

JACOBSON ELEMENTARY SCHOOL

95 South Harte Avenue – PO Box 566 Rush City MN 55069-0566
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 (Web access is available at Rush City Public Library.)

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INTRODUCTION

This handbook is intended to provide parents and students with information that will be useful during the school year. We encourage open communication between school personnel, students, and parents/guardians. If this handbook doesn't provide the answer to your question, please ask.

We believe that all children can learn and that success breeds success. School personnel create and maintain a caring learning environment that encourages students to explore new subject matter, apply new ideas, and struggle with challenging tasks and activities. Hard work is closely related to achievement and success.

Good schools become better when parents, students, teachers, and members of the community work together toward common goals. The staff at Jacobson Elementary appreciates the generous support provided in the past and hopes to continue working with the community in the future.

EXPECTATIONS FOR 2015-2016

Our mission is to provide each learner with appropriate educational opportunities to reach his or her potential.

Expectations for parents:

- Demonstrate that education is important by what you say and do
- Send children to school on time each day
- Encourage children to work hard at school and on any homework
- Follow my child's progress by talking to my child, looking at my child's work, and communicating with the teachers and principal

Expectations for students:

- Attend school each day and arrive on time
- Actively participate in learning experiences and work hard to do your best
- Respect people and their property
- Accept responsibility for your actions

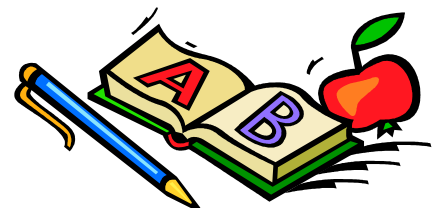
Expectations for staff members:

- Contribute to a positive learning environment in which all students can succeed
- Vary the materials and methods of instruction so students are motivated to be actively involved in relevant learning activities
- Establish and maintain good communications with parents concerning their child's progress
- Model positive problem solving and courteous, respectful treatment of others

As principal at Jacobson Elementary I expect to:

- Maintain a positive and safe learning environment
- Promote good communication and good relations among staff, students, and parents
- Coordinate resources that allow staff and students to pursue a variety of educational experiences
- Actively and consistently work to achieve EXCELLENCE in our school

**Jason Mielke, Principal
Jacobson Elementary School**



SCHOOL CALENDAR 2015-2016

SEPTEMBER

- 2 Open House
- 3 Kindergarten Roundup
- 7 Labor Day, No Classes
- 8 Classes Begin
- 14 MAP Testing Begins
- 22 Individual Pictures, PreK-2nd
- 23 Individual Pictures, PreK 3rd-6th
- 23 Vision/Hearing Screening
- 23 Scoliosis Screening, Gr. 6 girls & new students



OCTOBER

- 1 Fresh Water Fair for 5th Grade
- 5 Staff Development - No Classes
- 7 Mid Term
- 9 MAP Testing Ends
- 14 Individual Picture Retakes
- 15-16 Professional Conventions, No Classes

NOVEMBER

- 5 First Quarter Ends
- 6 Staff Development - No Classes
- 11-12 Parent/Teacher Conferences
- 12-13 No Classes
- 26-27 Thanksgiving Break, No Classes
- 30 Winter Choir Concert

DECEMBER

- 7 Staff Development - No Classes
- 10 Grade 2 Program, 7:00pm
- 16 Mid Term
- 23-31 Christmas Break, No Classes

JANUARY

- 1 Christmas Break, No Classes
- 18 Staff Development, No Classes
- 21 Grades 6-7 Band Concert
- 28 Second Quarter Ends
- 29 Staff Development, No Classes
- 29 PTO Carnival

FEBRUARY

- 11 Grade 6 Musical
- 15 President's Day, No Classes
- 25 Grades 5 & 6 Program, 7:00pm
- 29 No Classes

MARCH

- 3 Mid Term
- 7 MCA Online Testing Begins
(Reading, Math & Science)
- 8 Kindergarten Registration
- 9 MAP Testing Begins
- 18 Inventor's Fair
- 24 Staff Development $\frac{1}{2}$ day, No Classes
- 24-28 Spring Break
- 31 Grades 3 & 4 Program, 7:00pm

APRIL

- 6 Third Quarter Ends
- 6 MAP Testing Ends
- 7 Staff Development $\frac{1}{2}$ Day - No Classes
- 8 No Classes
- 24 Elem&JrHi Rootbeer Rag Choir Concert
- 28 Kindergarten Program, 7pm

MAY

- 5 Grades 6-7 Rootbeer Rag Band Concert
- 6 Track & Field Day, Grade 1-3
- 6 MCA Online Testing Ends
(Reading and Math)
- 10 Mid Term
- 10 Vocal Recital- Elem & Jr Hi Choirs
- 12 Grade 1 Program, 7pm
- 13 Track & Field Day, Grade 4-6
- 13 MCA Online Testing Ends - Science
- 30 Memorial Day, No Classes

JUNE

- 8 Fourth Quarter Ends
- 8 Last Day of School
(early release at 1:20)

DAILY SCHEDULE 2015-2016

8:10	Report to classrooms (bell rings)
8:15	Tardy (bell rings)
11:05	Intermediate Lunch begins
11:30	Primary Lunch begins
11:50	Intermediate Recess ends (bell rings)
12:15	Primary Recess ends (bell rings)
2:55	Dismissal



When Students arrive to school they are to drop off their book bags and go outside for a few minutes, when weather permits. Students in grades 3-6 may also use the Media Center and Computer Lab before school until they report to class or after school until 3:15 p.m.

Dismissal

Students are not allowed to “hang around” school after dismissal. Students are expected to leave school property, including the playground, unless they are participating in an approved after-school event with adult supervision.

Emergency School Closing

Minnesota schools may be closed by a superintendent when extreme weather conditions or emergency circumstances dictate the need to do so. Official announcements for closing Rush City Schools will be made by School Messenger, over radio station WCCO, 830 AM, of Minneapolis-St. Paul, and WCMP, 1350 AM, of Pine City, and the district website.

Parking

Cars/trucks are not allowed in the bus-loading loop. Parking is available in the parking lot next to the bus loop.

Picking Up Children

Parents, guardians, and authorized adults who wish to pick up children before dismissal should send a note with each child and they will be waiting in the office. All parents, guardians, and authorized adults must come in the office and sign each child out of school. If a note is not sent, parents, guardians, and authorized adults must stop in the office before 2:45 p.m. to sign their child out and obtain an “Early Dismissal Form,” which can then be given to the child’s teacher for dismissal.



Remember, visitors must report to the office each time they come to the school.

GENERAL INFORMATION

Animals in School

Pets are not allowed in school unless they are directly related to instruction. Parents/students must get permission from the classroom teacher before bringing animals into the classroom. All animal visits are encouraged to take place on linoleum floors.

Attendance

Good attendance is directly related to academic success. It provides opportunities for important communication between teachers and students, it contributes to a child's confidence, and it develops regular habits of dependability that are important to the future success of the student.

Students are expected to be in school all day every school day unless illness, a family emergency, or an urgent need prevents attending school. Parents should call the office by 8:00 a.m. when their child is absent or tardy. If you are unable to contact the office, your child should bring a note to the teacher when he or she returns to school. The note should explain the specific illness or reasons for being absent or tardy, signed by the parent or guardian.

- If a child is ill, the child must remain at home rather than expose others to the illness.
- In order for a child to be released from school during the day, the child must bring a written note signed by the parent or guardian to the principal's office.
- Please schedule dental and doctor appointments for days when school is not in session.
- If a student will likely be absent for a long period of time, the parent or guardian should notify the office.

Tardy students must report to the office before going to their classroom, obtain a Tardy Pass, and give the Tardy Pass to their teacher. Students coming from a "late bus" will NOT be counted tardy.

Attendance Guidelines

Consistent with state law related to attendance and truancy and consistent with the Chisago County Truancy Protocol, students who are excessively absent will be referred to the Chisago County Child Protection Office for family assistance and, if legal action is necessary, to the Chisago County Attorney's Office. See School Board Policy #503, Student Attendance, at the end of this handbook or on the district website for the complete policy.

