

# **Browns Valley School**

## **PARENT/STUDENT HANDBOOK**

**2023-24**



**Thunderbirds**

***SOARing to New Heights***

Self Control  
Ownership  
Acceptance  
Respect

S.O.A.R. Together: building a school family to guide and inspire our students for success in reaching their potential.

Our family will work together to:

- *Build trusting relationships*
- *Foster joy and resiliency*
- *Equip students with skills that enable them to be successful*

<http://www.brownsvalley.k12.mn.us>

## Employee Directory

### ELEMENTARY SCHOOL

Little T-Birds Pre-Kdg & EFFE  
Kindergarten & Adult Educator  
First Grade  
Second Grade  
Third Grade  
Fourth Grade

### Staff

Mrs. Goodhart  
Mrs. Graff  
Miss Gades  
Miss Zetah  
Ms. Hills  
Mrs. Torgerson

### E-mail Address

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kgades@brownsvalley.k12.mn.us  
mzetah@brownsvalley.k12.mn.us  
chills@brownsvalley.k12.mn.us  
ktorgerson@brownsvalley.k12.mn.us

### MIDDLE SCHOOL

Fifth Grade  
Health/PE/AD  
Language Arts & Media Center  
Math  
Science/Social  
Music/Band/Choir

Mrs. Raw  
Mr. Goodhart  
Ms. Sibal  
Mr. Jacobson  
Ms. Schultz  
Mrs. Varpness

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jsibal@brownsvalley.k12.mn.us  
bjacobson@brownsvalley.k12.mn.us  
hschultz@brownsvalley.k12.mn.us  
svarpness@brownsvalley.k12.mn.us

### SPECIAL SERVICES

Counselor  
Special Education  
Special Education  
Special Education/Elementary Teacher  
Physical Ed  
Interventionist (ADSIS)

Mrs. McKinley  
Mrs. Erickson  
Mrs. Hansen  
Ms. Suarez  
Mr. Goodhart  
Ms. Nelson

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asuarez@brownsvalley.k12.mn.us  
jgoodhart@brownsvalley.k12.mn.us  
knelson@brownsvalley.k12.mn.us

### PARAPROFESSIONALS

Mr. Boothby  
Ms. Nieland  
Mr. Piechowski (& Custodian)  
Mrs. Sorenson (& ASP)  
Mrs. Westbrook – Title VI  
Mrs. Foren  
Ms. DeGreef  
Ms. Roering  
Mrs. Hoffman  
Mrs. Johnson

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kroering@brownsvalley.k12.mn.us  
choffman@brownsvalley.k12.mn.us  
sjohnson@brownsvalley.k12.mn.us

### SUPPORT STAFF

Superintendent  
Principal  
Finance Manager  
Secretary  
Food Service  
  
Custodian

Mrs. Reed  
Mrs. Pikarski  
Julie Metz  
Hazel Miller  
Joan Miller  
Beth Koehler  
Matt Goodhart

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dpikarski@brownsvalley.k12.mn.us  
jmetz@brownsvalley.k12.mn.us  
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jmiller@brownsvalley.k12.mn.us  
bkoehler@brownsvalley.k12.mn.us  
mgoodhart@brownsvalley.k12.mn.us

### SCHOOL BOARD

Laurie Appel – Chair, Misty Fryer, Gabe Fischer, Andy Miller, Lacey Miller, and Ashley Mauer

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**[\*] Notice required by statute**

**[\*\*] Notice required by policy**

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## **Preface**

This Student Handbook has been developed to provide information and notices to students and parents/guardians. The handbook addresses many issues, and it can serve as one of the tools for school districts, students, and parents/guardians to work together effectively toward the common goal of an excellent education for students.

A handbook is an efficient and effective way to provide the notices required by law and/or policy. Notices required by statute are identified at the end of the heading for that topic by the symbol, [\*]. Notices required by Minnesota School Board Association/Minnesota Association of School Administrators model policy are identified at the end of the heading for that topic by the symbol, [\*\*]. The remaining notice topics are included in the Student Handbook as recommended best practice.

A reference list of the topics in the Student Handbook and the corresponding MSBA/MASA model policy numbers is included in *Appendix 1*. More information on these topics can be obtained from the complete policy.

The Student Handbook is comprised of four parts:

- 1 Information;
- 2) Academics;
- 3) Rules and Discipline; and
- 4) Health and Safety.

Topics within these categories are alphabetized.



**School Improvement Status:**

Browns Valley Elementary is identified by MDE as receiving “Comprehensive Support” from the Regional Centers of Excellence.

## ***PART I – INFORMATION***

### **Arrival and Dismissal Hours**

Doors will remain locked until 7:30 a.m. *Classes begin at 8:00 and end at 3:25 p.m.* Students may *enter the building beginning at 7:30 a.m.* Classes are *dismissed to buses/walk/ride at 3:25 p.m.* Buses are loaded on the west side (playground) of the building. Car or van pickups are at the south side (elementary) and north side (middle school) of the building. The road between the school and playground is closed from 7:30 a.m. – 5:00 p.m. Please do not remove ropes. **Doors will be locked from 8:00-3:20. Please do not encourage staff or students to open a door for you.**

### **Absence from School**

Whenever a child is absent from school, the parent/guardian must call the main office prior to 9:00 am and inform the staff of the absence. In those cases, where the school is not aware of the reason for the absence, a call will be made to the home of the absent student.

Students are required to bring a written excuse from their parents/guardian to school indicating the reason for such absence. The excuse should be given to the office personnel. Flagrant cases of unexcused absences will be dealt with at the administration's discretion.

Students must be in attendance for six hours to receive credit for a full day and three hours to receive credit for a half day. If students have an appointment, they may be checked out in the main office and return to school to receive credit for attendance. Students will be counted tardy after 8:05. Five accumulated tardies will result in a meeting with administration and the creation of an attendance success plan with the student's teacher.

If an extended absence is expected, parents must call the office. It may be possible for a homebound tutor to visit the home or the hospital) so the child can keep up with schoolwork. The child must miss fifteen (15) school days in a row to qualify for homebound tutor service.

### **Academic/Discipline Inquiries**

Parents/Guardians are urged to follow the "chain of command" regarding academic and behavior concerns. Parents are encouraged to set up a conference with their child's teacher. If a parent/guardian feels their concerns have not been resolved, the administration should be contacted. If an issue remains unresolved, the parent/guardian may submit a written statement to the Chairman of the Board of Education. (Chain of Command)

### **Activity Night**

A person may not reenter the building if he or she leaves. Absolutely no alcoholic beverages or drugs will be allowed. The supervisor shall have authority to decide all discipline, including early closing of a social or other activities. Only Browns Valley Middle School students may attend socials.

### **After School Activities**

In the interest of safety and security, students who are NOT in an after school activity are to ride the bus home, have their ride pick them up or otherwise leave the building and school grounds within 10 minutes of school dismissal time.

### **After School Program**

After school care is provided from 3:30-5:00 p.m. Monday- Thursday for children in PreK- Grade 8. Children will only be released to parents, guardians, or persons authorized by a parent or guardian. **Parents and guardians must directly give the staff advance notice anytime a parent/guardian wants any other person, including other family members, to pick up their child.** Please make certain your child is picked up **NO LATER** than 5:00 p.m. It is the parent's/guardians responsibility to contact the after school staff/school if an unforeseen event is causing delay in picking up your child. If a courtesy call is not received by the staff, a call will be made to social services/law enforcement. Alternate arrangements for pick-up of your child must be on file with staff. Failure to pick up your child at **5:00 p.m. may result in your child being suspended from the program.** First Offense = 1 missed day 2<sup>nd</sup> Offense = 2 missed days 3<sup>rd</sup> Offense = suspended from the program for the semester. Students leaving the after school program early, need to sign out with the supervisor.

### **Animals**

Pets and animals are not allowed on school property.

### **Bicycles**

The decision as to whether a child rides a bicycle to school rests with the parents and administration. Parental discretion is advised when allowing children to bring bicycles to school. Things to consider are safety factors as well as the possibility of theft or damage to the unattended bicycles. The school district cannot be held responsible for stolen and/or damaged bicycles. All bicycles must be stored in a bicycle rack and locked if a rack is available. Riding around the parking lot and on the sidewalk prior to and after school is not allowed. No motorized vehicles are allowed.

### **Calendar**

The school board adopts the school calendar annually. A copy of the school calendar can be found on the school district's website at [www.brownsvalley.k12.mn.us](http://www.brownsvalley.k12.mn.us).

### **Calling the Teacher**

Teachers are usually available to take calls from 7:30 until 7:45 a.m.. During the school day, the office personnel will take a message, phone number, and ask the teacher to return the call when possible. Parents and guardians are encouraged to contact teachers via the Remind App.

### **Child Abuse/Mandated Reporters**

It is the policy of the school district to fully comply with Minn. Stat. 626.556. Minnesota state law requires that school employees, as mandated reporters, report to the county Social Services department any suspected cases of child physical or sexual abuse or neglect. Failure to comply with this requirement may result in prosecution of the school employee.

Once a report has been made, official representatives of the county Social Services department have the right to come to the school to interview the child. Social Services does not need to obtain permission from the parent/guardian.

### **Church Night**

Wednesday night is considered "church night" and no school activities will go beyond 6:00 pm.

### **Closed Noon Hour**

Students will not be allowed to leave school property without permission.

## **Communication**

Parents are required to provide contact information should a child become ill at school or in an emergency. If contact information cannot be obtained, Social Services/Law Enforcement will be contacted. It is very important that current phone numbers where a parent, guardian or authorized adult who can care for the child at home can be reached. If at any point in the school year, there are changes in home address or phone number, changes in place of work or phone number, or changes in emergency contacts, parents should notify the school with this information. Before entering the building turn off all electronics and put cell phones on quiet.

## **Complaints – Chain of Communication**

Students, parents/guardians, employees, or other persons may report concerns or complaints to the school district. Complaints may be either written or oral. Individuals are encouraged, but not required, to file a written complaint. One of the most important parts of a school system is to know where to go to get your questions answered or your complaint heard. In either situation, always go to the source first. That might be the **bus driver or the teacher**. If the issue is with a staff member, your next level to access would be the **Principal**. If you have communicated with the Principal and you are still not satisfied, it is time to move up the communication chain. The next person you would contact is the **Superintendent of Schools**. Office staff may schedule a conference with the Superintendent of Schools. If you are not satisfied with the answer you receive or if your complaint has not been resolved, you would then contact office personnel to contact the **Board of Education**.

## **Custody**

If custody changes after enrollment, documents should be provided to the school as soon as possible after the change. The school will follow court orders that specifically authorize or direct custody or related custodial issues. The school system will give non-custodial parents, upon request, duplicate school information about their child unless prohibited by court order. A certified copy of that order must be on file at the school. The school should also be made aware of any unusual situations that might require a heightened need for greater security for your child.

## **Dismissing Students During School Hours**

If you must take your child out of school, a written request should be sent or taken into the office, stating the date and time of dismissal. Children will not be released to waiting cars or to anyone who cannot identify himself/herself to the satisfaction of the school personnel. Parents/guardians are urged to make doctor and dental appointments for times outside of the school day and during school vacation periods whenever possible.

## **E-Learning**

E-Learning may be utilized for weather days allowed by the state statute. An E-Learning folder will be sent home with each student by mid – October.

## **Employment Background Checks [\*]**

The school district will seek criminal history background checks for all applicants who receive an offer of employment with the school district. The school district also will seek criminal history background checks for all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, regardless of whether compensation is paid. These positions include, but are not limited to, all athletic coaches, extracurricular academic coaches, assistants, and advisors. The school district may elect to seek criminal history background checks for other volunteers, independent contractors, and student employees.

## **Equal Access to School Facilities**

The school district has created a limited open forum for secondary students to conduct non-curriculum-related meetings during non-instructional time. The school district will not discriminate against or deny equal access or a fair opportunity on the basis of the religious, political, philosophical, or other content of the speech at such meetings. These limited open forum meetings will be voluntary and student initiated; will not be school sponsored; employees or agents of the school will be present at religious meetings only in a non-participatory capacity; the meetings will not interfere with the orderly conduct of educational activities within the school; and non-school persons will not direct, control, or regularly attend activities of student groups. All meetings under this provision must follow the procedures established by the school district.

## **Fees [\*]**

Materials that are part of the basic educational program are provided with state, federal, and local funds at no charge to a student. Students are expected to provide their own pencils, paper, erasers, and notebooks. Students may be required to pay certain other fees or deposits, including (not an inclusive list):

- Cost for materials for a class project that exceeds minimum requirements and is kept by the student.
- Security deposits for the return of materials, supplies, or equipment.
- Field trips considered supplementary to the district's educational program.
- Admission fees or costs to attend or participate in optional extracurricular activities and programs.
- Voluntarily purchased student health and accident insurance.
- Use of musical instruments owned or rented by the school district.

Students will be charged for textbooks, workbooks, and library books that are lost or destroyed. The school district may waive a required fee or deposit if the student and parent/guardian are unable to pay. For more information, contact the Superintendent.

## **Fundraising**

All fundraising activities conducted by student groups and organizations and/or parent groups must be approved in advance by the Superintendent. Participation in non-approved fundraising activities is a violation of school district policy. Solicitations of students or employees by students for non-school-related activities will not be allowed during the school day.

## **Gifts to Employees**

Employees are not allowed to solicit, accept, or receive a gift from a student, parent, or other individual or organization of greater than nominal value. Parents/guardians and students are encouraged to write letters and notes of appreciation or to give small tokens of gratitude.

## **Holiday Celebrations and Parties**

Elementary rooms generally have parties before Fall Festival, Winter Break, and on Valentine's Day. A State Department of Health regulation established in 1968 mandates that such supplementary treats must be commercially made. No treats can be brought into the school.

Although the school district understands that birthdays are important and are celebrated events, we ask that these celebrations begin after school hours. No birthday treats can be brought into the school. Flowers and balloons will remain in the office. A written note will be placed on the student's locker. At the end of the day, he/she may pick them up.

## **Instant Alert**

Keeping parents informed and involved helps to assure student safety and improve student success. With today's on-the-go lifestyles, it has become more difficult for schools to reach families quickly and effectively. Browns Valley School will continue to use the **JMC Message Center**. All families are encouraged to complete the required contact information. Forms are available in the office

## **Insurance**

The school does not carry insurance for accidents that may occur during the school day. A voluntary plan of student accident insurance is no longer available through an independent insurance company.

## **Interviews of Students by Outside Agencies**

Students may not be interviewed during the school day by persons other than a student's parents/guardians or school district officials, employees, and/or agents, except as provided by law and/or school policy.

## **Library and Media Center**

Students may use the library/media center during the school day and before and after school **only when a supervisor is present**. If a library book is not returned within two weeks, a replacement fee is due.

Overdue library books procedure:

Library books are the property of the school district and lost or damaged books must be paid for by the student at the cost of replacement. Students are responsible for returning books in good condition. If a book is not returned, the student may be subject to the following:

1. First week: loss of noon recess and library check-out privileges.
2. Second week: loss of library checkout privileges until the book is returned or the cost of replacement is paid.

Students will eat lunch in the multipurpose room. The librarian will notify parents of overdue books by letter every Thursday. Beginning the 2<sup>nd</sup> week, the librarian will call parents of Pre-8 students with overdue books. The librarian will notify teachers of overdue books in writing. Notices will be given on Wednesdays at 3:30 pm. The notice will contain the following information: Student's name, name of book, due date and the cost of the book.

## **Lost and Found**

The lost and found box is located in the main office. Each year mittens, sweaters, caps, scarves, boots, jackets, etc., are turned in to the lost and found and never claimed. We urge that all outer pieces of clothing be marked with the child's name. Remind your child to report any lost article promptly.

## **Lunch [\*\*]**

Students attending Minnesota schools receive one free breakfast and one free lunch each school day. Students may receive a lunch at school or bring a prepared lunch from home. Milk will be available to supplement lunches brought from home. Lunch is to be eaten in designated areas only. Lunch times vary by classroom. Students will be notified of their assigned lunch time on the first day of school. The district offers well-balanced lunches each day to students and staff. As a parent, you are welcome at any time to purchase a daily ticket and sample our school lunches. We welcome your suggestions. ***Breakfast will be served from 7:30 to 8:00 a.m.***

## **Messages to Student**

Office telephones are not for students' personal use. Students will not be called out of class to receive phone messages except in the event of an emergency. Personal cell phone use during the instructional day is also prohibited. Non-emergency messages will be delivered.

## **Milk Program**

Milk is served at a cost of 25 cents per half pint to students in grades 1-4 who care to participate. Pre-K & Kindergarten students receive free milk at their milk break. We would like to recommend that parents

purchase a MINIMUM of twenty (20) milks (\$5.00) or any multiple of twenty. This is because we use tickets.

### **Nondiscrimination [\*]**

The school district is committed to inclusive education and providing an equal educational opportunity for all students. The school district does not discriminate on the basis of race, color, creed, religion, national origin, sex, gender, marital status, parental status, status with regard to public assistance, disability, sexual orientation, or age in its programs and activities. The school board has designated the Superintendent, Browns Valley School, 118 Church Street Browns Valley, MN 56219; 320-695-2103, as the district's human rights officer to handle inquiries regarding nondiscrimination.

