian Notification

The school district school bus and bus stop rules will be provided to each family. Parents and guardians are asked to review the rules with their children.

B. Parents/Guardians Responsibilities for Transportation Safety

Parents/Guardians are responsible to:

1. Become familiar with school district rules, policies, regulations, and the principles of school bus safety, and thoroughly review them with their children;
2. Support safe riding and walking practices, and recognize that students are responsible for their actions;
  3. Communicate safety concerns to their school administrators;
  4. Monitor bus stops, if possible;
5. Have their children to the bus stop five minutes before the bus arrives;
6. Have their children properly dressed for the weather; and
  7. Have a plan in case the bus is late.

**V. SCHOOL BUS DRIVER DUTIES AND RESPONSIBILITIES**

A. School bus drivers shall have a valid Class A, B, or C Minnesota driver's license with a school bus endorsement. A person possessing a valid driver's license, without a school bus endorsement, may drive a type III vehicle set forth in Sections VII.B. and VII.C., below. Drivers with a valid Class D driver's license, without a school bus endorsement, may operate a "type A-1" school bus as set forth in Section VII.D., below.

B. The school district shall conduct mandatory drug and alcohol testing of all school district bus drivers and bus driver applicants in accordance with state and federal law and school district policy.

C. A school bus driver, with the exception of a driver operating a type A-1 school bus or type III vehicle, who has a commercial driver's license and who is convicted of a criminal offense, a serious traffic violation, or of violating any other state or local law relating to motor vehicle traffic control, other than a parking violation, in any type of motor vehicle in a state or jurisdiction other than Minnesota, shall notify the Minnesota Division of Driver and Vehicle Services ("Division") of the conviction within 30 days of the conviction. For purposes of this paragraph, a "serious traffic violation" means a conviction of any of the following offenses:

1. excessive speeding, involving any single offense for any speed of 15 miles per hour or more above the posted speed limit;
2. reckless driving;
3. improper or erratic traffic lane changes;
4. following the vehicle ahead too closely;
5. a violation of state or local law, relating to motor vehicle traffic control, arising in connection with a fatal accident;
6. driving a commercial vehicle without obtaining a commercial driver's license or without having a commercial driver's license in the driver's possession.

D. A school bus driver, with the exception of a driver operating a type A-1 school bus or type III vehicle, who has a commercial driver's license and who is convicted of violating, in any type of motor vehicle, a

- Minnesota state or local law relating to motor vehicle traffic control, other than a parking violation, shall notify the person's employer of the conviction within 30 days of conviction. The notification shall be in writing and shall contain all the information set forth in Attachment A accompanying this policy.
- E. A school bus driver, with the exception of a driver operating a type A-1 school bus or type III vehicle, who has a Minnesota commercial driver's license suspended, revoked, or cancelled by the state of Minnesota or any other state or jurisdiction and who loses the right to operate a commercial vehicle for any period or who is disqualified from operating a commercial motor vehicle for any period shall notify the person's employer of the suspension, revocation, cancellation, lost privilege, or disqualification. Such notification shall be made before the end of the business day following the day the employee received notice of the suspension, revocation, cancellation, lost privilege, or disqualification. The notification shall be in writing and shall contain all the information set forth in Attachment B accompanying this policy.
- F. A person who operates a type III vehicle and who sustains a conviction as described in Section VII.C.1.g. (i.e., driving while impaired offenses), VII.C.1.h. (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor), or VII.C.1.i. (multiple moving violations) while employed by the entity that owns, leases, or contracts for the school bus, shall report the conviction to the person's employer within ten days of the date of the conviction. The notification shall be in writing and shall contain all the information set forth in Attachment C accompanying this policy. This provision does not apply to a school district employee whose normal duties do not include operating a type III vehicle.

## **419 TOBACCO-FREE ENVIRONMENT**

### **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 electronic cigarettes 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 device, or electronic cigarette 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 work purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all offcampus 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.

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, devices, or electronic cigarettes. The school district will not promote or allow promotion of tobacco products or e-cigarettes on school property or at school-sponsored events.

419-2

### **III. TOBACCO AND TOBACCO-RELATED DEVICES DEFINED**

A. "Electronic cigarette" means any oral device that provides a vapor of liquid nicotine, lobelia, and/or other similar substance, and the use or inhalation of which simulates smoking. The term shall include any such devices, whether they are manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pipes, or under another product name or descriptor.

B. "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; 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.

C. "Tobacco-related devices" means cigarette papers or pipes for smoking.

D. "Smoking" means inhaling or exhaling smoke from any lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product. Smoking also includes carrying a lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product intended for inhalation.

**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.

**V. 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 419-3 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 smokefree environment provided by the Freedom to Breathe Act of 2007 or other law.

**VI. 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.

**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, without limitation, 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, there must exist specific facts 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) non school-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 intended for students, the grade(s) of students to whom the distribution is intended.
- B. 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, 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.

## 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. This policy applies to behavior that occurs on or off school property and during and after school hours.
- E. A person who engages in an act that violates school policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act.
- F. The school district will act to investigate all complaints of hazing and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor or other employee of the school district who is found to have violated this policy.

### III. DEFINITIONS

- A. "Hazing" means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term hazing includes, but is not limited to:

1. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking or placing a harmful substance on the body.
2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics or other activity that subjects the 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. "Student organization" means a group, club or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.
- IV. REPORTING PROCEDURES**
- A. Any person who believes he or she has been the victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate school district official designated by this policy.
- B. The building principal is the person responsible for receiving reports of hazing at the building level. Any person may report hazing directly to a school district human rights officer or to the superintendent.
- 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 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, reporter, students, or others pending completion of an investigation of hazing.
- C. Upon completion of the investigation, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements, applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act, school district policies and regulations.
- 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 Building and Staff handbooks.