- Students with 7-10 absences will receive a letter informing parents that a doctor's note or nurse's assessment may be required for future absences and that the Chisago County Child Protection Office may begin monitoring attendance to identify patterns that place the student "at risk"
- Students with more than 10 absences will be required to provide a doctor's note or have the nurse assess the student for future absences and the Chisago County Child Protection Office may begin reviewing the case for possible court referral
- Special circumstances will be taken into consideration

Bicycles

Children are allowed to ride bicycles to school. A bike rack is provided for parking bikes near the school, but the school does not accept any responsibility for the bicycles. Please encourage your child to follow these basic rules:

- All bicycles must be parked in the racks provided for that purpose
- No child may ride a bicycle belonging to anyone else
- No child should, for safety reasons, give rides on her/his bicycle
- Bike riders should ride with traffic and obey all traffic rules

Book Bags

Each student must have a "book bag" to transport library books and textbooks to and from school and home. The underlying reason is to teach each child to respect public property and treat the borrowed items with care.

Bullying

Bullying, by an individual or group, is not allowed on school property or at school-related functions. This policy also applies to students who directly or indirectly support another student's act of bullying. See also

School Board Policy #514, Bullying Prohibition Policy, at the end of this handbook or on the district website for the complete policy.

Bus

Conduct Report

Bus Conduct Reports are considered serious and may lead to the loss of bus-riding privileges.

Permission to Ride a Different Bus

Any student preparing to ride a different school bus MUST bring written permission, signed by a parent or guardian, to the principal's office. The student will receive a "Student Bus Permit" which should be shown to the child's teacher and then given to the bus driver. **We want to remind all parents and organization leaders that "extra" students are not allowed to ride the bus to a birthday party, scout meeting, etc.** Our buses are scheduled with a full load each day leaving no room for extra students.

Transportation Changes

The District Office may change transportation routes due to weather, road conditions, etc.

Bus Safety

Students riding a school bus enjoy a privilege, not a right. Students will receive bus safety instruction during the first few weeks of school. Good behavior is expected at all times. The bus driver has authority over all students during transporting time. The driver will not transport unauthorized students or allow loading or unloading at unauthorized locations. A student may be denied riding privileges if s/he violates the rules. School Board Policy #709, Student Transportation Safety Policy, provides a more complete statement of policy in this area. Each student is expected to observe the following rules:

Rules at the Bus Stop

- Get to your 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 your 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

Rules on the Bus

- Immediately follow the directions of the driver
- Sit in your seat facing forward
- Talk quietly and use appropriate language
- Keep all parts of your body inside the bus
- Keep your arms, legs, and belongings to yourself
- No fighting, harassment, intimidation or horseplay
- Do not throw any object
- No eating, drinking or use of tobacco or drugs
- Do not bring any weapon or dangerous objects on the school bus
- Do not damage the school bus



Bus Safety Patrol Members

Some bus drivers appoint several students as a safety patrol early in the school year. These students are leaders on each bus. Their job is to assist the bus driver regarding the safety of the students in the event of an emergency.

Change of Address/Phone

A parent/guardian who changes address or telephone number during the school year should report these changes immediately to the elementary school office.

Clothing

Each child must have tennis shoes for gym class. Please be sure that your child is dressed for the weather, including protective footwear when the weather is wet or snowy. Parents may wish to label their child's clothing for easy identification. Look-alike jackets, boots, etc. are common!

Students should wear clothing that is appropriate for the activity or weather. Inappropriate clothing includes clothing with obscene, racist, or sexist language, symbols, or pictures and clothing that promotes activities illegal for minors. Short shorts, skimpy tank tops, and tops that expose the midriff are not allowed. Students are not allowed to wear caps, hats, and jackets throughout the building once they have had a chance to hang them up. Students who arrive at school in attire that is deemed inappropriate by school personnel will be required to change into appropriate clothing that supports the learning environment. School Board Policy #504, Student Dress and Appearance, provides a more complete statement of policy in this area.

Computers/Internet Use

The school provides computers with Internet access for educational activities, educational research, and career development consistent with the mission of the school district. Users are not allowed to access Internet sites containing language or images that are inappropriate in an educational setting. Internet use is a privilege and inappropriate use will lead to a cancellation of those privileges. School Board Policy #524, Internet Acceptable Use Policy, provides a more complete statement of policy in this area.

Data Privacy

The school district recognizes its responsibility in regard to the collection, maintenance and dissemination of pupil records and the protection of the privacy rights of students as provided in federal law and state statutes. A list of parent and student rights can be found in School Board Policy #515, Protection and Privacy of Pupil Records, at the end of this handbook or on the district website for the complete policy. See also Directory Information Declared below.

Step-parents, et al.

Technically, a stepparent, or an adult live-in, is not entitled to any private data unless school personnel receive authorization by a parent. If a stepparent or an adult live-in accompanies the natural parent to a conference concerning a child, school staff may assume that such authorization has been given. Similarly, if a child is living in the district with a relative (not parent), that relative is not entitled to private data unless school personnel receive authorization by a parent.

Directory Information Declared

In compliance with the School Board Policy #515, Protection and Privacy of Student Records, Rush City Public Schools declares the following information relating to students to be "directory information": the student's name; address; telephone number; electronic mail address; 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 identifying information on a student's religion, race, color, social position or nationality.

Students and parents have the right to refuse to permit the designation of any or all of the above categories of personally identifiable information as directory information with respect to that student. Students or parents wishing to do so should submit a written request to the Elementary Principal by September 18, 2015.

Drug Free School

No Person may use, possess, distribute, or be under the influence of illegal drugs, alcohol, or narcotics while on school grounds or at school-sponsored activities. See School Board Policy #418, Drug-Free Workplace/Drug-Free School, at the end of this handbook or on the district website for the complete policy.

Fines

Each student is responsible for the school property signed out, or assigned to, him/her. Fines will be assessed for lost or damaged textbooks, workbooks, library books and magazines, and other school property that is abused or lost.

Fire and Tornado Drills

Minnesota law requires school personnel to conduct fire drills during the school year. Students and staff follow specific procedures for fire and tornado drills and other emergencies. The purpose of these drills is to learn how to respond in a quick and orderly manner during a real emergency. School personnel appreciate parent support in discussing with students the reasons for these drills and the need for taking them seriously.

Food Policy

It is the policy of our district not to allow food which was prepared at home to be brought to school for parties or treats. This has been a recommendation of the Minnesota Health Department to all school districts, in order to curb the spreading of hepatitis, or other infectious diseases.

Gifted/Talented

Enrichment opportunities are provided to challenge students to apply higher order thinking skills and to enhance skill development through a variety of educational experiences. Some examples include: Inventors Fair, Knowledge Bowl, and Academic Triathlon.

Gum, Candy, Pop

As a general rule, students should not chew gum, eat candy, or drink pop in the classroom. Students may chew gum, eat candy, and drink pop, etc. in classrooms on special occasions with the permission of their classroom teacher.

Harassment and Violence

No racial, religious, or sexual harassment or abuse, verbal or physical, of any student or staff member will be allowed. See School Board Policy #413, Harassment and Violence, at the end of this handbook or on the district website for the complete policy.

Hazing

Hazing activities of any type are inconsistent with the educational goals of the school district and are prohibited at all times. "Hazing" involves doing something to a student, or coercing a student into doing something that creates a substantial risk of harm to a person, so that the student may identify with a group. See School Board Policy #526, Hazing Prohibition, at the end of this handbook or on the district website for the complete policy.

Homebound Instruction

If it is necessary for a child to be absent from school for a series of fifteen days due to serious illness, either at home or in the hospital, parents should contact the principal to arrange alternative instruction.

Homework

Research clearly indicates that homework with high standards benefits students. When assigning homework, teachers should consider the needs, age, and abilities of the students.