### **Notice of Violent Behavior by Students [\*\*]**

The school district will give notice to teachers and other appropriate school district staff before students with a history of violent behavior are placed in their classrooms. Prior to giving this notice, district officials will inform the student's parent or guardian that the notice will be given. The student's parents/guardians have the right to review and challenge their child's records, including the data documenting the history of violent behavior.

### **Parent and Teacher Conferences**

Parent and teacher conferences will be held for Pre-K –Grade 8 students in the fall and spring of the year. Parents/guardians are encouraged to set up a conference with their child's teacher anytime during the school year. Parents are urged to attend conferences so that they can become better acquainted with school programs, teachers, and their child's progress. Please provide a contact person with a working phone number.

### **Photographs**

There are occasions when representatives of District 801 and/or the media photograph and or videotape students while in school or while attending/participating at school sponsored functions. Parent/Guardians **not wanting** their child (ren) to be specifically identified in photographs or on a videotape, should notify – **in writing** – the office. Please respect the privacy rights of others by refraining from posting pictures/videos from school-sponsored events on a social network.

### **Physical Education**

All children will take part in the organized physical education program unless 1) They have a doctor's statement requesting non-participation; 2) Note from the parents/guardians requesting non-participation because the student is recovering from an illness; 3) Religious reasons which will be handled on an individual basis by the superintendent. In addition, a variety of athletics will be offered after school for students. (*See Appendix 12, Wellness Policy*)

### **Pick-Up**

Parents/guardians are required to stop into the office when checking students out of school. Parents are not allowed to go to the classroom or walk out onto the playground to pick up their child. Students will be called down to the office once the parents have arrived in the school office. Parents need to sign their child out of school following the school's procedure.

### **Playground and Recess**

In the interest of safety and security, the playground is closed for public use from 7:30 a.m.- 5:00 p.m. when school is in session. Playground supervisors are on duty during morning, noon recess and after school to monitor student behavior.

Every attempt is made to assure safe playtime for the students. Safety rules have been established and are discussed in the classrooms.

Students will play outside unless:

1. The temperature is below zero degrees.
2. The wind chill is zero degrees or less.
3. It is raining.
4. There is lightning.
5. There are other weather conditions, which make it unsafe to be outside.

Students should dress appropriately for the weather.

### **Pledge of Allegiance [\*]**

Students will recite the Pledge of Allegiance to the flag of the United States of America daily. Any person who does not wish to participate in reciting the Pledge of Allegiance for any personal reason may elect not to do so. Students must respect another person's right to make that choice. Students will also receive instruction in the proper etiquette toward, correct display of, and respect for the flag.

### **Release Time**

Religious instruction for all students will be provided by local churches. In order to attend, a student will need a permission slip.

### **School Activities**

The school district provides opportunities for students to pursue special interests that contribute to their physical, mental, and emotional health; however, instruction is the school district's priority.

Students who participate in school-sponsored activities are expected to responsibly represent the school and community. All rules pertaining to student conduct and student discipline apply to school activities.

All spectators at school-sponsored activities are expected to behave appropriately. Students and employees may be subject to discipline and parents/guardians and other spectators may be subject to sanctions for inappropriate, illegal, or unsportsmanlike behavior at these activities or events.

#### **Eligibility for Extracurricular Activities**

Wrestling and Gymnastics are offered at Sisseton at the non-varsity level.

Eligibility for Activities:

1. Participation in extracurricular activities, including activities but not limited to: sports, One Act Play, Prairie Fire Theatre, and Socials requires that certain standards of academic work and social behavior be expected of each student. Failure to meet these standards on the part of the student shall cause the school to take definite action to remove such student from extracurricular activities until such time as the student meets the established standards.
2. If the \$25.00 Athletic Participation Fee is not paid, the player will not attend a scheduled game or event.
3. If a student receives In-School Suspension or Out of School Suspension, he/she cannot participate/attend any school activity during the suspension, including after school hours.
4. If a student is receiving a failing grade or incomplete at mid-quarter, **the student will not be allowed to practice until he/she receives a passing grade.** Ineligibility begins the day mid-term reports are mailed.
5. A student shall be automatically withdrawn from all extracurricular activities if he/she does not receive passing grades in all subjects on his/her report card during each quarter. **FAILING** or having an **INCOMPLETE** will result in **NO PLAY/NO PRACTICE!** The effective date shall be the date report cards are distributed. An extracurricular activity shall be interpreted as clubs, organizations, drama (i.e. One Act Play, Prairie Fire Theater, socials, athletics, yearbook, and music performances. The music classes that meet during school hours and the intramural athletic program shall not be interpreted as extracurricular activities.



6. A student may be withdrawn from all extracurricular activities if he/she in any way brings discredit to the Browns Valley Public School. This policy has been put into effect to prevent pupils who bring discredit to the school from representing the school. The administration may appoint a committee of three faculty members, one whom should be the superintendent, to study, weigh, and make the final decision with respect to the eligibility of a student under the above stated policy.
7. A student, violating the eligibility rules laid down by the Minnesota State High School League, will be automatically withdrawn from all extracurricular activities and the discipline will be carried out as described in the League Handbook. Be reminded, the Minnesota State High School League & the Browns Valley Public School endorse a year around eligibility policy.
8. Any additional extracurricular activities must be approved by the school board and be adult supervised.

#### Reinstatement of Eligibility (Student Responsibility)

1. A student who has been declared ineligible as a result of receiving a failing grade in an academic subject may petition to be declared eligible after a two-week period (10 school days) has elapsed.  
 B. This petition must be presented to a committee of faculty members composed of the superintendent, the teachers who issued the failing grade, and Activities Director. This committee may reinstate the student's eligibility if it feels that the student's grade has improved sufficiently. If this committee feels that the student's grade has not improved sufficiently, they may deny the petition and the student will remain ineligible until the date of the next report card.
2. A student who has been declared ineligible as a result of receiving an incomplete grade in an academic subject will remain ineligible until the incomplete is made up. (The teacher will make the determination as to when the work has been completed satisfactorily).
3. A student who has been declared ineligible as a result of bringing discredit upon the Browns Valley Public School may petition to be declared eligible after a two week (10 school days) period has elapsed. The petition must be presented to the faculty committee that originally had decided the student's ineligibility and the length of ineligibility.
4. A student who has been declared ineligible as a result of violating Minnesota State High School League regulations will be reinstated after completing the discipline set down in the Official MSHSL Handbook.

#### Extracurricular and After School Activity Transportation

Transportation to and from activities is provided by the school. If a student wishes to return home from an activity with her/his parents/guardian, he/she must present written authorization from his/ her parent or guardian. Parents/guardians are responsible for transporting their child home from practices and activities.

Please make certain your child is picked up immediately after practice and or an activity. It is the parents'/guardians responsibility to contact the after school staff/school if an unforeseen event is causing delay in picking up your child. If a courtesy call is not received by the staff, a call will be made to social services/law enforcement. Alternate arrangements for pick-up of your child must be on file with the staff.

### **School Closing Procedures**

School may be canceled when the superintendent believes the safety of students and employees is threatened by severe weather or other circumstances. The superintendent will make a decision about closing school or school buildings as early in the day as possible. School closing announcements will be broadcast over

KFGO 790 AM	Fargo
KDIO 1350 AM	Ortonville
KMRS 1230 AM	Morris
KBWS 102.9 FM	Eden, SD
Power 104 FM	Milbank, SD
KS93 FM	Watertown, SD

KELO TV  
WCCO TV

Sioux Falls  
Alexandria & MPs. MN

Parents are encouraged to visit the school district website and subscribe to Instant Alert, a service that will call, text and email notifications of school closings, late starts, and early dismissals.

#### Emergency Closing/Extracurricular Activities

No activities will be held when school is NOT in session due to inclement weather or if there is an early dismissal.

There will be no morning program or breakfast served if there is a late start. Doors will open at 9:45 a.m.

### School District Facilities and Equipment

The school board encourages the use of school facilities and equipment by community groups and individuals. Requests for use of school facilities by community groups or individuals shall be made ahead of time through the superintendent's office.

1. Request forms must indicate the nature of use, responsible party, dates and time of use and equipment needed. Example: chairs, table, etc. School owned athletic equipment will be available only for school district sponsored activities. School sponsored activities will have priority over using the facility; however, every effort will be made to find an acceptable alternative meeting space. The school board may require a rental fee to cover the cost of custodial and supervising service if deemed necessary.

The school board expects members of the community who use facilities and equipment to do so with respect for school property and an understanding of proper use. Individuals and groups shall be responsible for damages to facilities and equipment.

#### Browns Valley Public Schools Request for Use of School Facilities

Name \_\_\_\_\_ Organization \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ Purpose of Event \_\_\_\_\_  
Date of Event \_\_\_\_\_ Time the facility is needed \_\_\_\_\_ Ends \_\_\_\_\_  
Rooms Needed \_\_\_\_\_  
Equipment needed: (Example: Chairs, Tables, PA system) \_\_\_\_\_  
Fee \_\_\_\_\_ Date Paid \_\_\_\_\_  
Approval \_\_\_\_\_ Date \_\_\_\_\_

### School Property

No vehicles, ATV's, horses or snowmobiles are allowed on school property; this would include the practice field.

### Searches

In the interest of student safety and to ensure that schools are drug free, district authorities may conduct searches. Students violate school policy when they carry contraband on their person or in their personal possessions or store contraband in their desks, lockers, or vehicles parked on school property. "Contraband" means any unauthorized item, the possession of which is prohibited by school district policy and/or law. If a search yields contraband, school officials will seize the item(s) and, where appropriate, give the item(s) to legal officials for ultimate disposition. Students found to be in violation of this policy are subject to discipline in accordance with the school district's "Student Discipline" policy, which may include suspension, exclusion, expulsion, and, when appropriate, the student may be referred to legal officials.

#### Lockers and Personal Possessions within a Locker [\*]

According to state law, 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.

Students' personal possessions 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 will provide notice of the search to students whose lockers were searched, unless disclosure would impede an ongoing investigation by police or school officials.

#### Desks

School desks are the property of the school district. At no time does the school 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.

#### Personal Possessions and Student's Person

The personal possessions of a student 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.

### **Sending Money to School**

When sending money to school with children for milk, lunches, etc., put it in an envelope marked with the child's name, grade, teacher, amount and purpose for which money is sent. Students should be discouraged from carrying money or leaving money in their desks/lockers. In the event students do bring money to school, it should be given to the teacher/office for safekeeping.

### **Stolen Item**

The Browns Valley School and its employees are not responsible for lost or stolen items such as money, clothing, jewelry, personal items, etc.

### **Student Publications and Materials**

The policy of the school district is to protect students' free speech rights while, at the same time, preserving the district's obligation to provide a learning environment that is free of disruption. All school publications are under the supervision of the building principal and/or sponsor. Non-school-sponsored publications may not be distributed without prior approval.

#### Distribution of Non-School-Sponsored Materials on School Premises [\*\*]

The school district recognizes that students and employees have the right to express themselves on school property. This protection includes distributing non-school-sponsored material, subject to school district regulations and procedures, at a reasonable time and place and in a reasonable manner. For detailed information, see the complete "Distribution of Non-School-Sponsored Materials on School Premises by Students and Employees" policy in *Appendix 2*.

#### School-Sponsored Student Publications

The school district may exercise editorial control over the style and content of student expression in school-sponsored publications and activities. Faculty advisors shall supervise student writers to ensure compliance with the law and school district policies. Students producing official school publications and participating in school activities will be under the supervision of a faculty advisor and the school principal. "Official school publications" means school newspapers, yearbooks, or material produced in communications, journalism, or other writing classes as part of the curriculum. Expression in an official school publication or school-sponsored activity is prohibited when the material:

- Is obscene to minors;
- Is libelous or slanderous;
- Advertises or promotes any product or service not permitted for minors by law;
- Encourages students to commit illegal acts or violate school regulations or substantially disrupts the orderly operation of school or school activities;

- Expresses or advocates sexual, racial, or religious harassment or violence or prejudice;
- Is distributed or displayed in violation of time, place, and manner regulations.

Expression in an official school publication or school-sponsored activity is subject to editorial control by the school district over the style and content when the school district's actions are reasonably related to legitimate pedagogical concerns. Official school publications may be distributed at reasonable times and locations.

### **Student Records [\*]**

Student records are classified as public, private, or confidential. State and federal laws protect student records from unauthorized inspection or use and provide parents/guardians and eligible students with certain rights. For the purposes of student records, an "eligible" student is one who is 18 or older or who is enrolled in an institution of post-secondary education. The state and federal governments have enacted laws and regulations to protect the privacy of students and parents through the application of safeguards with respect to the collection, security, and release of student information. Records include standardized achievement testing data, subject marks, attendance information, and specialized tests or evaluation by professional school staff. The overall responsible authority for student records is the superintendent.

Parents and/or guardians have the right to see the education records of their children. Federal regulations require that students and parents and/or guardians be informed of this right. You are being informed via this communication that you have free access to these educational records. If you are interested in reviewing these, please arrange for such by calling the superintendent at 695-2103 or 695-2296.

For more complete information on the rights of parents/guardians and eligible students regarding student records, please see *Appendix 3* in the back of this handbook. A complete copy of the school district's "Protection and Privacy of Pupil Records" policy may be obtained at the district office.

### **Student Surveys [\*]**

Occasionally, the school district utilizes surveys to obtain student opinions and information about students. For complete information on the rights of parents/guardians and eligible students about conducting surveys, collection and use of information for marketing purposes, and certain physical examinations, see *Appendix 4* in the back of this handbook. A complete copy of the school district's "Student Surveys" policy may be obtained at the District office.

### **Supervision**

Students are requested not to arrive before 7:30 am. At 3:30 students must be in the After School Program or under the direct supervision of an extracurricular advisor/teacher.

### **Transportation of Public School Students**

The school will provide transportation to students who live within District 801 and are outside of the city limits. In addition, the school district may provide pickup points within city limits on the north side of Highway 28 Browns Valley and west of County Road 4 in Browns Valley. The city of Beardsley has been deemed an "established route" pickup point. One pick-up point will be established yearly to transport out-of-district students. Pre-kindergarten and open enrolled students may be transported if they live along an existing route. Established routes and pick up points may change yearly, depending on enrolled students living in the district. Beardsley will remain an established route. Drivers are instructed to wait at each destination for a two-minute wait time for students to load the van. District 801 cannot provide transportation to daycares. The district does not receive state transportation aide to transport students to daycares. Children with split custody arrangements will be picked up on established routes or at the designated pick-up point in Beardsley. The city of Sisseton, SD will have one designated pick-up/drop-off point. District parents will be notified by the transportation director prior to the start of each school year to establish a yearly pick-up route. High school students may be put on an established route if they need

consistent transportation for the entire school year. The Superintendent cannot change policy. The Browns Valley Board of Education may change these policies/guidelines.

#### Extracurricular Transportation

The school district may provide transportation for students to and from extracurricular activities. To the extent the school district provides extracurricular transportation, the district may charge a fee for transportation of students to and from extracurricular activities and optional field trips at locations other than school.

If a student wishes to return home from an activity with her/his parents/guardian, she/he must present written authorization from his/ her parent or guardian. Parents/guardians are responsible for transporting their child home from practices and activities.

Please make certain your child is picked up immediately after practice and or an activity. It is the parents/guardians responsibility to contact the after school staff/school if an unforeseen event is causing delay in picking up your child. If a courtesy call is not received by the staff, a call will be made to social services/law enforcement. Alternate arrangements for pick-up of your child must be on file with the district.

### **Vending Machines**

Students may use vending machines after school daily. Vending machines will be turned off during the day.

### **Video and Audio Recording**

#### School Buses

All school buses used by the school district may be equipped for the placement and operation of a video camera. The school district will post a notice in a conspicuous location informing students that their conversations or actions may be recorded. The school district may use a video recording of the actions of student passengers as evidence in any disciplinary action arising from the students' misconduct on the bus.

#### Places Other Than Buses

The school district buildings and grounds may be equipped with video cameras. Video surveillance may occur in any school district building or on any school district property.

### **Volunteers**

Parents/guardians/Literacy volunteers are welcome in the schools and are encouraged to volunteer in their children's classrooms. To volunteer in the school district, parents/guardians should speak to the Principal. Parents/guardians who visit the school should sign in at the District office before entering a classroom. For more information, contact the Principal.

### **Walking Students**

Children are requested not to arrive at school before 8:00 am unless they are eating breakfast. Early arrivals interfere with the preparation of classes each morning. Your cooperation is greatly appreciated.

## **PART II — ACADEMICS**

### **Cheating and Plagiarism**

Cheating and plagiarism are prohibited. Students who cheat or commit plagiarism on any test or assignment will be given a zero grade for that test or assignment and will be disciplined in accordance with the school district's "Student Discipline" policy.

### **Counselor**

Counseling and guidance services are available to all students.

## **Entrance Policies**

All Pre-Kindergarten children must be 4 years of age by September 1 to enroll in the program. The child must be potty trained by the day of entry into the program.

Kindergarten students entering school must be 5 years old on or before September 1 of the current year. First grade students must be 6 years old on or before September 1. For verification of birth and name, a child's legal birth certificate must be presented when the child makes an initial entry into the school.

Children are eligible to enroll in kindergarten in District 801 if they are five years old on or before the first of September. It is recognized that some children may have exceptional skills and are ready to begin their formal education before they reach that age. In order to provide for these children, the Board of Education of District 801 has established a policy for early entrance.

1. Early admission may be permitted for children who meet the criteria approved by the administrative and teaching staff for early admission.
  - A. In the fall of 2023, District 801 will consider for early entrance to kindergarten, only those children whose birth date is after September 1, 2018 and before December 31, 2018.
  - B. There must be evidence that the child will experience success with the total school program. The criteria to be used for early admission will include: Full Brigance Assessment. A child must score a 5.0 in all of the following areas:
    1. Language Development
    2. Literacy Assessment
    3. Math and Science
    4. Social and Emotional Development
    5. Physical and Health Development
  - C. An individual assessment by qualified school personnel will be scheduled before August 1. The results and recommendation for early entrance will be shared with the parent. The administration will render an enrollment decision. School registration for early kindergarten will only be accepted after the full assessment has been completed and the student is found eligible for early admittance.
  - D. Children approved for early admission shall be accepted on a trial basis for the first month of the school year. A final determination of appropriate placement will be made by the school in consultation with the parent by October 1.

## **Field Investigations**

Teachers are encouraged to take students on class related field investigations. These investigations are valuable because they 1) provide concrete learning experiences; 2) provide for pupil planning in real situations; 3) provide opportunities for training in courtesy, safety, and good citizenship; and 4) stimulate children's interest in the community. Field investigations may be optional and, if so, students who participate may be charged. Students will not be required to pay for instructional trips that take place during the school day, relate directly to a course of study, and require student participation. Students are to know and comply with established rules. The following consequences will occur for inappropriate behaviors:

1. First Offense: Loss of second field investigation at the discretion of the administration. Discipline action follows the rules and consequences of the Browns Valley School wide discipline plan.
2. Second Offense: Loss of field investigation privileges for the remainder of the year and discipline action following the rules and consequences of the Browns Valley School wide discipline plan.

## Grades

Students' grades will be reported by mid - terms and quarterly during the year. Report cards will be sent to parents/guardians for review. Online grade reports may be reviewed at [www.brownsvalley.k12.mn.us](http://www.brownsvalley.k12.mn.us)- JMC Gradebook.

## Grade Scales

### Elementary

E	98-100
S+	90-97
S	80-89
S-	75-97
N	70-74
U	0-69

### Middle School

A	95-100
A-	92-94
B+	88-91
B	85-87
B-	82-84
C+	78-81
C	75-77
C-	72-74
D+	69-71
D	67-68
D-	65-66
F	<64

## Grading Guidelines

The guidelines below were formulated by middle school teachers during Common Planning Time.

1. The student must pass at least 2 of the 4 quarters. If he/she fails 3 quarters, the grade is an automatic F.
2. The quarter grades should be given a point value; please refer to the table below, column I.
3. If a comprehensive final exam is to be calculated along with 4 quarter grades, the 4 quarter points & the final exam grade are to be totaled and divided by 5 for the final grade. Refer to grade range column II.
4. If no final exam is given (or just a unit test that goes on the 4<sup>th</sup> quarter), the 4 quarter points are to be totaled and divided by 4 for the final grade. Refer to grade range column II.

#### Column I

A	4.00
A-	3.67
B+	3.33
B	3.00
B-	2.67
C+	2.33
C	2.00
C-	1.67
D+	1.33
D	1.00
D-	.67
F	.49

#### Column II

A	4.00-3.84
A-	3.83-3.50
B+	3.49-3.17
B	3.16-2.84
B-	2.83-2.50
A	4.00-3.84
A-	3.83-3.50
B+	3.49-3.17
B	3.16-2.84
C+	2.49-2.17
C	2.16-1.84
C-	1.83-1.50
D+	1.49-1.17
D	1.16-.84
D-	.83-.50
F	.49

NOTE: If the final is comprehensive and will count as 1/5 of the grade, please record it on the report card as a final test grade. If the test is a unit test only, DO NOT record on the report card under final—just leave blank.

#### Honor Roll

One (1) D+ or lower on a report card disqualifies the student for honor roll eligibility. Minnesota Academic Standards

All students must satisfactorily complete the following required Minnesota Graduation Standards:

Minnesota Academic Standards, English Language Arts K-12
Minnesota Academic Standards, Mathematics K-12
Minnesota Academic Standards, Science K-12
Minnesota Academic Standards, Social Studies K-12
Minnesota Academic Standards, Physical Education K-12
Minnesota Academic Standards, Arts K-12

#### School District Required and Elective Standards

All students must satisfactorily complete the following school district required and elective standards:

- Health (K-12);
- School District Standards, Vocational and Technical Education (K-12); and
- School District Standards, World Languages (K-12).

Students with an individualized education program, Section 504 accommodation plan, or limited English proficiency needs may be eligible for testing accommodations, modifications, and/or exemption. For additional information, see the Assessment Coordinator.

#### **Homework**

Homework assignments are made by the teachers. The amount of homework varies by teacher and subject area. The school district asks for parents/guardians to encourage their child(ren) to complete homework thoroughly and promptly.

Middle school & elementary homework assignments that are valid include studying spelling words, reading to someone, studying for tests, enrichment projects and/or experiments, projects that require the gathering of information or materials outside of school, and occasionally extra work in an area where an individual is in need of extra practice because of some difficulty. Homework should help the student master a concept.

Teachers strive to provide enough time for the work to be completed during the regular school day, most students who use their time appropriately should have minimal homework. For middle school students, tutoring will be available for students to complete homework/incomplete assignments. Homework should be based on the individual student's work rate. Individual differences need to be considered when expecting homework.

#### **Incomplete Grades (Grades 5-8)**

A student who has an incomplete grade at the end of the quarter will be given two weeks (ten school days) to correct the deficiency by completing the required work. Students will not be allowed to participate in extracurricular activities until the incomplete work has been made up. Exceptions may be made for extended illness, bereavements, etc. Incomplete grades will not be offered at the end of the school year (4th



Quarter). Exceptions may be made by the consent of the instructor and administration. Intentional missing of assigned performance/activities will result in a failed/reduced grade.

### **Instructional Materials**

Students attending our school are furnished with all the necessary textbooks. Other supplies such as tablets, pencils, crayons, rulers, etc., are purchased by the children. However, these items should not be purchased until children have been informed by their teacher as to what supplies they will need. Lists of needed items are sent out with the school packet prior to the New Year. In a few instances, children may be asked to pay for optional materials, which will then become their personal possessions.

### **Parent Right to Know [\*]**

If a parent requests it, the school district will provide information regarding the professional qualifications of his/her child's classroom teachers, including, at a minimum, the following:

1. whether the teacher has met state qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
2. whether the teacher is teaching under emergency or other provisional licensing status through which state qualification or licensing criteria have been waived;
3. the baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree;
4. Whether the student is provided services by paraprofessionals and, if so, their qualifications.

In addition, the school district will provide parents with information as to the level of achievement of their child in each of the state academic assessments. The school district also will provide notice to parents if, for four or more consecutive weeks, their child has been assigned to or taught by a teacher who is not highly qualified.

### **Promotion and Retention**

All students are expected to achieve an acceptable level of proficiency. Students who achieve at an acceptable level will be promoted to the next grade level at the completion of the school year. Retention of a student may be considered when professional staff and parents/guardians feel that it is in the best interest of the student. The superintendent's decision will be final. The district has a variety of services to help students succeed in school. For more information, contact the administration.

Parental assistance, tutorial and remedial programs, counseling and other appropriate services shall be coordinated and utilized to the greatest extent possible to help students succeed in school.

- A. Promotion  
Students who achieve at levels deemed acceptable shall be promoted to the next grade level at the completion of each school year.
- B. Retention  
Retention of a student may be considered when professional staff and parents feel that it is in the best interest of the student. Physical development, maturity, and emotional factors shall be considered as well as scholastic achievement. The superintendent's decision shall be final.
- C. Program Design  
The superintendent, with participation of the professional staff and parents, shall develop and implement programs to challenge students that are consistent with the needs of students at every level. A procedure for screening and identifying students for program assignment shall be developed in coordination with such programs. Opportunities for special programs and placement outside of the school district may also be developed as additional options.

## **Responding to Academic Performance (RAP)**

Middle School students will be rewarded with weekly RAPS for their positive performance.

Rules for R.A.P.

1. Be on time to school, stay the entire day.
2. No tardies- Be to class on time.
3. No unexcused absences from school.
4. Excused absence from school may count if:
  - a. Note of illness or Dr. appointment is sent to the office and all assignments are made up by the R.A.P. time.
  - b. Only 1 excused absence during the R.A.P. period
5. Complete all assignments on time.
6. Great Behavior. No Discipline reports

RAPS will be for one class hour on each Friday, and the hour will rotate each week. Students will have their performance judged from Friday through the following Thursdays to qualify for the next RAP. There will also be two “SUPER RAPS” each year. They will be held shortly after the end of the first semester and the last week of school. Their length will be a half day or longer and will involve “very enjoyable activities”. Students must make approximately 70% of the weekly RAPS to qualify.

## **School Organization**

All of the elementary classrooms are self-contained. All subject areas are taught by the classroom teacher or in a team teaching situation. These subjects include reading, language, handwriting, spelling, math, science, social studies, health, and art. In addition, students have instruction by special teachers in music, physical education, technology and library skills. The school also offers an instrumental supplement (band/choir) to the general music program. Children in grades 5-8 may take part in this program.

## **Screening Programs**

### **Early Childhood Screening**

The Early Childhood Preschool Screening (ECS) program will be held throughout the school year for all Browns Valley children 3 ½ to 4 ½ years old. The purpose of Early Childhood Screening (formerly Preschool Screening) is to focus on the normal aspects of a child’s health and development, identifying and reinforcing these while sorting out conditions and situations that require further attention, and referring the children and families to several sources of services and care in the school and community. The screening includes a developmental assessment (motor skills, social/emotional and cognitive skills, and speech/language); vision and hearing screening; growth screening (height and weight); health history; and immunization review. The screening is performed by professional personnel through the Stevens-Traverse Public Health Nursing, census records are checked, and eligible children’s families are notified. Families that may be overlooked are asked to call the office for an appointment.

### **Brigance Inventory of Early Development (IED)**

The Brigance is a battery of screening tests that is designated to identify each pre-kindergarten student’s developmental level in language, auditory, visual, and motor areas as well as learning styles. It is administered in the spring of the year to children who will be entering kindergarten the following fall. The results of the screening will aid the kindergarten teacher in planning an appropriate educational program.

## Special Education

Special education services are available for all students who have special needs. Eligibility for the services is determined by a multidisciplinary team who conduct educational and psychological testing to determine the type and amount of help a student needs. The goal of Special Education instructors is to help students reach their potential. To help accomplish this, a written Individual Education Plan (IEP) is developed by school personnel and parents for each student in a program. These plans specifically state the goals, objectives, and activities necessary to meet the individual needs of each student. Questions concerning special education programs and services should be directed to the superintendent.

### Referral Procedure

- A. A referral can be made by a classroom teacher, special education teacher, administration, parent, student, psychologist, school social worker, teacher assistance team, or any other concerned person.
  - 1. Referrals made during the last month of school may be found by the team to be more appropriate to complete in the fall.
- B. Referrals concerned with:
  - 2. Learning or behavioral problems must have evidence of at least two specific and significant, documented interventions tried to alleviate the problem.

Documentation of interventions:

- a) The referring person can document the two interventions by use of a form supplied by the administrative office in each building.
- b) Should be attached to the referral form.

Motor functioning (Adaptive PE) referrals cannot come from a classroom teacher without being reviewed by the physical education instructor. Both should sign the referral. Referrals made by a physician should be turned over to the developmental/adapted physical education consultant after being reviewed by the superintendent.

A parent or student referral must be reviewed by the review team to determine the appropriateness of proceeding. Interventions must be the same as stated in A and B unless waived by the Team and the reasons stated in the Team report. The parent and/or student will be invited to the review of such a referral.

- C. The referral goes to the superintendent who reviews the interventions and completeness of the referral and signs it, if appropriate. The superintendent forwards it to an appropriate special service person within three school days of receiving the referral in the office. Persons making a referral should expect a copy back to them within three school days. Copies of the referral should be distributed to the following: 1) special service person designated on the form and 2) referring teacher (s). The original referral should be filed by the secretary in a central file.
- D. A team review of the referral must be conducted.
  - 1. The special service person, upon receipt of a complete referral, sets a date for a review team meeting within 10 days of the date of referral.
  - 2. A review team should include the referring persons(s), teachers having contact with the student, appropriate special service persons, and principal if he/she so desires to be involved.
  - 3. A purpose of the review is to:
    - a) determine if assessment is appropriate.
    - b) determine who should be assessing, and what areas need assessing
    - c) appoint a temporary case manager, who will make the phone call to the parent regarding this referral and assessment request.
  - 4. The temporary case manager's responsibilities include the following:
    - a) document the call to the parents on the Notice of an Educational Assessment/Reassessment Plan form.
    - b) give completed Notice of an Educational Assessment/Reassessment Plan and Parent Rights form to the secretary for mailing to the parents.

- c) have copies of the Referral/Review and Assessment Determination form made for other assessment team members.
- E. When the Notice of an Educational Assessment/Reassessment Plan comes back signed by the parent, the case manager gives a copy to the testing people so they can proceed with their assessments.

### **Student Placement Procedures**

Many factors influence the proper placement of a student; however, the best interest of the child must be the first consideration.

When considering retention as a possible alternative, below grade level work and maturity shall be the primary considerations. These will be the primary criteria at each grade level within the school. A student who continually falls significantly below grade level standards will be considered as a candidate for retention. When it is detected that a student appears to be functioning significantly below grade level, the parents will be informed immediately so that remedial course of action can be pursued.

### **Testing Program**

The Browns Valley School has a testing program and the purpose of the testing is to gather information concerning the proficiency of all children in the school. The results of these tests provide a spot check of each child's academic progress in comparison with national, state, or local norms. During the current school year, the following test will be administered to your child as part of this program.

<b>GRADE</b>	<b>NAME OF TEST</b>	<b>PURPOSE</b>
3 thru 8	MN Comprehensive Assessment Test III	to measure the student's level of achievement in reading and math
5 & 8	MN Comprehensive Assessment Test II	to measure the student's level of achievement in science
K – 8	Measure of Academic Progress (MAP)	to measure the student's level of achievement in reading, math & language usage.
K-8	FastBridge	to measure fluency

### **Textbooks**

Students are assigned textbooks for the year. Proper care and treatment of the textbooks is stressed. The students will be held responsible for that book for the school year.

If at the end of the year, a book has been lost or damaged, the student will pay a replacement cost.

If a library book is not returned within two weeks, a replacement fee is due. An overdue book may also result in the loss of recess/wellness privileges.

### **Title I**

Title I is a federally funded program designed to improve educational opportunities by providing supplemental reading/language and mathematics instruction school wide.

Our families and our teachers want the same for students: success in school. We know when school, teachers, and parents all work together, schools are better and children are more likely to do well in school.

Below are some of the responsibilities that both school and families have for student success:

We know students do best when they are in safe and orderly schools.

We know students do best when teachers use many different ways to teach them.

We know students do better when their parents are involved in their learning and stress the importance of education.

Children who have a variety of learning materials and have limited access to television come to school better prepared to learn.

It takes a partnership between families and school to make these things happen so that children can succeed. In order to secure this partnership our Title I Parent Advisory Council has developed a written pledge which lists the responsibilities of each of the partners.

### **RESPONSIBILITIES FOR LEARNING - A TEAM APPROACH**

This agreement is a pledge to work together. We believe that this agreement can be fulfilled by our team effort. Together we can improve teaching and learning.

### **STUDENT AGREEMENT**

- Attend school regularly and on time
- Have a positive attitude toward self, others, school and learning. Know and obey all school and class rules
- Be respectful to my school mates and the adults that help me learn
- Ask for help and ask questions when I don't understand something
- Work as hard as I can and complete all assignments on time
- Limit my TV viewing and do quiet learning activities instead
- Discuss with my parents what I am learning in school

Signature of student \_\_\_\_\_

### **PARENT/GUARDIAN AGREEMENT**

As a parent/guardian, I pledge to

- See that my child attends school regularly and on time
- Support the school in its efforts to maintain proper discipline
- Establish a quiet study time and encourage good study habits
- Encourage my child's efforts and be available for questions
- Stay aware of what my child is learning
- Find out how my child is progressing in school by attending conferences & reviewing school work
- Limit my child's TV viewing and encourage quiet learning activities instead.