If a child is absent due to illness, teachers will accommodate requests to send home make-up work, and appreciate advance notice when possible. Materials may be picked up in the office. Parents are encouraged to consider the severity of the illness and the child's ability to "catch up" on missed classroom work. Sometimes rest is more important than homework.

Because continuity of instruction is important, we discourage taking children out of school when they are healthy. If a child is absent due to an extended family trip, it may be best to take along some outside reading and focus on getting the most learning experience out of the trip. However, if parents request homework prior to the trip, teachers will try to accommodate such requests within reason. Parents should contact teachers ahead of time to clarify teachers' expectations concerning such homework, including length of time allowed to complete it and whether there are penalties assessed for late or incomplete work.



Instructional Media Center (Library)

Checkout for books and magazines is two weeks, with a renewal option at the end of these two weeks. Students may check out both books and back issues of magazines, but no reference books or multimedia. There is usually space available where a student can do research or recreational reading. A student will need a pass from her/his teacher to go there during class time.

No fines are charged on overdue materials, but fines will be assessed for materials that are damaged, destroyed, or lost. It is the student's responsibility to check materials for damage before they check them out. Please help students put library materials in a safe place and treat library materials with respect.

Insurance

The Board of Education does NOT provide insurance for students while they are engaged in school activities.

Lost and Found

Students are encouraged to check the Lost and Found for missing items. Unclaimed items are usually given to charity.

Lunch/Breakfast Program

School breakfast and lunch will be served each day that school is in session. The school breakfast and lunch programs are offered as a service. **NEW THIS YEAR: The state is providing FREE breakfast to ALL Kindergarten students.**

The Rush City Food Service Program has a computerized meal accountability system. This system provides our school district with a more accurate account of meals served and provides families a convenient and protective avenue of breakfast/lunch service. It also eliminates room for thievery and borrowing of lunch tickets.

How does the computerized system work?

Each student is issued a PIN (personal identification number) for the breakfast/lunch program. In the elementary school the PIN will be placed on file with each homeroom teacher. The PIN is recorded as the student passes through the breakfast/lunch line with their menu selection. **Any unauthorized use of another student's PIN will be considered theft.**

This system is based on prepayment. Students must have money in their account PRIOR to purchasing a meal. Only one breakfast and one lunch per day will be allowed for each student. Students receiving reduced meal benefits will also need to prepay into their account. Students receiving free meals will automatically be awarded one breakfast/one lunch per day. Students will not be allowed to charge meals. We will not let a student go hungry, but we urge parents to accept their responsibility for paying into their account.

How do we pay for breakfast/lunch?

You may pay with cash, check or online with a service called Pay School (you will be charged a small processing fee). If you pay by check, do not include fees for other school activities-the total amount of the check must be deposited in the student's account. NO CHANGE will be given back to the students. Each student will have his or her own individual account. Households with more than one student at the same school building need only issue one check. Please write your child's name on the check including last name. The breakfast/lunch deposit will be split evenly among your children unless you provide specific instructions on how you want it split.

We suggest putting the cash or check in an envelope, sealing the envelope, and putting the child's first and last names on the envelope.

It is the responsibility of the student and parent/guardian to insure that there is a positive balance in the student's account. Students may ask the cashier for their balance in the lunch line or parents may check online or call the office for their child's balance.

How do we get a refund?

If you move from the school district during the school year, refunds from student meal accounts are available. All funds remaining at year-end will be held over the summer and follow the student to the next grade unless a refund is requested.

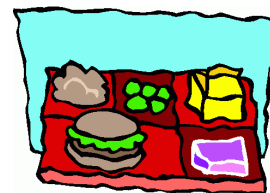
Lactose Intolerant

The state has changed what we are able to offer students who are lactose intolerant. We are no longer able to offer juice, but will have available lactose-reduced milk for students who need a milk substitute. Please have your child bring in a doctor's note stating that he/she is lactose intolerant.

Elementary School Prices

Payments for meals will be taken in the office before school, beginning at 7:45 a.m. **Please remind your child to make deposits first thing in the morning, not at lunchtime.** We suggest monthly payments to simplify matters. Additional portions are available for an additional charge.

	<u>Per meal</u>	<u>20 meals</u>
Breakfast: Regular price	\$.90	\$18.00
Reduced price	\$ FREE	\$ FREE
Lunch: Regular price	\$ 2.45	\$49.00
Reduced price	\$.40	\$ 8.00
Milk: Price per carton	\$.50	\$10.00
Visitor Breakfast:	\$ 1.70	
Visitor Lunch:	\$ 3.50	
*Siblings, regardless of age, will be charged \$3.50 for a meal.		



Music

Instrumental: Sixth grade students interested in playing an instrument may rent or purchase instruments and receive free instruction. The band meets twice a week.

Parent-Teacher Conferences

Parent-Teacher Conferences are scheduled during the fall each year. Please note conference dates in the school calendar. The opportunity for a parent-teacher conference is ALWAYS available by mutual agreement of the parent and teacher. Parents are welcome to initiate conferences, too! Parents are a critical component to every child's success at school. For more information about how to be strong partners in your child's education, contact the Minnesota Parent Center at 952-838-900, or mpicr@pacer.org, or at www.pacer.org/mpc/.

Pledge of Allegiance

Consistent with state law and School Board Policy #531, K-6 students will recite the Pledge of Allegiance to the flag of the United States of America one or more times each week. Anyone that does not wish to participate in reciting the pledge may elect not to do so and a person's right to make that choice will be respected.

Posters, Notices, etc.

Students, parents, and community members may ask to display a poster, notice, etc. at school or to distribute information on school property. Requests will be reviewed by the administration on a case-by-case basis. A secretary may "OK" a request after consulting with the principal. For a more complete statement, see School Board Policy #505, Distribution of Non-school Sponsored Materials On School Premises By Students and Employees, at the end of this handbook or on the district website for the complete policy.

Report Cards

Report Cards are issued to parents four times per school year for students in grades 1-6, and each report card period is about 9 or 10 weeks long. Kindergarten teachers issue report cards twice per school year, during January and the end of the school year.

Teachers in grades 4-6 use traditional letter grades (A-F) for most subject areas and teachers in grades 1-3 use O, S, N, U symbols for reporting student progress. The Kindergarten report card communicates student progress related to specific skills.

Retention of Students

Parents and teachers want each child to be successful at learning and applying basic skills. If a student is not successful, school staff will consider various options. Some options include consulting colleagues, parents,

or specialists; alternative methods of instruction; conducting formal assessments; etc. Retention, or repeating a grade, is an option that can benefit some students.

Parents and the principal will be informed as early as possible in the school year that retention is being considered. School staff and parents carefully consider a number of indicators that impact the success of repeating a grade. Potential risks and benefits will be carefully weighed. Parent input into this process is important, but school staff will make the final decision.

Search of Lockers, Desks, etc.

Lockers, coat racks, desks, and other areas of school property are controlled by school officials and may be inspected at any time, without notice, and without student consent. A student's personal possessions may also be searched when school officials have reasonable suspicion that the search will uncover a violation of law or school rules. School Board Policy #502, Search of Student Lockers, Desks, Personal Possessions and Student's Person, provides a more complete statement of policy in this area.

Sportsmanship Rules

Students attending home athletic events in the high school gymnasium should be seated and not running or roaming the halls. No kicking or stomping on the bleachers will be allowed as stated in the Great River Conference Constitution. Individuals who are persistent in their actions will be asked to leave the building. We are trying to promote good sportsmanship in our school as well as other school districts.

Spectators are asked to remain within the gym area until half time or between games at all home events. The concession stand will be open only at half time and between games. People should remain seated so it does not hinder others watching the contest.

In the past, there have been many instances where students come to events and end up causing problems in the hallways and restroom areas. By implementing these procedures, we will limit the traffic outside the gymnasium area.

Telephone

Calls from Parents or Students

Parents are welcome to call school staff any time during the school day with questions, concerns, or comments. If the teacher is teaching, a message will be conveyed to return the call at an appropriate time.