Signature of parent/guardian \_\_\_\_\_ Date \_\_\_\_\_

### **CLASSROOM TEACHER AND TITLE I PARAPROFESSIONAL AGREEMENT**

We, the classroom teacher and the Title I paraprofessional, pledge to:

- Respect, love and encourage children, their ideas and their growth
- Find out what techniques and materials work best for each student
- Vary techniques, materials and pace of instruction to ensure all students master the desired outcomes.
- Expect students to master the desired outcomes by focusing on achievements
- Be available to explain or answer questions about the Title I schoolwide program
- Provide necessary assistance to parents so their children can be successful learners

Signature of student advisor \_\_\_\_\_ Date \_\_\_\_\_

## **PRINCIPAL/ADMINISTRATOR AGREEMENT**

As a principal/administrator I agree to:

- Create a welcoming environment for students and parents
- Communicate the school's mission and goals to students and parents
- Maintain a positive and safe learning environment
- Reinforce the partnership between parents, student and staff
- Provide appropriate in-service and training for staff and parents
- Maintain and foster high standards of academic achievement and behavior

Signature of principal/administrator \_\_\_\_\_

### **Tutoring**

Browns Valley School provides morning and after-school tutoring for children in Kindergarten through 8th grade. A student who has difficulty with reading, math or some other subject can often benefit from additional instruction provided on a tutorial basis.

Extensions of learning outside the regular school day are very helpful in student personal growth and academic development. Entry into the tutoring program is determined by priority academic needs based on data collection (e.g. Minnesota Comprehensive Assessment, Northwest Education Assessment). Scores indicate the student need to increase their reading or math skills.

### **Voluntary Pre-Kindergarten (Little T-Bird) Program**

Pre-Kindergarten means a program designed for students four years of age on or before September 1 of the calendar year in which the school year commences that prepares students to enter kindergarten the following year.

Students in the Browns Valley or old South Dakota 54-1 Districts are eligible to attend for a fee of, \$16.00/day. Students from neighboring Districts are eligible if there is an opening. Open enrollment forms need to be completed. Open enrollment students will be assessed a fee. Class Size is limited to 20 students.

#### **Fee Schedule**

1. Fee will be \$16 per day for the school year. First come, first serve basis.
2. Payments will be made beginning August 15 and will consist of nine monthly payments through April 15. If a payment is not made, the student will not be allowed to attend class.
3. If a parent requests to retain their child, a rate of \$16 per day will be charged.
4. There will be exceptions to the retention payment policy if the retention is teacher recommended or if student requires special education services.

#### **Food Service – Breakfast and Lunch**

Free or reduced price lunches are available to children from lower income families. Special federal government guidelines are established to determine eligibility. Applications may be obtained from the district office; parents are urged to apply if they feel they qualify for the program. All full or reduced price meal tickets must be purchased in advance. The school has a “**no charge**” policy. Breakfast will be served from 7:30 to 8:00 a.m

#### **School Supplies**

School supplies will be the responsibility of the parent. A supply list will be sent in the parent packet in the summer.

#### **Attendance Policy**

The Browns Valley School is pleased to offer a Pre-Kindergarten program. Prompt and faithful attendance is necessary for a child to achieve early success in school and establish a daily routine.

Pre-School begins on the first day of school. Instructional hours for our Little T-Bird students are 8:00 am to 3:25 pm., Monday through Friday. Vacation days and school closings will coincide with the District's calendar. Students will not be allowed to start mid-year unless new to the District.

Students must be in attendance for six hours to receive credit for a full day and three hours to receive credit for a half day. If students have an appointment, they may be checked out in the main office and return to school to receive credit for attendance. Students will be counted tardy after 8:05. Five accumulated tardies will result in a meeting with administration and the creation of an attendance success plan with the student's teacher.

Regular attendance is needed for a student to gain the full benefits of being in the Little T-Bird program.

*Unexcused absence: No phone call or explanation.*

*Excused absence for Absences due to Extraordinary Circumstances.* A phone call and a written explanation are mandatory.

Communicable disease  
Death in family  
Emergency family situations  
Emergency medical family  
Health ailments (i.e.)  
Hospitalization  
Serious illness or injury

#### **Student Promotion and Retention**

The School Board expects all students to achieve at an acceptable level of proficiency. Parental assistance, tutorial and remedial programs, counseling and other appropriate services shall be coordinated and utilized to the greatest extent possible to help students succeed in school.

Promotion: Students who achieve at levels deemed acceptable by local and state standards shall be promoted to Kindergarten.

Retention: Retention of a student may be considered when the classroom teacher, other professional staff and parents feel that it is in the best interest of the student. Physical development, maturity, and emotional factors shall be considered as well as achievement. The superintendent's decision shall be final.

#### **Transportation Guidelines:**

The school will provide transportation to students who live within District 801 and are outside of the city limits. In addition, the school district may provide pickup points within city limits on the north side of Highway 28 Browns Valley and west of County Road 4 in Browns Valley. The city of Beardsley has been deemed an "established route" pickup point. One pick-up point will be established yearly to transport out-of-district students. Pre-kindergarten and open enrolled students may be transported if they live along an existing route. Established routes and pick up points may change yearly, depending on enrolled students living in the district. Beardsley will remain an established route. Drivers are instructed to wait at each destination for a two-minute wait time for students to load the van. District 801 cannot provide transportation to daycares. The district does not receive state transportation aide to transport students to daycares. Children with split custody arrangements will be picked up on established routes or at the designated pick-up point in Beardsley. The city of Sisseton, SD will have one designated pick-up/drop-off point. District parents will be notified by the transportation director prior to the start of each school year to establish a yearly pick-up route. High school students may be put on an established route if they need consistent transportation for the entire school year. The Superintendent cannot change policy. The Browns Valley Board of Education may change these policies/guidelines.

#### **Withdrawal Procedure**

Please notify the superintendent as soon as you know your child will be moving to another school. You will be given pertinent information to present to the new school. Your child's records will be forwarded when the new school requests them. If you move during the summer, contact the superintendent's office.

## PART III — RULES AND DISCIPLINE

### **Attendance [\*\*]**

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.

The State of Minnesota requires that every child entering kindergarten this school year must graduate from high school or remain in high school or in an alternative program until age 18. Only those who have been accepted into the military or an institution of higher learning may leave school before they are 18 years old.

Extended trips will be considered on an individual basis. On these occasions office personnel and teachers need to be contacted in advance of the trip. It is important to encourage children to attend school regularly and to create the feeling that it is important to attend. It is advisable to plan vacation trips in accordance with the school calendar whenever possible. Cooperation in assisting the school in the attendance area is greatly appreciated.

For detailed information, see the “Student Attendance” policy in *Appendix 5*.

### **Bullying Prohibition [\*\*]**

The school district is committed to providing a safe and respectful learning environment for all students. Acts of bullying, in any form, by either an individual student or a group of students, is prohibited on school district property, at school-related functions, and by misuse of technology. For detailed information regarding the school district’s “Bullying Prohibition” policy, see *Appendix 6*.

### **Buses – Conduct on School Buses and Consequences for Misbehavior [\*\*]**

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. The school district will not provide transportation for students whose transportation privileges have been revoked.

The school district is committed to transporting students in a safe and orderly manner. To accomplish this, student riders are expected to follow school district rules for waiting at a school bus stop and rules for riding on a school bus.

While waiting for the bus or after being dropped off at a school bus stop, all students must comply with the following rules:

- Get to the bus stop five minutes before your scheduled pick up time. The school bus driver will not wait for late students.
- Respect the property of others while waiting at the bus stop.
- Keep your arms, legs, and belongings to yourself.
- Use appropriate language.
- Stay away from the street, road, or highway when waiting for the bus.
- Wait until the bus stops before approaching the bus.
- After getting off the bus, move away from the bus.
- 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.
- No fighting, harassment, intimidation, or horseplay.
- No use of alcohol, tobacco, or drugs.

While riding a school bus, all riders must comply with the following rules:

- Follow the driver’s directions at all times.
- Remain seated facing forward while the bus is in motion.



- Talk quietly and use appropriate language.
- Keep all parts of your body inside the bus.
- Keep arms, legs, and belongings to yourself and out of the aisle.
- No fighting, harassment, intimidation, or horseplay.
- Do not throw any object.
- No eating, drinking, or use of alcohol, tobacco, or drugs.
- Do not bring any weapons or dangerous objects on the school bus.
- Do not damage the school bus.

Consequences for school bus/bus stop misconduct will be imposed by the school district under adopted administrative discipline procedures. 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. The buses are radio equipped, and the school office monitors the bus frequency at all times. The school board has adopted bus behavior guidelines to ensure the safety of the students

#### **Bus Permits**

A note of explanation (school form or hand written) giving parental permission will be required for:

1. Walkers riding a school bus to a friend's house.
2. A bus rider taking another bus home, other than his/her own bus. In addition the bus driver of the bus a rider normally rides should be informed that the student will not be riding that bus.
3. A bus rider not going to ride the bus home and staying in town. The name of the adult providing transportation should be on the permission slip.

Bus Transportation is a privilege granted to the students of the school district to those who need and warrant transportation, but it is not mandatory that it be provided.

The school district reserves the right to take whatever action it deems necessary to ensure the rules and regulations are followed. Bus incident reporting forms will be given to the bus drivers. The form is a reporting system for discipline problems and will be turned into the main office. This form must be filled out by the driver giving the student's name, grade, date of incident, driver's name, and nature of the incident. The superintendent will indicate, on the form, the action taken. The form is to be signed by the driver and the superintendent and dated. Copies are to be distributed to parents and the driver and kept in a file in the superintendent's office.

#### **Violation of school bus rules and the following disciplinary action:**

**First offense** – The first report of a comparatively minor incident will be sent to the parents/guardian stating that if the student's behavior does not improve, bus-riding privileges will be denied. In the event of a major incident, it may be necessary to deny a student riding privileges. Such serious incidents might be smoking (at the bus stop or on the bus), destruction of property, and use of alcohol or drugs, showing disrespect or disobedience to the driver. This will result in the suspension of bus privileges 3-5 days off the bus. It is the responsibility of the parent or guardian to provide transportation to and from school for this period of time.

**Second offense** – A student's misbehavior report will be sent to the parents/guardian stating that the student will be denied bus-riding privileges for a period of one to three (1-3) days with the effective date of such disciplinary action and the date the student may resume riding, unless the superintendent deems another disciplinary action in lieu of the above.

**Third offense** – Loss of bus privileges for 3 to 5 days.

**Fourth+ offenses** – Loss of bus privileges for 5-10 days. After ten days, off the bus for the remainder of the school year

If a student is responsible for any vandalism, that student will pay for any damage or lose his/her bus privileges for the balance of the school year. The superintendent is hereby authorized to resolve all violations and disciplinary matters relating to transportation services. Drivers may not expel student offenders while they are enroute.

**Responsibilities of Parents:**

1. To see that their children are at the designated bus stop on time.
2. To cooperate with drivers when there are delays due to storms or a breakdown in equipment.
3. To notify the school if they move and their child stops riding the bus.
4. To notify the bus contractor if the child is not to ride the bus on a given day or to ride a different bus; the school will back-up the decision of the bus contractor.
5. To pay for damages to buses caused by the misconduct of their children.
6. To call the superintendent's office if they are aware of any specific discipline problems on the bus.
- 7.

**Responsibilities of Students:**

1. To calmly wait a safe distance from the bus, stop and board the bus in a calm and orderly manner. No horseplay at the bus stop is allowed.
2. To get on the bus in single file and use the handrail.
3. To go immediately to a vacant seat and sit down.
4. To not reserve seats for another person who may be boarding the bus later. All seats are on a first-come basis.
5. To treat all drivers, supervisors, school patrol courteously, fairly, and with proper respect.
6. To assume the responsibility of doing one's part for bus safety each trip. To cooperate fully with parents, school officials, and teachers in obeying established rules.
7. To refrain from talking with the bus driver except when spoken to or in the case of an emergency.

**SCHOOL BUS BEHAVIOR REPORT**

Student's Name \_\_\_\_\_

Date \_\_\_\_\_ School \_\_\_\_\_ Bus # \_\_\_\_\_

**INFRACTIONS**

- \_\_\_\_\_ Out of Seat
- \_\_\_\_\_ Spitting
- \_\_\_\_\_ Throwing Objects
- \_\_\_\_\_ Hitting
- \_\_\_\_\_ Not Keeping Hand & Feet to Oneself
- \_\_\_\_\_ Making Loud Noises
- \_\_\_\_\_ Hanging Out Windows
- \_\_\_\_\_ Obstructing Aisles
- \_\_\_\_\_ Assault
- \_\_\_\_\_ Fighting
- \_\_\_\_\_ Possession or Use of Alcohol
- \_\_\_\_\_ Possession or Use of Tobacco
- \_\_\_\_\_ Indecent Language
- \_\_\_\_\_ Profanity
- \_\_\_\_\_ Vandalism
- \_\_\_\_\_ Possession of a Weapon

Parent copy of this report must be signed and returned to bus driver the next time the student rides the bus.

## **Cell Phones, Pagers, and Other Electronic Communication Devices**

Students are prohibited from using cell phones, pagers, and other electronic communication devices during the instructional day. Students also are prohibited from using a cell phone or other electronic communication device to engage in conduct prohibited by school district policies including, but not limited to, cheating, bullying, harassment, malicious and sadistic conduct, etc. If the school district has a reasonable suspicion that a student has violated a school rule or law by use of a cell phone or other electronic device, the school district may search the device. The search of the device will be reasonably related in scope to the circumstances justifying the search. Students who use an electronic device during the school day and/or in violation of school district policies may be subject to disciplinary action pursuant to the school district's discipline policy. In addition, a student's cell phone or electronic device may be confiscated by the school district and, if applicable, provided to law enforcement. Cell phones or other electronic devices that are confiscated and retained by the school district will be returned in accordance with school building procedures. The school is not responsible for investigating theft or damage relating to cell phones, I-pods, video games or other electronic devices.

## **Conduct at School Programs/Concerts – Concert Etiquette**

Students are expected to treat performers and directors with utmost respect and use concert etiquette procedures learned in class. This includes but is not limited to:

1. No talking during a performance.
2. No walking around or leaving during a performance.
3. Applauding at appropriate times.
4. Sitting with a parent/guardian if the student is not participating in the program/concert being presented.
5. Showing respect to performers, directors, faculty and staff members.
6. Abiding by all current school rules and regulations

## **Corporal Punishment Prohibited 127.45**

Subdivision 1. Definition. For the purpose of this section "corporal punishment" means conduct involving the following:

1. Hitting or spanking a person with or without an object
2. Unreasonable physical force that causes bodily harm or substantial emotional harm. Subd. 2. Prohibition. An employee or agent of the public school district shall not inflict corporal punishment or cause corporal punishment to be inflicted upon a pupil to reform unacceptable conduct or as a penalty for unacceptable conduct.

History: 1989 c 114 s

Browns Valley School Board Policy

Policy #63

3-19-90

Corporal Punishment

District employees are required by law to refrain from the use of corporal punishment. Corporal punishment means, "conduct involving physical force and infliction of bodily pain". It also means conduct involving cruelty or unreasonable force that causes substantial emotional harm.

## **Detention**

Detention will be held after school or during noon hours throughout the week. It shall not exceed one hour. STUDENTS MUST REPORT BY 3:30 P.M. OR DOUBLE THE AMOUNT OF TIME MISSED WILL BE ASSIGNED. If detention is not served and accumulates to 3 or more hours, the student will receive double hours of In-School Suspension.

## **Discipline [\*\*]**

Misbehavior by one student can disrupt the learning process for many other students.

Browns Valley School's philosophy is that learning can best take place in an environment which is orderly, safe, and stimulating; and which enables all students to develop to their fullest potential. The atmosphere of the school must promote fairness, courtesy, honesty, and respect between students and school personnel. The responsibility for maintaining a safe, orderly school is a cooperative effort of students, school personnel, home, and community.

**Students Responsibilities:**

1. To know and comply with established rules
2. To refrain from behavior that disrupts other students' right to learn
3. To be in school on time and attend all classes unless excused through proper channels.
4. To have required class materials and to complete schoolwork satisfactorily on time
5. To be respectful and tolerant of others. Racist and sexist remarks, vulgar language, insults, and put-downs are all inappropriate.

**School Board and Administration Responsibilities:**

1. To establish a discipline policy and ensure that it is applied fairly and consistently.
2. To inform all students and parents of the current school rules
3. To take appropriate corrective action for referred violations including student and parent conferences, detention or suspension.

**Teacher and School Personnel Responsibilities:**

1. To have clearly defined rules that are communicated to the students. Any rules not addressed in the student handbook should be posted in the classroom.
2. To enforce all school rules, record and report discipline problems or students being deficient in the classroom
3. To inform parents/guardians of discipline problems or students being deficient in the classroom
4. To treat students with respect and dignity and not allow inappropriate or disruptive behavior.

**Parent Responsibilities:**

1. To assure legal responsibility for the behavior of their children and teach them self-discipline and respect for authority.
2. To see that the student attends school regularly at the appointed time and to notify the school whenever their children will be absent.
3. To help maintain communications with the school by contacting the appropriate personnel when concerns arise and being available by phone during the school day, if possible.

The purpose for having a school-wide discipline plan is to promote behavior that is conducive to a safe environment. By making the plan school wide, students, parents and staff experience continuity from year to year. The following rules and consequences constitute the Browns Valley School plan:

1. Respect for others and their property.
2. Keep your hands/body to yourself. (Refrain from touching others and walls, and doorways)
3. *Follow instructions from all adults.*
4. Use acceptable language at all times.
5. Obey classroom rules.

Extra-curricular events, field trips and riding in a school vehicle are an extension of the school day.

In-school suspension is defined as removal from general education classes for the day. Work is brought into the site. All work is graded. A parent conference must be held before the student is allowed to return to class after an out-of-school suspension.

For detailed information on the Student Code of Conduct and consequences for violations, see the complete "Student Discipline" policy in *Appendix 7*.

## **Dress and Appearance**

Students are encouraged to be dressed appropriately for school activities and in keeping with community standards.

Appropriate clothing includes, but is not limited to, the following:

- Clothing appropriate for the weather. Shorts will not be allowed from October 1 through April 30. Consideration will be given for above normal temperatures by the administration.
- Clothing that does not create a health or safety hazard. Students will not be allowed to wear Flip-Flops during recess, physical education classes, gym and playground activities.
- Clothing appropriate for the activity (i.e., physical education or the classroom).

Inappropriate clothing includes, but is not limited to, the following:

- “Short shorts” (length of shorts should be at least mid- thigh), skimpy tank tops, tops (halter, spaghetti-strapped, low-cut, and cropped tops) that expose the midriff, and other clothing that is not in keeping with community standards.
- Clothing bearing a message that is lewd, vulgar, or obscene.
- Apparel promoting products or activities that are illegal for use by minors.
- Objectionable emblems, badges, symbols, signs, words, objects, or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group, evidences gang membership or affiliation, or approves, advances, or provokes any form of religious, racial, or sexual harassment and/or violence against other individuals as defined in school district policy.
- Any apparel or footwear that would damage school property. Heelys (rollers) will not be allowed.
- Hats are not to be worn in the building except with the approval of the building principal (i.e., students undergoing chemotherapy, medical situations).

If the administration believes 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. A parent or guardian will be notified.

## **Drug-Free School and Workplace**

The possession and use of alcohol, controlled substances, and toxic substances are prohibited at school or in any other school location before, during, or after school hours. Paraphernalia associated with controlled substances also is prohibited. The school district will discipline or take appropriate action against anyone who violates this policy.

District policy is not violated when a person brings a controlled substance which has a currently accepted medical treatment use onto a school location for personal use if the person has a physician’s prescription for the substance except marijuana is not allowed on school property even if prescribed. Students who have prescriptions must comply with the school district’s “Student Medication” policy. The school district will provide an instructional program in every elementary and secondary school on chemical abuse and the prevention of chemical dependency.

## **Gang Activity**

The Browns Valley School has adopted a “**ZERO TOLERANCE POLICY**” for anyone participating in gang activity or dress. Gang activity is defined as any person who engages in the following:

- a. Wears gang colors
- b. Wears oversized apparel, including baggy pants worn low on the waist, overalls with unfastened snaps, pants that are cut off below the knees and worn with knee socks, and/or shirts buttoned to the top

- c. Wears belts that are extra-long with excess hanging loosely, or belt buckles or clothes bearing initials or designs that designate a particular gang
- d. Writes gang graffiti on anything, anywhere
- e. Wears stocking cap, chains, dew wraps, or wears a hat backwards, sideways, etc. (not straight)
- f. Rolls the pant leg up or pulls the pocket out
- g. Participates in gang-related tattooing or piercing of body parts (other than ear lobes) without permission
- h. Displays any other activity or dress that may be deemed gang-related
- i. Writes on hands, legs or body

Disciplinary action will be taken against any person who participates in gang-related activities. Any disciplinary action shall be fair and equitable to be defined as follows:

- 1. Oral reprimand
- 2. In-school suspension 2<sup>nd</sup> Offense: (1/2 day); 3<sup>rd</sup> Offense 1-3 days
- 3. Out-of-school suspension
- 4. Expulsion

Depending upon the type and seriousness of gang related activity, disciplinary action taken may progressively move from an oral reprimand to grounds of expulsion. All incidents relating to gang activity shall be reported to the administration, and appropriate disciplinary action will be taken by the district.

### **Harassment and Violence Prohibition [\*]**

The school district strives to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability. For detailed information on the school district's "Harassment and Violence Prohibition" policy, see *Appendix 8*.

### **Hazing Prohibition [\*]**

Hazing is prohibited. No student will plan, direct, encourage, aid, or engage in hazing. Students who violate this rule will be subject to disciplinary action pursuant to the school district's "Student Discipline" policy. For detailed information on the school district's "Hazing Prohibition" policy, see *Appendix 9*.

### **Internet Acceptable Use**

All school district students have conditional access to the school district's computer system, including Internet access, for limited educational purposes, including use of the system for classroom activities, educational research, and professional and career development. Use of the school district's system is a privilege, not a right. Unacceptable use of the school district's computer system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate school district policies, including, but not limited to, suspension, expulsion, or exclusion; or civil or criminal liability under other applicable laws. A copy of the school district's "Internet Acceptable Use" policy is available at the district office.

Students will receive a copy of the school district's "Internet Acceptable Use" policy and are expected to understand and agree to abide by the policy as a condition of use of the school district's computer system. All students who wish to use the school district's computer system must sign the Internet Use Agreement form annually.

### **Novelty Items**

All novelty items such as radios, cd players, walkie-talkies, electronic games, toys, playing cards, gaming devices, cell phones, I-Pods, etc. should not be brought to school unless permission is obtained from the

classroom teacher. They tend to disrupt school and will be temporarily confiscated. These items will be returned to the student when the classroom teacher feels it is the proper time. All students will be clearly informed at the beginning of the year what they may bring to school.

### **Parking on School District Property**

**No parking or stopping is allowed in the bus loading/unloading area on the west side of the school** anytime during the day. This space is for bus drop off and pickup only. Please do not remove the ropes.

### **Substitute Teachers**

Removal of a student for disciplinary action by a substitute will result in one day of In-School Suspension (ISS). If a written discipline report is completed by a substitute teacher and/or staff member, the student will receive one day of In-School Suspension. If a student receives ISS or Out of School Suspension, he/she cannot participate/attend any school activity during the suspension, including after-school hours.

### **Tardiness**

Bells will ring at the beginning and the end of each hour. Students should be in the classroom and ready to work when the bell rings. Teachers will dismiss students. When students are late, teachers will report their tardiness to the office via JMC. One hour of detention will be assigned for every two unexcused tardies per quarter. If detention isn't served and accumulated to three hours, the student will receive double hours of In-School-Suspension.

### **Tennesen Warning**

On occasion when incidents occur which call for an investigation by teachers, principals, superintendent and other school personnel, a student may be asked about an incident in which they have been involved. Any information the student provides will be used to decide how to deal with the situation. Although the student does not have to tell their side of the story, doing so helps the school personnel to be fair to all concerned. Honesty is appreciated. If a student chooses not to give any information, school personnel will act on what is available to them from other sources. Information that a student gives may be shared with those who enforce the disciplinary policy or are responsible for law enforcement and with those who are affected by the outcome.

### **Tobacco-Free Schools [\*\*]**

School district students and staff have the right to learn and work in an environment that is tobacco free. School policy is violated by any individual's use of tobacco, tobacco-related devices, or electronic cigarettes in a public school, on school grounds, in any school-owned vehicles, or at any school events or activities. Students may not possess any type of tobacco, tobacco-related device, or electronic cigarette in a public school, on school grounds, in any school-owned vehicles, or at any school events or activities. Any student who violates this policy is subject to school district discipline. For detailed information on the school district's "Tobacco-Free Environment" policy, see *Appendix 10*. Contact the Superintendent if you have questions or wish to report violations.

### **Truancy**

All students who attend Browns Valley School have the responsibility to attend school classes on a regular basis. It is the parent's responsibility to make sure that their child is in school.

The goal of the Browns Valley School District #801 is to maintain an educational environment, which provides the resources and opportunities necessary to develop lifelong learners who can reach their maximum learning potential and become responsible citizens. In order to provide the maximum opportunity for students to progress academically and socially, it is necessary to encourage the best attendance possible for your child

## **REQUIRED REPORTING**

### **A. Continuing Truancy**

Minn. Stat. 260A.02 provides that a continuing truant is a student who is subject to 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 and high school

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

When a student is initially classified as a continuing truant, Minn. Stat. 260.03 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.

### **Vandalism**

Vandalism of any district property is prohibited. Violators will be disciplined and may be reported to law enforcement officials.

### **Weapons Prohibition**

No person will possess, use, or distribute a weapon when in a school location except as provided in school district policy. A "weapon" means any object, device, or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including, but not limited to, any firearm, whether loaded or unloaded; air guns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; numchucks; throwing stars; explosives; fireworks; mace and other propellants; stun guns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon. A weapon also includes look-alike weapons. Appropriate discipline and action will be taken against any person who violates this policy. The school district takes a "zero tolerance" position in regard to the possession, use, or distribution of weapons by students. Discipline of students will include, at a minimum:

1. immediate out-of-school suspension;
2. confiscation of the weapon;
3. immediate notification of police;
4. parent or guardian notification;
5. and recommendation to the superintendent of dismissal for a period of time not to exceed one year.

A student who brings a firearm to school will be expelled for at least one year, subject to school district discretion on a case-by-case basis.

Pursuant to Minnesota law, a student who brings a firearm, as defined by federal law, to school will be expelled for at least one year. The school board may modify this requirement on a case-by-case basis.

While the school district and the school take a "zero tolerance" position on the possession, use or distribution of weapons by students, the superintendent may use discretion in determining whether, under the circumstances, a course of action other than the minimum consequences specified above is warranted. If so, other appropriate action may be taken, including consideration of a recommendation for lesser discipline.

## **PART IV — HEALTH AND SAFETY**

### **Accidents**

All student injuries that occur at school or school-sponsored activities should be reported to the district office. Parents/guardians of an injured student will be notified as soon as possible. If the student requires immediate medical attention, the principal or other district leader will call 911 or seek emergency medical treatment and then contact the parent(s).



## **Asbestos Management Update [\*]**

The school district has developed an asbestos management plan. A copy of this plan can be found in the district office and is available on the district's website.

## **Communicable Diseases**

To protect other students from contagious illnesses, students infected with certain diseases are not allowed to come to school while contagious. If a parent suspects that his/her child has a communicable or contagious disease, the parent should contact the school nurse or administration so that other students who might have been exposed to the disease can be alerted.

Students with certain communicable diseases will not be excluded from attending school in their usual daily attendance settings as long as their health permits and their attendance does not create a significant risk of transmitting the illness to other students or school district employees. The school district will determine on a case-by-case basis whether a contagious student's attendance creates a significant risk of transmitting the illness to others.

## **Crisis Management**

The school district has developed a "Crisis Management" policy. Students and parents will be provided with information as to district- and school-specific plans.

The "Crisis Management" policy addresses a range of potential crisis situations in the school district and includes general crisis procedures for securing buildings, classroom evacuation, campus evacuation, sheltering, and communication procedures. The school district will conduct lock-down drills, fire drills, and a tornado drill. Building plans include classroom and building evacuation procedures.

## **Emergency Contact Information**

In the event of an emergency, we need to be able to reach our parents as quickly as possible. Therefore, it is extremely important that you contact the school immediately whenever your work, home or cell number changes.

## **Fire Alarms & Drills**

At the sound of the alarm, teachers will direct students out of the building in an orderly fashion beyond the fire lane by the prescribed exit route posted in each classroom. They should stay out until signaled to return; then they will proceed directly to their respective classrooms.

### **Emergency Fire Plan**

In the event a fire, smoke from a fire or a gas odor has been detected:

1. Pull fire alarm
2. All students and staff must evacuate to designated areas. Close doors.
3. In the event of an emergency, fire or other, when assistance is needed, IMMEDIATELY ACTIVATE ALARM PULL STATION. All building occupants must know the location of the nearest pull station and be familiar with how to activate the alarm. School employees will be asked to pull the alarm when the fire drills are conducted so that they become familiar with emergency procedures.
4. Follow the normal fire drill route. Follow alternate routes if the normal route is too dangerous or blocked. See map located in classrooms.
5. Teachers take class roster.
6. Teachers report missing students to the building administrator immediately.
7. After consulting the appropriate official, the building administrator may move students to the Catholic Church if weather is inclement or the building is damaged.
8. No one may re-enter the building until the entire building is declared safe by fire or police personnel.

9. Building administrator notifies students and staff of the termination of emergency. Resume normal operations.

*Employees will receive training in the emergency plans and duties annually during workshop sessions.*

**MINNESOTA DEPARTMENT OF PUBLIC SAFETY  
STATE FIRE MARSHAL DIVISION**

**SCHOOL FIRE DRILL INSTRUCTIONS & RECORD  
PLEASE POST IN OFFICE**

**Fire Drill Instructions**

- Fire drill instructions should be given to staff according to your school's emergency plan. (see the School Emergency Procedure Guide). The custodian will call 911 to confirm the transmission of the alarm. If the custodian is not present, the superintendent will confirm the transmission. In the absence of both the custodian and superintendent, the building principal will confirm the transmission.
- A minimum of nine fire drills is required for each regular school year. Two should be performed during a summer session.
- Drills should be conducted randomly, not only when classes are in session or when it is convenient.
- Evacuate the building according to the following procedures:  
Students should walk directly to designated exits in a quiet and orderly manner.
  - Do not use elevators during a fire evacuation.
  - The first student to reach the classroom door should hold it open for others.
  - Classroom windows should be closed only if this will not slow the evacuation process.
  - The teacher should make sure that everyone is out of the room and close the classroom door.
  - By pre-arrangement, the principal will designate staff to assist individuals with disabilities.
- Teachers are responsible for students under their supervision and should take attendance. Teachers should notify the principal of missing students.
- Staff should familiarize themselves with their areas of responsibility.
- At the principal's direction, students and staff can return to the building.

State law requires a record of all fire drills.

**ALL OCCUPANTS MUST LEAVE THE BUILDING IN A FIRE DRILL; STUDENTS, SCHOOL PERSONNEL, AND VISITORS.**

**Head Lice Procedure**

The following guidelines shall apply:

If a child is found to have live head lice, the family of that child shall be notified by a phone call. Literature, shampoo, and instructions on how to treat the infestation will be sent home. The District will follow the Minnesota Department of Health guidelines to make efforts to stop the spread of head lice and educate families on how to get rid of head lice. All families should check their child's hair nightly.

**Health Service**

The Browns Valley Public School does not have a school nurse on duty. The Browns Valley School does contract with a private nurse for some services. The staff will do their best in providing emergency services for injury or sudden illness. Parents can be very helpful by keeping a child home when ill. This will help your child recover and also protect other children. If your child has contracted a contagious disease, please inform the office personnel. Parents of other children may then be cautioned so that early detection of the disease can be noted to prevent its spreading throughout the classroom or school. The school will encourage the promotion and maintenance of the optimal health and wellbeing of the students.

Whenever a child is absent from school, the parent/guardian must call the main office prior to 9:00 am and inform the staff of the absence. Students are required to bring a written excuse from their parents/guardian to school indicating the reason for such absence. The written excuse should be given to the office personnel.

Students who become ill or are injured during the school day should report to the office. The office personnel will make an assessment and evaluation of the status of the child. If a student experiences a more serious medical emergency at school, 911 will be called and/or a parent/guardian will be contacted depending on the situation. It is essential that your emergency information card in our files is kept up to date. If the parents cannot be reached, we will contact the person listed on the emergency card by whom the child will be picked up. If a parent has not picked up their child within 15 minutes after being contacted by a staff member, a pre-recorded Instant Alert will be sent out by the office. If an accident happens, an accident form will be sent home with the child. Please complete the form and return it to the school as soon as possible.

The district has installed an automated external defibrillator (AEDs) in the middle school hallway, across from room 206. Tampering with any AED is prohibited and may result in discipline.

### **Immunizations**

All students must be properly immunized or submit appropriate documentation exempting them from such immunizations in order to enroll or remain enrolled. Students may be exempted from the immunization requirement when the immunization of the student is contraindicated for medical reasons; laboratory confirmation of adequate immunity exists; or due to the conscientiously held beliefs of the parents/guardians or student.

Documentation is needed that a student has completed the primary schedule of immunizations for diphtheria, tetanus, pertussis, polio, and hepatitis B. The statement must include the month and year of each additional immunization received. For a child less than seven years of age, a primary schedule of immunizations shall consist of four doses of vaccine for diphtheria, tetanus, and pertussis and three doses of vaccine for poliomyelitis and hepatitis B. Two doses of measles, mumps, rubella for Kindergarten and above (age 5) and 1 dose for preschool are required. As of 2014, for preschool 2 doses of Hepatitis A and 1 dose of Hib (Haemophilus influenza type b) are now required for Early Childhood Programs. For a child seven years of age or older, a primary schedule of immunizations shall consist of three doses of vaccine for diphtheria, tetanus, polio, and hepatitis B.

The school district will maintain a file containing the immunization records for each student in attendance at the school district for at least five years after the student reaches the age of 18. For a copy of the immunization schedule or to obtain an exemption form or information, contact the District Office.