We encourage parents not to call children at school unless there is an emergency. Please do not call for reminders about an appointment, babysitting directions, etc. Please take care of these messages at home, before the school day begins.

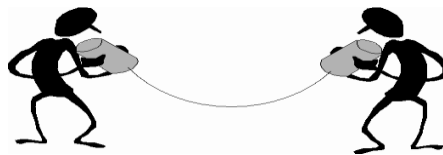
Students who must make emergency calls from school must obtain permission to use school telephones. Students are discouraged from using the phone for casual calls such as making arrangements to go home after school with a friend.

Cell Phones

Cell phones will be allowed to be carried by students as long as they are turned off during class time. Reminder notes will be sent home when a cell phone disturbs a class. If it happens again, the cell phone will need to be picked up by the parent and the phone is no longer to be brought to school.

Unlisted Phone Numbers

Parents may make arrangements with the principal's office to hold unlisted phone numbers in confidence.



Tennessee Warning to Parents and Students

Parents are advised that:

- Students attending school in the school district will be asked to supply information to school personnel. Examples of such information requests include homework assignments, test questions, and questions during the course of classroom activities;
- The information will be collected by the school district in order to evaluate the student's current level of performance with respect to his or her education program, to maintain discipline within the school, and to determine the student's needs and preferences relating to his or her education program;

- Students are not required by any law or regulation to supply data. However, the school district expects and requires that students will participate fully in their educational program by completing homework assignments and tests. Moreover, the student's refusal to supply data may prevent the school district from assessing the student's needs and incorporating the student's preferences into the student's educational program. Refusal to supply information used to evaluate a student, including homework assignments and tests, will result in a failing grade being given for the assignment. Continued failure to supply information will result in a failing grade for a particular course, and a failing grade for the year. Refusal to supply information to a school district employee investigating an alleged rule violation may result in action being taken without benefit of information the student could have provided;
- Data collected will be provided to school personnel having a legitimate educational interest in obtaining access to the data, and to state and federal authorities having statutory rights of access to the data.

Tobacco-Free School

No person shall have or use any type of tobacco product while on school grounds or at school-sponsored activities. See School Board Policy #419, Tobacco-Free Environment, at the end of this handbook or on the district website for the complete policy.

Unique Learners

Special attention is provided for students who meet certain criteria indicating learning difficulties. Title I and Special Education services are combined with regular education efforts to teach, reinforce, and review important educational concepts. Following the belief, "all students can learn," we make every effort to find and use techniques that will allow each student to achieve success.

Students qualify for these services based on test data and classroom performance. Priority is given to students who have difficulties learning and applying skills in Reading/Language Arts, or Math. The goal is to help students acquire a solid foundation of basic skills and to be able to apply these skills in real-life situations.

Use of Pest Control Materials

Our district utilizes a licensed, professional pest control service firm for the prevention and control of rodents, insects and other pests in and around the district's buildings. Their program consists of:

- Inspection and monitoring to determine whether pests are present, and whether any treatment is needed
- Recommendations for maintenance and sanitation to help eliminate pests without the need for pest control materials
- Utilization of non-chemical measures such as traps, caulking and screening
- Application of EPA registered pest control materials when needed

Pests can sting, bite, cause contamination, damage property, and spread disease; therefore, we must prevent and control them. The long-term health effects on children from the application such as pest control materials, or the class of materials to which they belong, may not be fully understood. All pest control materials are chosen and applied according to label directions per Federal law.

An estimated schedule of interior pest control inspections and possible treatments is available for review or copying at each school office. A similar estimated schedule is available for application of herbicides and other materials to school grounds. Parents and students may request to receive, at their expense, prior notification of any application of a pest control material, should such an application be deemed necessary on a day different from the days specified in the schedule.

If you have any questions regarding our Pest Management Program or would like a copy of inspection/treatment schedule, please contact Jeanne Korf at (320)358-4855.

Vandalism

People who damage school property may be held liable for those damages. In the case of minor children, their parents are liable. District policy requires parents be billed for the cost of damage. Please teach your child to respect the property of others.

Visitors

All visitors (parents too!) must report to the office, sign in, and wear a Visitor ID while in the building. Return the ID to the office and sign out before leaving the building. Don't be offended if a member of the staff reminds you to follow this safety procedure.

Parents are encouraged to attend various events during the school year. Parents may schedule a school visit at other times by calling the teacher or principal's office to discuss the reason for the visit and make appropriate arrangements.

Other Children

Visits by other children, relatives, etc. are not allowed and we ask parents not to make such requests of school personnel. Each child who visits places an additional burden on the teacher, and puts him/her in the position of being a convenient babysitter.

Walking to School

Parents are asked to reinforce the following safety guidelines for walkers

- Use sidewalks wherever possible
- Walk facing traffic when a sidewalk is not available
- Go straight to the proper destination; do not play in the ditches, or in the pathway of cars

Weapons or Dangerous Items

Students may not bring, possess, use, or distribute any object designed as a weapon or through its use is capable of threatening or producing bodily harm, toward others or self. This includes, but is not limited to any firearm, air gun, laser device, knives, clubs, chains, explosives, mace, and objects modified to serve as a weapon.

These objects and objects which have the appearance of a weapon (toy guns, blades, etc.) are not allowed in school, on school grounds, at school activities, at bus stops, on buses, in school vehicles, or at any school-related function. Pocketknives and other potentially dangerous items should be used at home with parent supervision, not brought to school. School Board Policy #501, School Weapons Policy, provides a more complete statement of policy in this area.

Withdrawing from School

Please notify the office at least 2 days in advance if a student will withdraw from school during the school year. All books and other school-owned supplies must be returned. A transcript of a student's record will be sent to the new school when requested by the receiving school. Money pre-paid for school lunch tickets, parties, etc. will be refunded at a parent's request.

Health

A school nurse, who is responsible for coordinating health services, is available on a part-time basis. Office staff provides services when the nurse is not present. Please notify the school nurse of any health concerns each year when completing the Emergency Form.

Accidents

If a student is hurt in an accident during school time, s/he must tell her/his teacher right away.

Automated External Defibrillators (AED's)

Two Automated External Defibrillators (AED's) have been purchased for use during emergency situations. One is located outside the elementary office and the other is located in the cafeteria.

Emergency Situations

If parents cannot be reached, IN CASE OF A MEDICAL EMERGENCY, OR ANY ACCIDENT DEEMED SERIOUS IN NATURE, school personnel will make arrangements to transport the child to an appropriate medical facility.

In the best interests of students, **it is absolutely vital for parents to complete and sign an Emergency Form, during the first week of school**, providing all requested emergency information. Unlisted phone numbers will be kept strictly confidential.

Head Lice

The Health Office staff will check students for lice when an active case of lice is suspected. Upon confirmation of live lice or nits, health office staff will contact the parent/guardian and send treatment information home with the student.

The parent/guardian will be encouraged to pick up their student immediately. The student will not be excluded from school except in extreme circumstances.

Parents/guardians will be notified and will receive treatment information if there is an increased risk of contagion due to the number of active cases in their student's classroom or grade.

Immunizations

Minnesota State Law states that students who are not properly immunized may not attend school unless there is a record of medical exemption or a notarized copy of conscientious objection. The law defines a complete record of immunization as follows:

For Kindergarten:

- A series of 5 DTaP
- A series of 4 Polio
- A series of 3 Hepatitis B
- Two Measles, Mumps and Rubella
- Two Varicella or doctor's verification of the year your child had Chicken pox (effective 9/10 by the state).



For Grade 7:

- One Td if five years have passed since last DTaP
- Second Measles, Mumps, Rubella
- A series of three Hepatitis B
- Two Varicella or doctor verification of the year the child had chicken pox (effective 9/10 by the state).
- A series of three Polio
- One Meningococcal

As of October 2003, Minnesota Immunization law requires all series be started before school starts and completed by May 1st of the current school year. County immunization clinics are provided each year to offer the second MMR, Tetanus-Diphtheria booster and HBV to 6th graders. Parents may submit their records as proof of immunization; physician's records are accepted but not required. Parents may submit a medical exemption or a notarized copy of conscientious objection. Records of these immunizations are required to be in the health office by the first day of school or the student will be sent home. Immunization laws frequently change and the school district will follow current regulations.