### **Lock Down**

During the school year 5 lock-down drills will be conducted. Lock-down procedures will be used in situations where harm may result to persons inside the school building, such as shooting, hostage incident, intruder, trespass, disturbance or when determined to be necessary by the building designee or administrator. The building administrator or designee will announce the lock-down over the phone/intercom system. Code words will not be used. Provisions for emergency evacuation will be maintained in the event of a lock-down. (Crisis Management Policy)

### **Medications at School During the School Day**

The school district acknowledges that some students may require prescribed drugs or medication during the school day. The administration of prescription medication or drugs at school requires a completed signed request from the student's parent. An "Administering Prescription Medications" form must be completed once a year and/or when a change in the prescription or requirements for administration occurs. Prescription medications must be brought to school in the original container labeled for the student by a pharmacist and

must be administered in a manner consistent with the instructions on the label. Prescription medications are not to be carried by the student but will be left with the appropriate school personnel. Exceptions that may be allowed include: prescription asthma medications administered with an inhaler pursuant to school district policy and procedures, medications administered as noted in a written agreement between the school district and parent or as specified in an Individualized Education Program (IEP), a plan developed under Section 504 of the Rehabilitation Act (§504 Plan), or an individual health plan (IHP). Marijuana is not allowed on school property even if prescribed. The school district is to be notified of any change in a student's prescription medication administration.

### **Medication Administration Form**

Student's Name \_\_\_\_\_ Date of Birth \_\_\_\_\_ Grade \_\_\_\_\_

Clinic: \_\_\_\_\_

Clinic Address: \_\_\_\_\_

Medication: \_\_\_\_\_

Dosage Route: \_\_\_\_\_

Time Frequency: \_\_\_\_\_

Reason for Medication: \_\_\_\_\_

Possible Side Effects: \_\_\_\_\_

Check One: \_\_\_\_\_ Prescription or \_\_\_\_\_ Over-the Counter Medication

Estimated Termination Date: \_\_\_\_\_

### **REQUEST SIGNATURE REQUIRED FOR PRESCRIPTION MEDICATIONS ONLY**

Physician's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Physician's Name: \_\_\_\_\_

### **Request for Administration of Medication**

**To promote safety for your child, medication information may be shared with school personnel working with your child and 911 personnel, if they are called.**

1. I request that my child receive the above medication during school hours as specified on this form.
2. I will immediately notify the school of any change in the medication.
3. I give permission for prescription medications to be given by designated personnel as delegated by the school nurse.
4. I give permission for my child to self-administer over-the-counter medications with supervision.
5. I give permission for the school nurse to consult with my child's physician concerning any questions that arise with regard to the listed medication, medical condition or side effects of this medication.
6. I release all school personnel and the school district from any and all liability in the event of any adverse reaction resulting from the use or administration of this medication.

=====

Parent/Guardian: \_\_\_\_\_ Date: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

**MEDICAL STATEMENT**

**FOR CHILDREN WITH DISABILITIES REQUIRING SPECIAL NEEDS IN CHILD NUTRITION PROGRAMS**

**PART 1** (To be filled out by School District)

Name of Student \_\_\_\_\_

School District \_\_\_\_\_

School Attended by Student \_\_\_\_\_

**PART II** (to be filled out by Physician)

Patient's Name \_\_\_\_\_ Age \_\_\_\_\_

Diagnosis: \_\_\_\_\_

\_\_\_\_\_

Describe the patient's disability and the major life activity affected by the disability:

\_\_\_\_\_

\_\_\_\_\_

Does the disability restrict the individual's diet? Yes \_\_\_\_\_ No \_\_\_\_\_. If yes, list food(s) to be omitted from the diet and food(s) that may be substituted (Diet Plan):

\_\_\_\_\_

\_\_\_\_\_

Special Equipment:

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_ Signature of Physician \_\_\_\_\_

## **DEFINITION OF HANDICAPPED PERSON**

### **7 CFT Subtitle A, Section 15b.3 Definitions**

- I. “Handicapped person” means any person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment.
- J. “Physical or mental impairment” means (1) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary, hemic and lymphatic; skin; and endocrine; or (2) any mental or psychological disorder, such as mental retardation organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term “physical or mental impairment” includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments; cerebral palsy, epilepsy; muscular dystrophy; multiple sclerosis, cancer, heart disease; diabetes; mental retardation; emotional illness; and drug addiction and alcoholism.
- K. “Major life activities” means functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
- L. “Has a record of such impairments” means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.
- M. “Is regarded as having an impairment” means (1) has a physical or mental impairment that does not substantially limit major life activities but that is treated by a recipient as constituting such a limitation; (2) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others towards such impairments; or (3) has none of the impairments defined in paragraph (J) of this section but is treated by a recipient as having such impairment.

Office of the Secretary, USDA

### **Pesticide Application Notice [\*]**

The school district may plan to apply pesticide(s) on school property. To the extent the school district applies certain pesticides, the school district will provide a notice by September 15 as to the school district’s plan to use these pesticides. A parent may request to be notified prior to the application of certain pesticides on days different from those specified in the notice. Additional information regarding what pesticides are used, the schedule of pesticide applications, and the long-term health effects of the class of pesticide on children can be requested by contacting Browns Valley School, Indoor Air Quality Coordinator.

### **Safety**

The safety of students at school and school-related activities is a high priority of the district. While district-wide safety procedures are in place, student and parent cooperation is essential to ensuring school safety.

### **Visitors in District Buildings**

Parents/guardians and community members are welcome to visit the schools. To ensure the safety of those in the school and to avoid disruption to the learning environment, all visitors must report directly to the office upon entering the building, with the exception of events open to the public. All visitors will be required to sign in at the office and to wear a “visitors badge” while in the building during the school day. Visitors must have the approval of the administration before visiting a classroom during instructional time. An individual or group may be denied permission to visit a school or school property, or such permission may be revoked, if the visitor does not comply with school district procedures or if the visit is not in the best interests of the students, employee, or the school district.

Students are not allowed to bring visitors to school without prior permission from the principal. Students seeking permission to bring a visitor must ask the administration at least three days in advance. Preschool children are not to visit school unless accompanied by an adult. Please keep cell phones off.



## APPENDIXES

### 1. Policy Cross Reference Table

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

of submitting the appeal, the person shall contact the office of the Superintendent to verify that the lack of response is not due to an inability to locate the person.

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

## **VII. DISCIPLINARY ACTION**

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

### **3. *Student Records* [\*]**

The school district shall give parents of students currently in attendance and eligible students currently in attendance annual notice by such means as are reasonably likely to inform the parents and eligible students of the following:

1. The school district shall permit the parent of a student, an eligible student, or the parent of an eligible student who is also a dependent student who is or has been in attendance in the school district to inspect or review the education records of the student, except those records which are made confidential by state or federal law or as otherwise provided in Section VIII. of this policy.

The school district shall respond to any request pursuant to Subdivision A. of this section immediately, if possible, or within ten (10) days of the date of the request, excluding Saturdays, Sundays, and legal holidays.

2. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and the procedure for requesting amendment of records;
3. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosures without consent;
4. That the school district may disclose education records to other school officials within the school district if the school district has determined they have legitimate educational interests. For purposes of such disclosure, a "school official" is a person employed by the school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or other employee; a person serving on the school board; a person or company with whom the school district has consulted to perform a specific task (such as an attorney, auditor, medical consultant, therapist, public information officer or data practices compliance official); or a parent or student serving on an official committee, such as a disciplinary or grievance committee; or any individual assisting a school official in the performance of his or her tasks. A school official has a "legitimate educational interest" if the individual needs to review an education record in order to fulfill his or her professional responsibility and includes, but is not limited to, an interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student and student health and welfare and the ability to respond to a request for educational data;
5. That the school district forwards education records on request to a school or post-secondary education institution in which a student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment, including information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, suspension and expulsion information pursuant to 20 U.S.C. § 7917, part of the federal Every Student Succeeds Act and data regarding a student's history of violent behavior, and any disposition order which adjudicates the student as delinquent for committing an illegal act on school district property and certain other illegal acts;
6. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of FERPA and the rules promulgated thereunder. The name and address of the office that administers FERPA is:

U.S. Department of Education  
Student Privacy Policy Office  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-8520

7. That the parent or eligible student has a right to obtain a copy of the school district's policy regarding the protection and privacy of pupil records; and
8. That copies of the school district's policy regarding the protection and privacy of school records are located in the Browns Valley School District's Office.

The school has adopted a school board policy in order to comply with state and federal laws regarding education records. The policy does the following:

1. It classifies records as public, private, or confidential.
2. It establishes procedures and regulations to permit parents/guardians or students to inspect and review a student's education records. These procedures include the method of determining fees for copies, a listing of the locations of these education records, and the identity of the individuals in charge of the records.
3. It establishes procedures and regulations to allow parents/guardians or students to request the amendment of a student's education records to ensure that the records are not inaccurate, misleading, or otherwise in violation of the student's privacy rights.
4. It establishes procedures and regulations for access to and disclosure of education records.
5. It establishes procedures and regulations for safeguarding the privacy of education records and for obtaining prior written consent of the parent or student when required prior to disclosure.

Copies of the school board policy and accompanying procedures and regulations are available to parents/guardians and students upon written request to the Superintendent.

### **Directory Information**

Pursuant to applicable law, *Browns Valley School District 801* gives notice to parents/guardians of students currently in attendance in the school district, and eligible students currently in attendance in the school district, of their rights regarding "directory information." "Directory information" means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed.

"Directory information" includes the following information relating to a student: the student's name; photograph; date and place of birth; major field of study; dates of attendance; grade level; enrollment status; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors, and awards received; the most recent educational agency or institution attended by the student; and other similar information. "Directory information" also includes the name, address, and telephone number of the student's parent(s). "Directory information" does not include a student's social security number or a student's identification number (ID) if the ID may be used to access education records without use of one or more factors that authenticate the student's identity such as a personal identification number, password, or other factor known or possessed only by the authorized user. It also does not include identifying information on a student's religion, race, color, social position, or nationality.

1. The directory information listed above shall be public information which the school district may disclose from the education records of a student or information regarding a parent.
2. Should the parent of a student or the student so desire, any or all of the listed information will not be disclosed without the parent's or eligible student's prior written consent except to school officials as provided under federal law.
3. In order to make any or all of the directory information listed above "private" (i.e., subject to consent prior to disclosure), the parent or eligible student must make a written request to the building principal within thirty (30) days after the date of the last publication of this notice. This written request must include the following information:



- Name of student and parent, as appropriate;
- Home address;
- School presently attended by student;
- Parent's legal relationship to student, if applicable;
- Specific category or categories of directory information which is not to be made public without the parent's or eligible student's prior written consent.

### **Information to Military Recruiters**

Pursuant to applicable law, Browns Valley School District gives notice to parents/guardians of secondary students and eligible secondary students of their rights regarding release of information to military recruiting officers. The school district must release the names, addresses, electronic mail address (which shall be the electronic mail addresses provided by the school district, if available, that may be released to military recruiters only), and home telephone numbers of students in grades 11 and 12 to military recruiting officers within sixty (60) days after the date of the request. Data released to military recruiting officers under this provision may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military and cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces.

**Should the parent of a student or the eligible student so desire, any or all of the listed information will not be disclosed to military recruiting officers without prior consent.**

**To refuse release of this information without prior consent, the parent or eligible student must make a written request to the responsible authority, *principal*, by *August 24* each year. This written request must include the following information:**

- **Name of student and parent, as appropriate;**
- **Home address;**
- **Student's grade level;**
- **School presently attended by student;**
- **Parent's legal relationship to student, if applicable;**
- **Specific category or categories of information which are not to be released to military recruiters without prior consent;**
- **Specific category or categories of directory information which are not to be released to the public, including military recruiters.**

***[Note: Refusal to release the above information to military recruiting officers alone does not affect the School District's release of directory information to the public, including military recruiting officers. In order to make any directory information about a student private, the procedures contained in the Directory Information section above also must be followed. If you do not want your child's or eligible student's directory information (including a school district-provided email address) released to military recruiting officers, you also must notify the school district that you do not want this directory information released to any member of the public, including military recruiting officers.]***

#### 4. ***Student Surveys [\*]***

Independent School District No. 801 gives notice to parents of students currently in attendance in the school district, eligible students currently in attendance in the school district, and students currently in attendance in the school district of their rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical examinations.

1. Parents, eligible students, and students are hereby informed that they have the following rights:
  - a. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be available for inspection by parents or guardians of students.
  - b. No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent, to submit to a survey that reveals information concerning:
    - (1) political affiliations or beliefs of the student or the student's parent;
    - (2) mental and psychological problems of the student or the student's family;
    - (3) sex behavior or attitudes;
    - (4) illegal, antisocial, self-incriminating, or demeaning behavior;
    - (5) critical appraisals of other individuals with whom respondents have close family relationships;
    - (6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
    - (7) religious practices, affiliations, or beliefs of the student or the student's parent; or
    - (8) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
  - c. A parent, on behalf of a student or an eligible student, has the right to receive notice and an opportunity to opt the student out of participating in:
    - (1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.
    - (2) The administration of any third-party survey (non-Department of Education funded) containing one or more of the items contained in Paragraph 1.b., above.
    - (3) Any nonemergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical examination or screening permitted or required under state law.
  - d. This notice does not preempt applicable state law that may require parental notification.
  - e. The school district has developed and adopted a policy, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the

administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.

- f. The school district will directly notify parents and eligible students of these policies at least annually at the start of each school year and after any substantive changes.
- g. The school district will directly notify parents and eligible students, at least annually at the start of each school year or, if scheduled thereafter, parents will be provided with reasonable notice of the specific or approximate dates of the following activities and provide an opportunity to opt a student out of participating in:
  - (1) Collection, disclosure, or use of personal information for marketing, sales, or other distribution.
  - (2) Administration of any protected information survey not funded in whole or in part by the U.S. Department of Education.
  - (3) Any nonemergency, invasive physical examination or screening as described above.

*[See consent/opt-out for specific activities attached hereto.]*

Parents/eligible students who believe their rights have been violated may file a complaint with:

U.S. Department of Education  
Student Privacy Policy Office  
400 Maryland Avenue SW  
Washington, DC 20202-8520

The following is a schedule of activities requiring parental notice and consent or opt-out for the upcoming school year. (Please note that this notice and consent/opt-out transfers from parents to any student who is 18 or older or an emancipated minor under state law).

*Date:*

*Grades:* [see sample activity notices attached]

*Activity:*

*Summary:*

*Consent or Opt-out:* [or both depending on situation]

If you wish to review any survey instrument or instructional material used in connection with any protected information or marketing survey, please submit a request to the *Superintendent*. The superintendent will notify you of the time and place where you may review these materials. You have the right to review a survey and/or instructional materials before the survey is administered to a student.

## **5. *Student Discipline* [\*]**

### **I. PURPOSE**

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

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

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

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

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

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

In view of the foregoing and in accordance with Minnesota Statutes, section 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. DEFINITIONS**

- A. "Nonexclusionary disciplinary policies and practices" means policies and practices that are alternatives to dismissing a pupil from school, including but not limited to evidence-based positive behavior interventions and supports, social and emotional services, school-linked mental health services, counseling services, social work services, academic screening for Title 1 services or reading interventions, and alternative education services. Nonexclusionary disciplinary policies and practices include but are not limited to the policies and practices under sections 120B.12; 121A.575, clauses (1) and (2); 121A.031, subdivision 4, paragraph (a), clause (1); 121A.61, subdivision 3, paragraph (r); and 122A.627, clause (3).
- B. "Pupil withdrawal agreement" means a verbal or written agreement between a school administrator or district administrator and a pupil's parent to withdraw a student from the school district to avoid expulsion or exclusion dismissal proceedings. The duration of the withdrawal agreement cannot be for more than a 12-month period.

### **IV. POLICY**

- A. The school board must establish uniform criteria for dismissal and adopt written policies and rules to effectuate the purposes of the Minnesota Pupil Fair Dismissal Act. The policies must include nonexclusionary disciplinary policies and practices consistent with Minnesota Statutes, section 121A.41, subdivision 12, and must emphasize preventing dismissals through early detection of problems. The policies must be designed to address students' inappropriate behavior from recurring.
- B. The policies must recognize the continuing responsibility of the school for the education of the pupil during the dismissal period.
- C. The school is responsible for ensuring that alternative educational services, if the pupil wishes to take advantage of them, must be adequate to allow the pupil to make progress toward meeting the graduation standards adopted under Minnesota Statutes, section 120B.02 and help prepare the pupil for readmission in accordance with section Minnesota Statutes, section 121A.46, subdivision 5.
- D. For expulsion and exclusion dismissals and pupil withdrawal agreements as defined in Minnesota Statutes, section 121A.41, subdivision 13:
  - 1. for a pupil who remains enrolled in the school district or is awaiting enrollment in a new district, the school district's continuing responsibility includes reviewing the pupil's schoolwork and grades on a quarterly basis to ensure the pupil is on track for readmission with the pupil's peers. The school district must communicate on a regular basis with the pupil's parent or guardian to ensure that the pupil is completing the work assigned through the alternative educational services as defined in Minnesota Statutes, section 121A.41, subdivision 11. These services are required until the pupil enrolls in another school or returns to the same school;
  - 2. a pupil receiving school-based or school-linked mental health services in the school district under Minnesota Statutes, section 245.4889 continues to be eligible for those services until the pupil is enrolled in a new district; and
  - 3. the school district must provide to the pupil's parent or guardian information on accessing mental health services, including any free or sliding fee providers in the community. The information must also be posted on the school district website.

## **V. 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 restrain a student or to prevent imminent bodily harm or death to the student or 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 restrain a student to prevent imminent bodily harm or death to the student or 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 to prevent bodily harm or death to the student or 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.
- I. Reasonable Force Reports
  - 1. The school district must report data on its use of any reasonable force used on a student with a disability to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the definition of physical holding under Minnesota Statutes, section 125A.0941, paragraph (c), as outlined in section 125A.0942, subdivision 3, paragraph (b).
  - 2. Beginning with the 2024-2025 school year, the school district must report annually by July 15, in a form and manner determined by the MDE Commissioner, data from the prior school year about any reasonable force used on a general education student to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the definition of physical holding under Minnesota Statutes, section 125A.0941, paragraph (c).
  - 3. Any reasonable force used under Minnesota Statutes, sections 121A.582; 609.06, subdivision 1; and 609.379 which intends to hold a child immobile or limit a child's movement where body contact is the only source of physical restraint or confines a child alone in a room from which egress is barred shall be reported to the Minnesota Department of Education as a restrictive procedure, including physical holding or seclusion used by an unauthorized or untrained staff person.

## **VI. STUDENT RIGHTS**

All students have the right to an education and the right to learn.

## **VII. STUDENT RESPONSIBILITIES**

All students have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
- B. To attend school daily, except when excused, and to be on time to all classes and other school functions;
- C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the school staff in maintaining a safe school for all students;
- F. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H. To be aware of and comply with federal, state, and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;
- L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M. To conduct themselves in an appropriate physical or verbal manner; and
- N. To recognize and respect the rights of others.

## **VIII. CODE OF STUDENT CONDUCT**

- A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school premises or events; and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.

1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
2. The use of 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. Violation of the school district's Hazing Prohibition Policy;
5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
6. Violation of the school district's Student Attendance Policy;
7. Opposition to authority using physical force or violence;
8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment Policy;
9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district's Weapons Policy;
14. Violation of the school district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;



19. Violation of any local, state, or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Use of a cell phone in violation of the school district's Internet Acceptable Use and Safety Policy;
23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district's Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
31. Criminal activity;
32. Falsification of any records, documents, notes, or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other school district personnel;
36. Violation of the school district's Harassment and Violence Policy;
37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers

the health, safety, or welfare of teachers, students, other school district personnel, or other persons;

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

## **IX. RECESS AND OTHER BREAKS**

- A. "Recess detention" means excluding or excessively delaying a student from participating in a scheduled recess period as a consequence for student behavior. Recess detention does not include, among other things, providing alternative recess at the student's choice.
- B. The school district is encouraged to ensure student access to structured breaks from the demands of school and to support teachers, principals, and other school staff in their efforts to use evidence-based approaches to reduce exclusionary forms of discipline.
- C. The school district must not use recess detention unless:
  1. a student causes or is likely to cause serious physical harm to other students or staff;
  2. the student's parent or guardian specifically consents to the use of recess detention; or
  3. for students receiving special education services, the student's individualized education program team has determined that withholding recess is appropriate based on the individualized needs of the student.

- D. The school district must not withhold recess from a student based on incomplete schoolwork.
- E. The school district must require school staff to make a reasonable attempt to notify a parent or guardian within 24 hours of using recess detention.
- F. The school district must compile information on each recess detention at the end of each school year, including the student's age, grade, gender, race or ethnicity, and special education status. This information must be available to the public upon request. The school district is encouraged to use the data in professional development promoting the use of nonexclusionary discipline.
- G. The school district must not withhold or excessively delay a student's participation in scheduled mealtimes. This section does not alter a district or school's existing responsibilities under Minnesota Statutes, section 124D.111 or other state or federal law.

#### **X. DISCIPLINARY ACTION OPTIONS**

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

- A. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;
- B. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
- C. Parent contact;
- D. Parent conference;
- E. Removal from class;
- F. In-school suspension;
- G. Suspension from extracurricular activities;
- H. Detention or restriction of privileges;
- I. Loss of school privileges;
- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;

- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or
- U. Other disciplinary action as deemed appropriate by the school district.

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

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

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

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

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

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

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

***[Note: The following Sections C. - J. must be developed and inserted by each school district based upon individual district practices, procedures, and preferences. School districts may consider developing and inserting procedures identified in Sections K-N.]***

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

1. When it is deemed necessary for a student to be removed, the administration will be notified to remove the student from the class.
2. Parents/Guardians are notified;
3. Teacher completes discipline referral form;
4. Administration takes discipline action;
5. Parent/Guardians receive a copy of the discipline referral and discipline action.

**D. Period of Time for which a Student may be Removed from a Class (may not exceed five (5) class periods for a violation of a rule of conduct)**

1. The removal from class shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.

**E. Responsibility for and Custody of a Student Removed from Class.**

1. Student will be sent to the administration office;
2. Teacher will notify administration upon removing the student;
3. A non-compliant student must be accompanied by a school administrator/NonCrisis Intervention Team Member
4. Student writes a statement of his/her actions and completes assigned work;
5. Administration has control over responsibility for a student after removal from class.

**F. Procedures for Return of a Student to a Specific Class from Which the Student was Removed.**

1. The administration reviews the discipline referral and the student's written account of the incident.
2. The administration will notify the teacher the student will return to class.

**G. Procedures for Notifying a Student and the Student's Parents or Guardian of Violation of the Rules of Conduct and of Resulting Disciplinary Actions;**

1. Parent, Teacher and Administration will receive copies of discipline referral and discipline action taken.
2. Responsive Classroom format will be followed in which the student will create a readmission plan of conduct before being allowed to return to class.

**H. Students with Disabilities; Special Provisions.**

1. Procedures for consideration of whether there is a need for further assessment;
2. Procedures for consideration of whether there is a need for a review of the adequacy of the current Individualized Education Program (IEP) of a student with a disability who is removed from class or disciplined; and

3. *Any procedures determined appropriate for referring students in need of special education services to those services.*

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

1. *Establishment of a chemical abuse pre assessment team pursuant to Minnesota Statutes, section 121A.26; and*
2. *Establishment of teacher reporting procedures to the chemical abuse pre assessment team pursuant to Minnesota Statutes, section 121A.29.*

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

1. *The Student Discipline Referral Procedure ties immediate and appropriate interventions to specific needs of violations of the Code of Student Conduct.*

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

1. *Home visits in Pre-Kindergarten and Kindergarten along with Early Childhood, Family Education (ECFE) encourages early involvement of Parents and Guardians in determining behavior.*

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

1. *The Response to Intervention Team (RtI) will meet to provide interventions based on student needs.*

**M. *Any Procedures Determined Appropriate for Referring a Student in Need of Special Education Services to Those Services;***

**N. *Any Procedures Determined Appropriate for Ensuring Victims of Bullying who Respond with Behavior not Allowed under the School's Behavior Policies have Access to a Remedial Response, Consistent with Minnesota Statutes, section 121A.031;***

**XII. 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 use non exclusionary disciplinary policies and procedures before dismissal proceedings or pupil withdrawal agreements, 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. Disciplinary Dismissals Prohibited

1. A pupil enrolled in the following is not subject to dismissals under the Pupil Fair Dismissal Act:
  - a. a preschool or pre kindergarten program, including an early childhood family education, school readiness, school readiness plus, voluntary prekindergarten, Head Start, or other school-based preschool or prekindergarten program; or
  - b. kindergarten through Grade 3.
2. This section does not apply to a dismissal from school for less than one school day, except as provided under Minnesota Statutes, chapter 125A and federal law for a student receiving special education services.
3. Notwithstanding this section, expulsions and exclusions may be used only after resources outlined under Nonexclusionary discipline have been exhausted, and only in circumstances where there is an ongoing serious safety threat to the child or others.

D. Suspension Procedures

1. "Suspension" means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.
2. School administration must allow a suspended pupil the opportunity to complete all school work assigned during the period of the pupil's suspension and to receive full credit for satisfactorily completing the assignments. The school principal or other person having administrative control of the school building or program is encouraged to designate a district or school employee as a liaison to work with the pupil's teachers to allow the suspended pupil to (1) receive timely course materials and other information, and (2) complete daily and weekly assignments and receive teachers' feedback.
3. 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.

4. The definition of suspension under Minnesota Statutes, section 121A.41, subdivision 10, does not apply to a student's dismissal from school for one school day or less, except as provided under federal law for a student with a disability. Each suspension action may include a readmission plan. 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.
5. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6<sup>th</sup>) consecutive day of suspension or the tenth (10<sup>th</sup>) cumulative day of suspension has elapsed.
6. Alternative education services must be provided to a pupil who is suspended for more than five (5) consecutive school 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 Minnesota Statutes, section 123A.05 selected to allow the pupil to progress toward meeting graduation standards under Minnesota Statutes section 120B.02, although in a different setting.
7. 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.
8. 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 Minnesota Statutes chapter 260C.
- 9. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes sections 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.)
- 10. 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.
- 11. 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.
- 12. 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) consecutive school days.

E. 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, Minnesota Statutes, sections 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, Minnesota Statutes sections 121A.40-121A.56; describe the non exclusionary disciplinary practices 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

must 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) and is posted on its website.

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 the Minnesota Department 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 Minnesota Statutes section 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.

### **XIII. ADMISSION OR READMISSION PLAN**

A school administrator must prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan must include measures to improve the student's behavior, which may include completing a character education program consistent with Minnesota Statutes, section 120B.232, subdivision 1, social and emotional learning, counseling, social work services, mental health services, referrals for special education or 504 evaluation, and evidence-based academic interventions. The plan must include reasonable attempts to obtain 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.

### **XIV. NOTIFICATION OF POLICY VIOLATIONS**

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

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

### **XV. STUDENT DISCIPLINE RECORDS**

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

#### **XVI. STUDENTS WITH DISABILITIES**

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

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

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

#### **XVII. OPEN ENROLLED STUDENTS**

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minnesota Statutes section 124D.03) or Enrollment in Nonresident District (Minnesota Statutes section 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 (Minnesota Statutes chapter 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of seventeen (17) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

#### **XVIII. DISCIPLINE COMPLAINT PROCEDURE**

Students, parents and other guardians, and school staff may file a complaint and seek corrective action when the requirements of the Minnesota Pupil Fair Dismissal Act, including the implementation of the local behavior and discipline policies, are not being implemented appropriately or are being discriminately applied.

The Discipline Complaint Procedure must, at a minimum:

1. provide procedures for communicating this policy including the ability for a parent to appeal a decision under Minnesota Statutes, section 121A.49 that contains explicit instructions for filing the complaint;
2. provide an opportunity for involved parties to submit additional information related to the complaint;

3. provide a procedure to begin to investigate complaints within three school days of receipt, and identify personnel who will manage the investigation and any resulting record and are responsible for keeping and regulating access to any record;
4. provide procedures for issuing a written determination to the complainant that addresses each allegation and contains findings and conclusions;
5. if the investigation finds the requirements of Minnesota Statutes, sections 121A.40 to 121A.61, including any local policies that were not implemented appropriately, contain procedures that require a corrective action plan to correct a student's record and provide relevant staff with training, coaching, or other accountability practices to ensure appropriate compliance with policies in the future; and
6. prohibit reprisals or retaliation against any person who asserts, alleges, or reports a complaint, and provide procedures for applying appropriate consequences for a person who engages in reprisal or retaliation.

#### **XIX. 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.

#### **XX. 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.

**6. *Student Attendance [\*\*]***

**I. PURPOSE**

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

**II. GENERAL STATEMENT OF POLICY**

A. Responsibilities

1. Student's Responsibility

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

2. Parent or Guardian's Responsibility

It is the responsibility of the student's parent or guardian to ensure the student is attending school, to inform the school in the event of a student absence, and to work cooperatively with the school and the student to solve any attendance problems that may arise.

3. Teacher's Responsibility

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

4. Administrator's Responsibility

- a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.
- b. In accordance with the Minnesota Compulsory Instruction Law, Minnesota Statutes, section 120A.22, the students of the school district are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the

school board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

B. Attendance Procedures

Attendance procedures shall be presented to the school board for review and approval. When approved by the school board, the attendance procedures will be included as an addendum to this policy.

1. Excused Absences

- a. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.
- b. The following reasons shall be sufficient to constitute excused absences:
  - (1) Illness.
  - (2) Serious illness in the student's immediate family.
  - (3) A death or funeral in the student's immediate family or of a close friend or relative.
  - (4) Medical, dental, or orthodontic treatment, or a counseling appointment.
  - (5) Court appearances occasioned by family or personal action.
  - (6) Religious instruction not to exceed three hours in any week.
  - (7) 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.
  - (10) Family emergencies.
  - (11) Active duty in any military branch of the United States.
  - (12) A student's condition that requires ongoing treatment for a mental health diagnosis.

***[Note: State law provides that a school board may include other exemptions in the school district's attendance policy. See Minnesota Statutes, section 120A.22, subdivision 12. When considering whether to add other exemptions, school boards should consider the intent of the compulsory attendance law, which recognizes the educational value of regular attendance and class participation, and whether the proposed exemption is consistent with the intent of the law.]***

c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.
- (2) Work missed because of absence must be made up within \_\_\_\_ days from the date of the student's return to school. 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/or the school district.
- (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.
- (3) Work at home.
- (4) Work at a business, except under a school-sponsored work release program.
- (5) Vacations with family.
- (6) Personal trips to schools or colleges.
- (7) Absences resulting from accumulated unexcused tardies (\_\_\_\_ 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, Minnesota Statutes section 121A.40-121A.56.
- (2) Days during which a student is suspended from school shall not be counted in a student's total accumulated unexcused absences.
- (3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.
- (4) Students with unexcused absences shall be subject to discipline in the following manner:
  - (a) From the first through the \_\_\_\_ cumulated unexcused absence in a [quarter or semester] the student will not



be allowed to make up work missed due to such absence.

- (b) After the \_\_\_\_\_ cumulated unexcused absence in a [quarter or semester], a student's parent or guardian will be notified by certified mail that his or her child is nearing a total of \_\_\_\_\_ unexcused absences and that, after the \_\_\_\_\_ unexcused absence, the student's grade shall be reduced by one increment for each unexcused absence thereafter.
- (c) After such notification, the student or his or her parent or guardian may, within a reasonable time, request a conference with school officials regarding the student's absences and the prescribed discipline. The notification will state that the school strongly urges the student's parent or guardian to request such a conference.
- (d) After \_\_\_\_\_ cumulative unexcused absences in a [quarter or semester] the teacher will reduce the student's letter grade by one increment for each unexcused absence thereafter (i.e. A to A-). However, prior to reducing the student's grade, an administrative conference must be held among the principal, student and parent.
- (e) After \_\_\_\_\_ cumulated unexcused absences in a [quarter or semester], the administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior to loss of credit, an administrative conference must be held among the principal, student, and parent.
- (f) If the result of a grade reduction or loss of credit has the effect of an expulsion, the school district will follow the procedures set forth in the Pupil Fair Dismissal Act, Minnesota Statutes sections 121A.40-121A.56.

***[Note: MSBA is reviewing the provisions above that impose an academic penalty for unexcused absences. The review will determine whether these provisions will remain in the model policy. School districts will retain the discretion to include or remove such penalties.]***

C. Tardiness

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

Valid excuses for tardiness are:

  - a. Illness.

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

4. Unexcused Tardiness

- a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
- b. Consequences of tardiness may include detention after 2 unexcused tardies.

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. RELIGIOUS OBSERVANCE ACCOMMODATION**

Reasonable efforts will be made by the school district to accommodate any student who wishes to be excused from a curricular activity for a religious observance. Requests for accommodations should be directed to the building principal.

### **IV. DISSEMINATION OF POLICY**

- A. The school district will provide annual notice to parents of the school district's policy relating to a student's absence from school for religious observance.
- B. 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.

## **V. REQUIRED REPORTING**

### **A. Continuing Truant**

Minnesota Statutes section 260A.02 provides that a continuing truant is a student who is subject to the compulsory instruction requirements of Minnesota Statutes section 120A.22 and is absent from instruction in a school, as defined in Minnesota Statutes section 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, Minnesota Statutes section 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 Minnesota Statutes section 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under Minnesota Statutes section 120A.34;
4. That this notification serves as the notification required by Minnesota Statutes section 120A.34;
5. That alternative educational programs and services may be available in the child's enrolling or resident district;
6. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
7. That if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minnesota Statutes section 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 Minnesota Statutes section 260C.201; and
9. That it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

### **C. Habitual Truant**

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

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

## **7. *Bullying Prohibition* [\*]**

### **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:
  - 1. on the school premises, at the school functions or activities, on the school transportation;
  - 2. by the use of electronic technology and communications on the school premises, during the school functions or activities, on the school transportation, or on the school computers, networks, forums, and mailing lists; or
  - 3. by use of electronic technology and communications off the school premises to the extent such use substantially and materially disrupts student learning or the school environment.
- B. A school-aged child who voluntarily participates in a public school activity, such as a co curricular or extracurricular activity, is subject to the policy provisions applicable to the public school students participating in the activity.
- C. 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. This policy also applies to sexual exploitation.
- D. Malicious and sadistic conduct involving race, color, creed, national origin, sex, age, marital status, status with regard to public assistance, disability, religion, sexual harassment, and sexual orientation and gender identity as defined in Minnesota Statutes, chapter 363A is prohibited. This prohibition applies to students, independent contractors, teachers, administrators, and other school personnel.