Medication Procedures

School staff will administer medications to students during school hours when necessary to ensure the student's health and enhance their educational program.

All medication will be stored in a secure area following state law and will be given under the direction of the school nurse. **NO** medication may be stored in student desks or backpacks except by arrangement with the school nurse and a doctor's order. If a student has permission to carry a rescue inhaler for asthma or an epi-pen for severe allergic reactions, the medication must be kept on the person at all times and are not to be shared. A complete prescription form must be on file in the health office for a student to carry an inhaler.

Medications must be brought to the health room before the school day begins. **Medications must be in the original container and labeled with the child's name. Medication will NOT be given to a child unless the following conditions are met.**

Medications prescribed by a physician require a written statement using the school medication authorization form or a form provided by their clinic. The written statement shall include:

- The child's legal name
- The name of the medication
- Dose information (frequency and time of day the medication is to be given)
- The starting and ending dates the medication is to be given

- The diagnosis or reason this medication is given
- Possible side effects
- Parent/guardian signature granting permission to administer medication

A written statement is also required annually from the parent/guardian authorizing the school to give the medication as prescribed by the physician. Medication authorization forms are available in the principal's office. Medications given three times a day should be given at home unless specified by doctor's orders.

Over-the-counter medications require a written statement from the parent/guardian authorizing the school to give the medication as indicated on original packaging. The written statement shall include:

- The child's legal name
- The name of the medication
- Dose information (frequency and time of day the medication is to be given). Note: The requested dosage must follow the manufacturers guideline unless a prescription form is completed.
- The starting and ending dates the medication is to be given
- The diagnosis or reason this medication is given
- Signature of parent/guardian

Screenings

Hearing/Vision: Each school year vision and hearing screening tests are given to children in Kindergarten through Fifth grade. Please get referrals completed and returned to school as soon as possible. Parents are welcome to call the school nurse with questions or concerns related to screenings or referrals, and to report any pre-existing health conditions that may affect the outcome of these tests on that particular day.

Scoliosis: Girls and boys in sixth grade are screened in the spring for signs of scoliosis, a condition affecting curvature of the spine.

COMMON CONCERNS PARENTS HAVE ABOUT THE HEALTH OF THEIR SCHOOL-AGE CHILD

DISEASE	SYMPTOMS	INCUBATION PERIOD	SCHOOL ACTION & PERIOD OF COMMUNICABILITY
Chickenpox	Slight fever, general feeling of illness, rash resembling water blister appearing after 3-4 days. Scabs appear later. Rash begins on the chest, back, under arm, neck and face.	2- 3 weeks	<ul style="list-style-type: none"> • Exclude from school until vesicles are dry and crusted- usually 7 days from appearance of rash. • Contagious 5 days before eruption • And no more than 6 days after last crop of vesicles.
Cold Sores (Herpes Simplex)	Vesicles usually on lips but may occur anywhere on skin or in mucous membranes.	2-12 days	<ul style="list-style-type: none"> • No restriction. May be communicable as long as 7 weeks after lesion appears.
Common Cold	Acute upper respiratory signs including watery eyes, sneezing, running nose, general feeling of illness.	12 hours- 3 days	<ul style="list-style-type: none"> • Restrict if clinically ill. • Communicability 24 hours before onset and for 5 days after nasal involvement.

Conjunctivitis	Bacterial: Pink or red conjunctiva with pus that causes matting of the eyelids. Viral: pink conjunctiva with clear watery discharge.	24 – 27 hrs	Bacterial (with pus): <ul style="list-style-type: none"> • Until 24 hours after treatment. Viral (without pus): <ul style="list-style-type: none"> • No exclusion Allergy (clear yellow drainage) <ul style="list-style-type: none"> • No exclusion
Fifth Disease (Erythema Infectiosum)	No fever. Rash on cheeks (slapped face appearance), spreads to extremities and trunk. Rash exaggerated by exposure to sunlight or heat.	6 – 14 days	<ul style="list-style-type: none"> • No restriction from school. • Period of communicability uncertain. Usually subsides in 1-2 months.
Influenza	Chills, body ache, headache, fever, sore throat, then cough, runny nose & possibly stomach ache.	24 – 72 hours	<ul style="list-style-type: none"> • Exclude from school until clinically well, usually 2-7 days.
Impetigo	Blisters, pustules rapidly covered with honey colored crusts.	4 – 10 days, occasionally longer	<ul style="list-style-type: none"> • No exclusion if lesions are completely covered Exclude from school until treatment with antibiotics for at least a full 24 hours, or until lesions are healed if they cannot be covered.
Lice (Pediculosis)	Infestation of the head, hair or other hairy parts of the body with lice or nits. Pubic (crab) lice usually infest the pubic area.	Variable. Eggs hatch in 1 week	<ul style="list-style-type: none"> • Considered communicable as long as eggs (nits) are attached to the hair & untreated or crawling. • Encourage notification of recent contacts for nits/lice
Reye's Syndrome	Sudden onset of violent vomiting, mental confusion, extreme sleepiness, twitching or jerking movements, hostility, coma.	1-7 days following viral infection (cold, flu, chickenpox)	<ul style="list-style-type: none"> • If one or more symptoms appear, call physician IMMEDIATELY. • Go to hospital emergency room. • Do not give aspirin or aspirin substitutes. Individuals under 25 should not take any product containing aspirin. • Exclude until clinically well.
Mononucleosis	Include fever, sore throat, swollen lymph glands (neck) & tiredness.	4-6 weeks	<ul style="list-style-type: none"> • Restrict only according to doctors orders • Period of communicability unknown
Pin Worms	Itching of anal region, sometime disturbed sleep and irritability.	4-6 weeks	<ul style="list-style-type: none"> • Exclude until 24 hours after treatment • Communicable as long as worms are present in the intestines.

Ringworm (Tinea corporis)	Ring-shaped or irregular lesion with elevated vesicular or scaly borders. May show central clearing. May become inflamed and crusted.	Body: 4-10 days Scalp: 10-14 days	<ul style="list-style-type: none"> Exclude from school for 24 hours. Communicable as long as fungi can be recovered. Area should be covered for school.
Scabies	Itching, scratch marks or burrow marks. Common sites are thighs, beltline, wrists, elbows, and webs of fingers. Scratching may cause secondary infections or rash.	2 – 6 weeks	<ul style="list-style-type: none"> Exclude until 24 hours after treatment has been started. Communicable until treated.
Strep Throat (Scarlet Fever)	Fever, sore throat, headache, nausea, vomiting, possibly fine rash.	1-3 days	<ul style="list-style-type: none"> Exclude from school until at least 24 hours after antibiotic treatment and is clinically well. Communicable until 24 hours after treatment is started, until child is w/o fever for 24 hours.

Guidelines for keeping a child home:

- If a child has had a fever, of 100 degrees or more, the child should stay home for 24 hours after the temperature returns to normal without the aid of acetaminophen or ibuprofen for 6 hours.
- If a child has vomited or had diarrhea, the child should stay home until 24 hours after the last episode.
- If a child has any rash that may be disease-related or you do not know the cause, check with your family physician before sending the child to school.
- If your child is ill, please call the school to report illness.
- Questions regarding the above information or your child's illness may be directed to your family physician or the school nurse.

Guidelines for sending a child home from school:

- Temperature of 100° F or greater.
- Vomiting.
- Headache unrelieved by rest or medication administered with permission of the parents.
- Uncontrolled diarrhea.
- A rash that is increasing in size or spreading to other areas.
- Contracted contagious disease (ringworm, impetigo, chicken pox, etc.)
- Uncontrolled cough.
- Accident or injury that requires referral to a clinic or parent.
- So emotionally distraught that the student cannot function in the classroom.