Malicious and sadistic conduct and sexual exploitation by a school district or school staff member, independent contractor, or enrolled student against a staff member,

independent contractor, or student that occurs as described in Article II.A above is prohibited.

- E. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.
- F. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.
- G. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
- H. False accusations or reports of bullying against another student are prohibited.
- I. 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.

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

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

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

- J. 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, malicious and sadistic conduct, and sexual exploitation.

- 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. "Malicious and sadistic conduct" means creating a hostile learning environment by acting with the intent to cause harm by intentionally injuring another without just cause or reason or engaging in extreme or excessive cruelty or delighting in cruelty.
- F. "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.
- G. "Prohibited conduct" means bullying cyberbullying, malicious and sadistic conduct, sexual exploitation, or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about prohibited conduct.

- H. "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.
- I. "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 Minnesota Statutes section 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 must be conspicuously posted throughout each school building, in the administrative offices of the school district, and in the office of each school.
- C. This policy must be distributed to each school district or school employee and independent contractor at the time of hiring or contracting.
- 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. Each school must develop a process for discussing this policy with students, parents of students, independent contractors, and school employees.
- G. 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 Minnesota Statutes, sections 121A.031 and 121A.0312 and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

## **8. Harassment and Violence Prohibition [\*]**

### **I. PURPOSE**

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

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

- A. The policy of the school district is to maintain a learning and working environment free from harassment and violence on the basis of Protected Class. The school district prohibits any form of harassment or violence on the basis of Protected Class.
- B. A violation of this policy occurs when any student, teacher, administrator or other school district personnel harasses a student, teacher, administrator or other school personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's Protected Class. as defined by school district policy. (For purposes of this policy, school district personnel include school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)
- C. A violation of this policy occurs when any student, teacher, administrator or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's Protected Class.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's Protected Class and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel found to have violated school district policy.

### **III. DEFINITIONS**

- A. "Assault" is:
  - 1. an act done with intent to cause fear in another of immediate bodily harm or death;
  - 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
  - 3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity and expression, or disability when the conduct:
  - 1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
  - 2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
  - 3. otherwise adversely affects an individual's employment or academic opportunities.

- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions
1. "Disability" means, with respect to an individual
    - a. a physical, sensory, or mental impairment that materially limits one or more major life activities of such individual;
    - b. has a record of such an impairment; or
    - c. is regarded as having such an impairment.
  2. "Familial status" means the condition of one or more minors being domiciled with:
    - a. their parent or parents or the minor's legal guardian; or
    - b. the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment or discrimination on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
  3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment or discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
  4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
  5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
  6. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.
  7. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.
- E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.
- F. Sexual Harassment; Definition
1. Sexual harassment includes 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 interfering with an individual's employment or education, or creating an intimidating, hostile or offensive employment or educational environment.
- 2. Sexual harassment may include but is not limited to:
  - a. unwelcome verbal harassment or abuse;
  - b. unwelcome pressure for sexual activity;
  - c. unwelcome, sexually motivated or inappropriate patting, pinching or physical contact, other than necessary restraint of student(s) by teachers, administrators or other school district personnel to avoid physical harm to persons or property;
  - d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
  - e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
  - f. unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity and expression.

G. Sexual Violence; Definition

- 1. Sexual violence is a physical act of aggression or force or the threat thereof that involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minnesota Statutes section 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;
  - b. coercing, forcing or attempting to coerce or force the touching of anyone's intimate parts;
  - c. coercing, forcing or attempting to coerce or force sexual intercourse or a sexual act on another; or
  - d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

H. Violence; Definition

Violence prohibited by this policy is a physical act of aggression or assault upon another or a group of individuals because of, or in a manner reasonably related to, an individual's Protected Class.

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

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of Protected Class by a student, teacher, administrator or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct that may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.
- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- G. In the District. The school board hereby designates the district's counselor as the school district human rights officer(s) to receive reports or complaints of harassment or



violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.<sup>1</sup>

- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

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

## **V. INVESTIGATION**

- A. By authority of the school district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

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<sup>1</sup> In some school districts the superintendent may be the human rights officer. If so, an alternative individual should be designated by the school board.

- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- F. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

## **VI. SCHOOL DISTRICT ACTION**

- A. Upon completion of an investigation that determines a violation of this policy has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law and applicable school district policies and regulations.
- B. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the targets or victims and alleged perpetrators of harassment or violence, the parent(s) or guardian(s) of targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.
- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in acts of harassment or violence.

## **VII. RETALIATION OR REPRISAL**

The school district will discipline or take appropriate action against any student, teacher, administrator or other school district personnel who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged harassment or violence prohibited by this policy, who testifies, assists or participates in an investigation of retaliation or alleged harassment or violence, or who testifies, assists or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately

discipline the individual(s) who engaged in the harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

#### **VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights or another state or federal agency, 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 Minnesota Statutes chapter 260E may be applicable.
- B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence or abuse.

#### **X. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members.
- B. This policy shall be given to each school district employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- C. This policy shall appear in the student handbook.
- D. The school district will develop a method of discussing this policy with students and employees.
- E. The school district may implement violence prevention and character development education programs to prevent and reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, resourcefulness, and/or sexual abuse prevention.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

## **9. *Hazing Prohibition* [\*]**

### **I. PURPOSE**

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

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

- A. No student, teacher, administrator, volunteer, contractor, or other employee of the school district shall plan, direct, encourage, aid, or engage in hazing.
- B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate hazing.
- C. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of hazing is prohibited.
- E. False accusations or reports of hazing against a student, teacher, administrator, volunteer, contractor, or other employee are prohibited.
- F. A person who engages in an act of hazing, reprisal, retaliation, or false reporting of hazing or permits, condones, or tolerates hazing shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

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

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

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

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

### **III. DEFINITIONS**

- A. "Hazing" means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other school-related purpose. The term hazing includes, but is not limited to:
  - 1. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, or placing a harmful substance on the body.

2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
  3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
  4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame, or humiliation, adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
  5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school district policies or regulations.
- B. "Immediately" means as soon as possible but in no event longer than 24 hours.
- C. "On school premises or school district property, or at school functions or activities, or on school transportation" means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting hazing at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.
- D. "Remedial response" means a measure to stop and correct hazing, prevent hazing from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of hazing.
- E. "Student" means a student enrolled in a public school or a charter school.
- F. "Student organization" means a group, club, or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities, or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.

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

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

The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of hazing at the building level. Any adult school district personnel who receives a report of hazing prohibited by this policy shall inform the building report taker immediately. Any person may report hazing directly to a school district human rights officer or to the

superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.

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

## **V. SCHOOL DISTRICT ACTION**

- A. Within three (3) days of the receipt of a complaint or report of hazing, the school district shall undertake or authorize an investigation by school district officials or a third party designated by the school district.
- B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the hazing, the complainant, the reporter, and students or others pending completion of an investigation of alleged hazing prohibited by this policy.
- C. The alleged perpetrator of the hazing shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of an investigation that determines hazing has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements, applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act and applicable school district policies and regulations.
- E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets or victims of hazing and the parent(s) or guardian(s) of alleged perpetrators

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

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

## **VI. RETALIATION OR REPRISAL**

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

## **VII. DISSEMINATION OF POLICY**

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

**10. Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; Vaping Awareness and Prevention Instruction [\*\*]  
[Note: See Policy 419]**

**I. PURPOSE**

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

**II. GENERAL STATEMENT OF POLICY**

- A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the school district, or person smokes or uses tobacco, tobacco-related devices, or carries or uses an activated electronic delivery device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- B. A violation of this policy occurs when any elementary school, middle school, or secondary school student possesses any type of tobacco, tobacco-related devices, or electronic delivery devices in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.
- D. The school district will not solicit or accept any contributions or gifts of money, curricula, materials, or equipment from companies that directly manufacture and are identified with tobacco products, tobacco-related devices, or electronic delivery devices. The school district will not promote or allow promotion of tobacco products or electronic delivery devices on school property or at school-sponsored events.

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

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



perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.

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

#### **IV. EXCEPTIONS**

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

#### **V. ENFORCEMENT**

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.
- C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.
- D. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and school district policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other school district supervisory personnel responsible for the area or program at which the violation occurred.
- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.

- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

**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.

## **11. School Meals Policy [\*]**

### **I. PURPOSE**

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

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

- A. If the school district participates in the United States Department of Agriculture National School Lunch program and has an Identified Student Percentage below the federal percentage determined for all meals to be reimbursed at the free rate via the Community Eligibility Provision must participate in the free school meals program.
- B. A school that participates in the United States Department of Agriculture National School Lunch program and has an Identified Student Percentage at or above the federal percentage determined for all meals to be reimbursed at the free rate must participate in the federal Community Eligibility Provision in order to participate in the free school meals program.
- C. Each school that participates in the free school meals program must:
  - (1) participate in the United States Department of Agriculture School Breakfast Program and the United States Department of Agriculture National School Lunch Program; and
  - (2) provide to all students at no cost up to two federally reimbursable meals per school day, with a maximum of one free breakfast and one free lunch.
- D. Once a meal has been placed on a student's tray or otherwise served to a student, the meal may not be subsequently withdrawn from the student by the cashier or other school official, whether or not the student has an outstanding meal balance.
- E. When a student has a negative account balance, the student will not be allowed to charge a snack item.
- F. If a parent or guardian chooses to send in one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the students' accounts. Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.

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

- A. The school district will make reasonable efforts to notify families when meal account balances are low or fall below zero.
- B. Families will be notified of an outstanding negative balance once the negative balance reaches \$5. Families will be notified by *letters sent home and/or emails*.
- C. Reminders for payment of outstanding student meal balances will not demean or stigmatize any student participating in the school lunch program, including, but not limited to, dumping meals, withdrawing a meal that has been served, announcing or

listing students' names publicly, providing alternative meals not specifically related to dietary needs; providing non reimbursable meals; or affixing stickers, stamps, or pins.

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

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free or reduced-price meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than *\$100*, not paid prior to *not paid prior to the end of the month*, will be turned over to the superintendent or superintendent's designee for collection. In some instances, the school district does use a collection agency to collect unpaid school meal debts after reasonable efforts first have been made by the school district to collect the debt. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.
- E. The school district must not impose any other restriction prohibited under Minnesota Statutes, section 123B.37 due to unpaid student meal balances. The school district must not limit a student's participation in any school activities, graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities or access to materials, technology, or other items provided to students due to an unpaid student meal balance.

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

- A. This policy and any pertinent supporting information shall be provided in writing (i.e., mail, email, back-to-school packet, student handbook, etc.) to:
  - 1. all households at or before the start of each school year;
  - 2. students and families who transfer into the school district, at the time of enrollment; and
  - 3. all school district personnel who are responsible for enforcing this policy.
- B. The school district will post the policy on the school district's website, or the website of the organization where the meal is served, in addition to providing the required written notification described above.
- C. If the school district contracts with a third party for its meal services, it must provide the vendor with its school meals policy. The school district will ensure that any third-party provider with whom the school district enters into an original or modified contract after July 1, 2021, adheres to the school district's school meals policy.

## 12. *Parent/Guardian Refusal for Student Participation in Statewide Assessments* [\*]



### Statewide Assessments: Parent/Guardian Participation Guide and Refusal Information

Your student's participation in statewide assessments is important as it allows your school and district to ensure all students have access to a high-quality education. In the past, students with disabilities and English learners were often excluded from statewide assessments. By requiring that all students take statewide assessments, schools and teachers have more information to see how all students are doing. This helps schools to continuously improve the education they provide and to identify groups, grades, or subjects that may need additional support.

#### Assessments Connect to Standards

Statewide assessments are based on the [Minnesota Academic Standards](#) or the [WIDA English Language Development Standards](#). These standards define the knowledge and skills students should be learning in K–12 public and charter schools. Minnesota prioritizes high-quality education, and statewide assessments gives educators and leaders an opportunity to evaluate student and school success.

#### Minnesota Comprehensive Assessments (MCA) and Minnesota Test of Academic Skills (MTAS)

MCA and MTAS are the annual assessments in reading, mathematics and science that measure a snapshot of student learning of the Minnesota K–12 Academic Standards.

#### ACCESS and Alternate ACCESS for English Learners

The ACCESS and Alternate ACCESS are the annual assessments for English learners that provide information about their progress in learning academic English based on the WIDA English Language Development Standards.

#### Statewide Assessments Help Families and Students

Participating in statewide assessments helps families see a snapshot of their student's learning so they can advocate for their success in school. High school students can use MCA results:

- For course placement at a Minnesota State college or university. If students receive a college-ready score, they may not need to take a remedial, noncredit course for that subject.
- For Postsecondary Enrollment Options (PSEO) and College in the Schools programs.

English learners who take the ACCESS or Alternate ACCESS and meet certain requirements have the opportunity to exit from English learner programs.

#### Taking Statewide Assessments Helps Your Student's School

Statewide assessments provide information to your school and district about how all students are engaging with the content they learn in school. This information helps:

- Educators evaluate their instructional materials.
- Schools and districts identify inequities between groups, explore root causes and implement supports.
- School and district leaders make decisions about how to use money and resources to support all students.

#### Student Participation in Statewide Assessments

Student participation in state and locally required assessments is a parent/guardian choice. If you choose to have your student not participate in a statewide assessment, please provide a reason for your decision on the form. Contact your student's school to learn more about locally required assessments.

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## Consequences of Not Participating in Statewide Assessments

- The student will not receive an individual score. For ACCESS and Alternate ACCESS, the student would not have the opportunity to exit their English learner program.
- School and district assessment results will be incomplete, making it more difficult to have an accurate picture of student learning.
- Since all eligible students are included in some calculations even when they do not participate, school and district accountability results are impacted. This may affect the school's ability to be identified for support or recognized for success.

Check with your local school or district to see if there are any other consequences for not participating.



([education.mn.gov](http://education.mn.gov) >  
Students and Families >  
Programs and Initiatives >  
Statewide Testing)

### Additional Information

- On average, students spend less than 1 percent of instructional time taking statewide assessments each year.
- Minnesota statutes limit the total amount of time students can spend taking other district- or school-wide assessments to 11 hours or less each school year, depending on the grade.
- School districts and charter schools are required to publish an assessment calendar on their website by the beginning of each school year. Refer to your district or charter school's website for more information on assessments.

(Note: This form is only applicable for the 20\_\_ to 20\_\_ school year.)



### Statewide Assessment: Parent/Guardian Decision Not to Participate

By completing this form, you are acknowledging that your student will not participate in statewide assessments and will not receive individual assessment results. This form must be returned to your student's school before the applicable test administration.

#### Student Information

First Name: \_\_\_\_\_ Middle Initial: \_\_\_\_\_ Last Name: \_\_\_\_\_

Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_ Current Grade in School: \_\_\_\_\_

School: \_\_\_\_\_ District: \_\_\_\_\_

Parent/Guardian Name (print): \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Reason for Refusal:

Please indicate the statewide assessment(s) you are opting the student out of this school year:

☐

MCA/MTAS Reading

☐

MCA/MTAS Science

☐

MCA/MTAS Mathematics

☐

ACCESS/Alternate ACCESS

Contact your school or district for more information on how to opt out of local assessments.

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# Acknowledgement Form

Students and parents sign acknowledgement that the handbook has been read during the online registration process.

## **INTERNET USE AGREEMENT – STUDENT** **Browns Valley ISD #801**

### **STUDENT**

I have read and do understand the Browns Valley's policies relating to safety and acceptable use of the school district computer system and the Internet and agree to abide by them. I further understand that should I commit any violation, my access privileges may be revoked, school disciplinary action may be taken, and/or appropriate legal action may be taken.

Users sign during the online registration process.

### **PARENT OR GUARDIAN**

As the parent or guardian of this student, I have read the school district policies relating to safety and acceptable use of the school district computer system and the Internet. I understand that this access is designed for educational purposes. The school district has taken precautions to eliminate controversial material. However, I also recognize it is impossible for the school district to restrict access to all controversial materials and I will not hold the school district or its employees or agents responsible for materials acquired on the Internet. Further, I accept full responsibility for supervision if and when my child's use is not in a school setting. I hereby give permission to issue an account for my child and certify that the information contained on this form is correct.

Users sign during the online registration process.

### **Beginning of the Year Message for Digital Tools:**

Browns Valley School District uses a variety of digital tools to support student learning. Technology vendors and software is utilized to support work as we help all students develop the skills necessary to succeed in an ever-changing world.

We have an inventory of our curriculum, testing, and assessment tools posted Website at [www.brownsvalley.k12.mn.us](http://www.brownsvalley.k12.mn.us) and it includes an outline of the student data elements within each tool. This list is maintained and communicated annually to all families at the start of the school year as you see here in the parent/student handbook.

Please reach out to our district's technology coordinator for additional questions regarding specific digital tools used in classrooms.