STUDENT DISCIPLINE

At Jacobson Elementary we expect students to respect people and their property and to accept responsibility for their actions. We encourage students to develop and demonstrate a healthy sense of pride.



Introduction

School is a place where children come to get an education. Students, parents and school personnel must share the responsibility for creating a successful learning environment. The school must provide quality teachers and programs to help children succeed in a complex world. Parents must teach their children to take responsibility for their actions. Students are expected to respect their teachers, their classmates and themselves.

School personnel strive to maintain one standard of behavior for all students. Certain behaviors are considered inappropriate or unacceptable at school. School personnel strive to reinforce the positive behaviors and reduce negative behaviors among individuals and groups of students.

Students are encouraged to use a problem-solving approach, which leads them to reflect on problems, consider possible solutions, and make wise choices. Students learn to recognize the relationship between their behavior and the positive and negative consequences of their behavior.

If parents, teachers, and students work together and maintain open, honest communications, students can develop the self-discipline, which provides life-long benefits.

We appreciate parent support to help students achieve:

- **Good attendance** – Attend school each day and arrive on time.
- **Good behavior** – Respect people and their property.
- **Responsibility** – Accept responsibility for their actions.

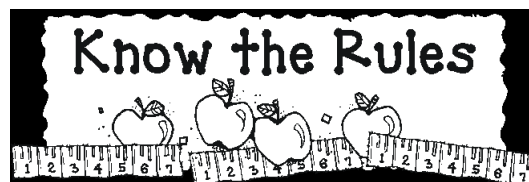
Classroom Discipline

Each classroom teacher will have a Classroom Discipline Plan, which clearly states expectations and consequences. Classroom rules and consequences will be discussed and posted in the room. Appropriate positive and negative consequences are discussed, which may include after-school detention. If after-school detention is assigned, parents will be notified before detention is served so they are able to arrange transportation for their child.

School-wide Discipline

There are five **All-School Rules** at Jacobson Elementary School. Each Student will:

- Follow directions immediately
- Keep hands, feet, and other objects to yourself
- Use acceptable language
- Walk inside the building
- Communicate with appropriate voice levels in the hallway and lavatory



Inappropriate Behavior Includes:

- Throwing things (grass, bugs, etc.)
- Misusing equipment (ex. Unsafe use of slides or swings)
- Playing in unauthorized places
- Minor improper interaction (annoying behavior, not taking turns, etc.)

Unacceptable Behavior Includes:

- Throwing potentially dangerous objects (snowballs, stones, food, etc.)
- Improper language, inappropriate words
- Fighting and serious improper interaction (cruel teasing, hitting, kicking, etc.)
- Defying authority, rudeness, sassing personnel
- Misusing equipment, abusing property, vandalism
- Stealing
- Other matters which are serious in nature

Code of Student Conduct

A list of examples of unacceptable behavior, examples of disciplinary action, and related procedures can be found in School Board Policy #506, Student Discipline, at the end of this handbook or on the district website for the complete policy.

Disciplinary Action

Most students never have serious discipline problems. It is important that parents and students understand the consequences of misbehavior. When unacceptable behavior occurs parents are typically informed by phone and/or a brief written summary. Typical options a teacher or administrator may choose include:

- INFORMAL TALK and/or WARNING (for Inappropriate Behavior).
- CONFERENCE WITH STUDENT (for Unacceptable Behavior): The teacher or principal will discuss the incident and how to prevent it in the future. REMOVING STUDENT FROM CLASS: The teacher or principal may decide it is necessary to remove a student to allow instruction to continue, to give a student time to reflect on his/her actions, or to provide time to consider other options.
- NOON DETENTION OR AFTER SCHOOL DETENTION: The teacher or principal will assign after-school detention, after notifying parent. After-school detention is held Monday through Thursdays. The parent takes responsibility for transporting the student home.
- CONFERENCE WITH PARENT AND STUDENT: The teacher or principal will discuss the incident and how to prevent it in the future.
- REMOVING PRIVILEGES: The teacher or principal may deny the student certain privileges (riding the bus, using the playground, reward activity, etc.).
- RESTITUTION: The teacher or principal may assign tasks which attempt to get the student to think about and/or “makeup for” the misbehavior (scrubbing a wall for writing on it, writing about how to avoid a fight, etc.).
- SEVERE DISCIPLINARY ACTIONS:
 - PARENT CUSTODY: The principal may release the student to the custody of the parent for the duration of the school day.
 - IN-SCHOOL SUSPENSION: The principal may remove a student from the normal school routine but keep the student in school for the remainder of the day.
 - SHORT SUSPENSION: The principal may suspend a student for up to and including five days.
 - LONG-TERM SUSPENSION: Suspensions of five or more school days are subject to the approval of the superintendent.
 - EXPULSION: Expulsion requires official action of the Board of Education. It prohibits a student from further attendance in school for the rest of the school year.

Corporal Punishment

Corporal punishment may not be administered.

Discipline Guidelines for Parents

- Praise the child for the kinds of behavior valued
- Try to make an appropriate response to good or bad behavior
- Be consistent about important rules and limits
- Be reasonable in demands and responses
- Avoid showing excessive anger
- Be patient
- Make sure the child always remains confident of your love



NOTICES

Background Checks

The school district will request a criminal history background check from appropriate government agencies for all individuals who are offered employment in a school and for all individuals who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services. School Board Policy #404 Employment Background Checks, provides a more complete statement of policy in this area.

Highly Qualified

As a Title I School, we are required to notify parents on the professional qualifications of the students' classroom teachers. All of our classroom teachers meet the qualification of being Highly Qualified.

Non-Discrimination Notice

Rush City Schools promotes equal opportunity for students and staff and prohibits discrimination on the basis of race, color, national origin, sex, or disability. School Board policy designates the Superintendent as coordinator of Title IX, ADA, and Section 504 regulations. Teresa Dupre, PO Box 566, 51001 Fairfield Avenue, Rush City, MN 55069, Phone: 320-358-4855.

DISTRICT POLICIES

(Legal References and Cross References can be accessed at the district office)

ISD 139, Policy #413: HARASSMENT AND VIOLENCE

(Due to space constraints, part of this policy has been excluded. See district for complete policy)

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.
- B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability, as defined by this policy. (For purposes of this policy, school district personnel includes school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)
- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who is found to have violated this policy.

III. DEFINITIONS

- A. "Assault" is:
 - 1. an act done with intent to cause fear in another of immediate bodily harm or death;
 - 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
 - 3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability when the conduct:
 - 1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
 - 2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
 - 3. otherwise adversely affects an individual's employment or academic opportunities.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions
 - 1. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:
 - a. has a physical, sensory, or mental impairment which materially limits one or more major life activities;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.
 - 2. "Familial status" means the condition of one or more minors being domiciled with:
 - a. their parent or parents or the minor's legal guardian; or
 - b. the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
 - 3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
 - 4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
 - 5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
 - 6. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. Sexual orientation does not include a physical or sexual attachment to children by an adult.
 - 7. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.
- E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.
- F. Sexual Harassment; Definition
 - 1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:

- a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
 - b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
- c. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
- 2. Sexual harassment may include, but is not limited to:
 - a. unwelcome verbal harassment or abuse;
 - b. unwelcome pressure for sexual activity;
 - c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
 - d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
 - e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
 - f. unwelcome behavior or words directed at an individual because of gender.
- G. Sexual Violence; Definition
 - 1. Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minn. Stat. § 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
 - 2. Sexual violence may include, but is not limited to:
 - a. touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
 - b. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
 - c. coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
 - d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.
- H. Violence; Definition
 Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to, race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct which may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.
- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal or the principal's designee, (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 High School Counselor and building principals 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.¹
- 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. 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. INVESTIGATION

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

VI. SCHOOL DISTRICT ACTION

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

VII. RETALIATION OR REPRISAL

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

VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES.

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

IX. HARASSMENT OR VIOLENCE AS ABUSE

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

X. DISSEMINATION OF POLICY AND TRAINING

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

ISD 139, Policy #418: DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL

(Due to space constraints, part of this policy has been excluded. See district for complete policy)

I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment for employees and students by prohibiting the use of alcohol, toxic substances and controlled substances without a physician's prescription.

II. GENERAL STATEMENT OF POLICY

- A. Use of controlled substances, toxic substances, and alcohol before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited.
- B. A violation of this policy occurs when any student, teacher, administrator, other school district personnel, or member of the public uses alcohol, toxic substances, or controlled substances in any school location.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

III. DEFINITIONS

- A. "Alcohol" includes any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor.
- B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 U.S.C. § 812, including analogues and look-alike drugs.
- C. "Toxic substances" includes glue, cement, aerosol paint, or other substances used or possessed with the intent of inducing intoxication or excitement of the central nervous system.
- D. "Use" includes to sell, buy, manufacture, distribute, dispense, possess, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration or consideration.
- E. "Possess" means to have on one's person, in one's effects, or in an area subject to one's control.
- F. "School district location" includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.

IV. EXCEPTIONS

- A. A violation of this policy does not occur when a person brings onto a school location, for such person's own use, a controlled substance which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.
- B. A violation of this policy does not occur when a person to possess an alcoholic beverage in a school location when the possession is within the exceptions of Minn. Stat. § 624.701, Subd. 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).

ISD 139, Policy #419: TOBACCO-FREE ENVIRONMENT

(Due to space constraints, part of this policy has been excluded. See district for complete policy)

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the school district, or person smokes or uses tobacco, tobacco-related devices, or electronic cigarettes in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- B. A violation of this policy occurs when any elementary school, middle school, or secondary school student possesses any type of tobacco, tobacco-related device, or electronic cigarette in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for 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.

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 person 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.

ISD 139, Policy #503: STUDENT ATTENDANCE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. Responsibilities
 - 1. Student's Responsibility

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

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

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

4. Administrator's Responsibility

a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.

b. In accordance with the regulations of the Minnesota Department of Children, Families and Learning and the Minnesota Compulsory Instruction Law, Minn. Stat. § 120A.22, the students of the school district are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has completed the studies ordinarily required in the tenth grade and has elected not to enroll or has a valid excuse for absence.

B. Attendance Procedures

Attendance procedures will be established and approved by the school board as a part of its annual review and adoption of student handbook information.

III. DISSEMINATION OF POLICY

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

IV. REQUIRED REPORTING

B. Reporting Responsibility

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

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

C. Habitual Truant

1. A habitual truant is a child under the age of 16 years who is absent from attendance at school without lawful excuse for seven school days if the child is in elementary school. A habitual truant is a child under the age of 16 years who is absent from attendance at school without lawful excuse for seven school days or for one or more class periods on seven school days if the child is in middle school, junior high school, or high school. A habitual truant is also a child who is 16 or 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days and who has not lawfully withdrawn from school.

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

ISD 139, Policy #505: DISTRIBUTION OF NONSCHOOL-SPONSORED MATERIALS ON SCHOOL PREMISES BY STUDENTS AND EMPLOYEES

I. PURPOSE

The purpose of this policy is to protect the exercise of students' and employees' free speech rights, taking into consideration the educational objectives and responsibilities of the school district.

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. "Distribute" or "Distribution" means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, or 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 perverted or lascivious 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, and lewd exhibition of the genitals; and
 - 3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- D. "Minor" means any person under the age of eighteen (18).
- E. "Material and substantial disruption" of a normal school activity means:
 - 1. Where the normal school activity is an educational program of the district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
 - 2. Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.
In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecast, including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.
- F. "School activities" means any activity sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods.
- G. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower that individual in the esteem of the community.

IV. GUIDELINES

- A. Students and employees of the school district have the right to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, nonschool-sponsored material.
- B. Requests for distribution of nonschool-sponsored material will be reviewed by the administration on a case-by-case basis. However, distribution of the materials listed below is always prohibited. Material is prohibited that:
 - 1. is obscene to minors;
 - 2. is libelous or slanderous;
 - 3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended.
 - 4. advertises or promotes any product or service not permitted to minors by law;
 - 5. advocates violence or other illegal conduct;

6. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religious or ethnic origin);
 7. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.
- C. Distribution by students and employees of nonschool-sponsored materials on school district property are subject to reasonable time, place, and manner restrictions set forth below. In making decisions regarding the time, place, and manner of distribution, the administration will consider factors including, but not limited to, the following:
1. whether the material is educationally related;
 2. the extent to which distribution is likely to cause disruption of or interference with the school district's educational objectives, discipline, or school activities;
 3. whether the materials can be distributed from the office or other isolated location so as to minimize disruption of traffic flow in hallways;
 4. the quantity or size of materials to be distributed;
 5. whether distribution would require assignment of school district staff, use of school district equipment, or other resources;
 6. whether distribution would require that nonschool persons be present on the school grounds;
 7. whether the materials are a solicitation for goods or services not requested by the recipients.

V. TIME, PLACE, AND MANNER OF DISTRIBUTION

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

VI. PROCEDURES

- A. Any student or employee wishing to distribute (as defined in this policy) non-school sponsored material must first submit for approval a copy of the material to the principal at least 24 hours in advance of desired distribution time, together with the following information:
 1. Name and phone number of the person submitting the request and, if a student, the room number of his or her first-period class.
 2. Date(s) and time(s) of day intended display or distribution.
 3. Location where material will be displayed or distributed;
 4. If intended for students, the grade(s) of students to whom the display or distribution is intended.
- B. Within one school day, a designee of the school district 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.

Any other party violating this policy will be requested to leave the school property immediately and, if necessary, the police will be called.

VIII. NOTICE OF POLICY TO STUDENTS AND EMPLOYEES

A copy of this policy may be published in part and/or referenced in student handbooks and posted in school buildings.

IX. IMPLEMENTATION

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

[NOTE: School districts are encouraged to consider additional guidelines which reflect varied local practices relating to this subject matter, including addressing the subject of consistency and uniformity for approving or disapproving practices under this policy.]

ISD 139, Policy #506: STUDENT DISCIPLINE

(Due to space constraints, part of this policy has been excluded. See district for complete policy)

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

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

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

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

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

III. AREAS OF RESPONSIBILITY

- A. The School Board. The school board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.
- B. Superintendent. The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.
- C. Principal. The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of behavior referrals and shall make use of those agencies appropriate for assisting students and parents. A principal, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.
- D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.
- E. Other School District Personnel. All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee,

school bus driver, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.

- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the behavior of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

IV. STUDENT RIGHTS

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

V. STUDENT RESPONSIBILITIES

All students have the responsibility:

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

VI. CODE OF STUDENT CONDUCT

- A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school premises or events; and all school-related functions. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.
 - 1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
 - 2. The use of profanity or obscene language, or the possession of obscene materials;
 - 3. Gambling, including, but not limited to, playing a game of chance for stakes;
 - 4. 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 or tobacco paraphernalia;
 - 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, or look-alike substances, except as prescribed by a physician, including 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 Weapons Policy;
14. Violation of the school district Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
19. Violation of any local, state or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;
23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspection, 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 language toward 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 language that is discriminatory, abusive, obscene, threatening, intimidating or that degrades other people;
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 school rules, regulations, policies, or procedures including, but not limited to, those policies specifically enumerated in this policy;
45. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or employees.

VII. DISCIPLINARY ACTION OPTIONS

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

- A. Student conference with teacher, principal, counselor or other school district personnel, and verbal warning;
- B. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
- C. Parent contact;
- D. Parent conference;
- E. Removal from class;
- F. In-school suspension;
- G. Suspension from extracurricular activities;
- H. Detention or restriction of privileges;
- I. Loss of school privileges;
- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;
- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or
- U. Other disciplinary action as deemed appropriate by the school district.

VIII. REMOVAL OF STUDENTS FROM CLASS

- A. 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.

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

- C. Procedures for Removal of a Student From a Class.
 - 1. The instructor must notify the office or the individual designated in the student's behavioral intervention plan if one exists. Behaviors not addressed in the student's behavior plan shall be subject to the disciplinary guidelines in this policy.
 - 2. The student will be sent or escorted, as necessary, to the office or room specified in the behavioral intervention plan.
 - 3. The instructor will contact the principal regarding reasons for removal.
- D. Responsibility for and Custody of a Student Removed From Class.
 - 1. The principal or designee assumes responsibility for a student removed from class.
 - 2. Students, following a behavior plan which specifies reporting to another individual, shall become his/her responsibility.
- E. Procedures for Return of a Student to a Class From Which the Student Was Removed.
 - 1. The principal or designee will develop a plan for readmitting the student to class.
 - 2. The readmission plan may include consequences or other interventions.
- F. Procedures for Notification.
 - 1. The principal or designee will determine when it is appropriate to contact parents/guardians and the means by which the notification will occur.
- G. Disabled Students; Special Provisions.
 - 1. State and federal special education regulations will be followed.
 - 2. Local special education staff will be notified/consulted when appropriate.
- H. Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises.
 - 1. Establishment of a chemical abuse preassessment team pursuant to Minn. Stat. § 121A.26;
 - 2. Establishment of a school and community advisory team to address chemical abuse problems in the district pursuant to Minn. Stat. § 121A.27;
 - 3. Establishment of teacher reporting procedures to the chemical abuse preassessment team pursuant to Minn. Stat. § 121A.29.
- I. Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student Conduct.
- J. Any Procedures Determined Appropriate for Encouraging Early Involvement of Parents or Guardians in Attempts to Improve a Student's Behavior.
- K. Any Procedures Determined Appropriate for Encouraging Early Detection of Behavioral Problems.

IX. DISMISSAL

- A. "Dismissal" means the denial of the current educational program to any student, including exclusion, expulsion and suspension. Dismissal does not include removal from class.
 The school district shall not deny due process or equal protection of the law to any student involved in a dismissal proceeding which may result in suspension, exclusion or expulsion.
 The school district shall not dismiss any student without attempting to provide alternative educational services before dismissal proceedings, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.
- B. Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:
 - 1. Willful violation of any reasonable school board regulation, including those found in this policy;
 - 2. Willful conduct that significantly disrupts the rights of others to an education, or the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or
 - 3. Willful conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.
- C. Suspension Procedures
 - 1. "Suspension" means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.
 - 2. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the pupil's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
 - 3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not

obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.

4. 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 (6th) consecutive day of suspension or the tenth (10th) cumulative day of suspension has elapsed.
5. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the pupil to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.
6. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.
7. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:
 - a. strongly encourage a parent or guardian of the student to attend school with the student for one day;
 - b. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
 - c. petition the juvenile court that the student is in need of services under Minn. Stat. Ch. 260C.
8. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference. (See attached sample Notice of Suspension.)
9. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
10. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
11. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) days.

X. ADMISSION OR READMISSION PLAN

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

XI. NOTIFICATION OF POLICY VIOLATIONS

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

XII. STUDENT DISCIPLINE RECORDS

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

XIII. DISABLED STUDENTS

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

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

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

XIV. OPEN ENROLLED STUDENTS

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minn. Stat. § 124D.03) or Enrollment in Nonresident District (Minn. Stat. § 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minn. Stat. Ch. 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of sixteen (16) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

XV. DISTRIBUTION OF POLICY

The school district will notify students and parents of the existence and contents of this policy in such manner as it deems appropriate. Copies of this discipline policy shall be made available to all students and parents at the commencement of each school year and to all new students and parents upon enrollment. This policy shall also be available upon request in each principal's office.

XVI. REVIEW OF POLICY

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

ISD 139, Policy #514: BULLYING PROHIBITION POLICY

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

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

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

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

IV. REPORTING PROCEDURE

- A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or bullying supervisor of each building or available in the school district office, but oral reports shall be considered complaints as well.
- C. The building principal or 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 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 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 11.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 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 guardians(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 engage in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy.

VII. TRAINING AND EDUCATION

- A. The school district shall discuss this policy with school personnel and volunteers and provide appropriate training to school district personnel regarding this policy. The school district shall establish a training cycle for school personnel to occur during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school district. The school district or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in employee handbooks, training materials, and publications on school rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.
- B. The school district shall require ongoing professional development, consistent with Minn. Stat. § 122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:
 - 1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
 - 2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
 - 3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;
 - 4. The incidence and nature of cyberbullying; and
 - 5. Internet safety and cyberbullying.
- C. The school district annually will provide education and information to students regarding bullying including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.
- D. The administration of the school district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.
- E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students.

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

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

 - 1. Engage all students in creating a safe and supportive school environment;
 - 2. Partner with parents and other community members to develop and implement prevention and intervention programs;
 - 3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;

4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;
 5. Teach students to advocate for themselves and others;
 6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and
 7. Foster student collaborations that, in turn, foster a safe and supportive school climate.
- F. The school district may implement violence prevention and character development education programs to prevent or reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.
- G. The school district shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The school district may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy (See MSBA/MASA Model Policy 515) in the student handbook.

VIII. NOTICE

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

ISD 139, Policy #515: PROTECTION AND PRIVACY OF PUPIL RECORDS

(Due to space constraints, part of this policy has been excluded. See district for complete policy)

I. PURPOSE

The school district recognizes its responsibility in regard to the collection, maintenance and dissemination of pupil records and the protection of the privacy rights of students as provided in federal law and state statutes.

II. GENERAL STATEMENT OF POLICY

The following procedures and policies regarding the protection and privacy of parents and students are adopted by the school district, pursuant to the requirements of 20 U.S.C. §1232g, et seq., (Family Educational Rights and Privacy Act) (FERPA) 34 C.F.R. Part 99 and consistent with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and Minn. Rules Parts 1205.0100-1205.2000.

III. DEFINITIONS

- A. **Biometric Record**
"Biometric record," as referred to in "Personally Identifiable," means a record of one or more measurable biological or behavioral characteristics that can be used for authorized recognition of an individual (e.g., fingerprints, retina and iris patterns, voice prints, DNA sequence, facial characteristics, and handwriting).
- B. **Dates of Attendance**
"Dates of attendance," as referred to in "Directory Information," means the period of time during which a student attends or attended a school or schools in the school district, including attendance in person or by paper correspondence, satellite, internet or other electronic communication technologies for students who are not in the classroom, and including the period during which a student is working under a work-study program. The term does not include specific daily records of a student's attendance at a school or schools in the school district.
- C. **Directory Information**
"Directory information" means information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to: the student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, dates of attendance, grade level, enrollment status (i.e., full-time or part-time), participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received, and the most recent educational agency or institution attended. It 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 personally identifiable data

which references religion, race, color, social position, or nationality. Data collected from nonpublic school students, other than those who receive shared time educational services, shall not be designated as directory information unless written consent is given by the student's parent or guardian.

D. Education Records

1. What constitutes "education records." Education records means those records which: (1) are directly related to a student; and (2) are maintained by the school district or by a party acting for the school district.
2. What does not constitute an education record. The term, "education records," does not include:
 - a. Records of instructional personnel which:
 - (1) are in the sole possession of the maker of the record; and
 - (2) are not accessible or revealed to any other individual except a substitute teacher; and
 - (3) are destroyed at the end of the school year.
 - b. Records of a law enforcement unit of the school district, provided education records maintained by the school district are not disclosed to the unit, and the law enforcement records are:
 - (1) maintained separately from education records;
 - (2) maintained solely for law enforcement purposes; and
 - (3) disclosed only to law enforcement officials of the same jurisdiction.
 - c. Records relating to an individual, including a student, who is employed by the school district which:
 - (1) are made and maintained in the normal course of business;
 - (2) relate exclusively to the individual in that individual's capacity as an employee; and
 - (3) are not available for use for any other purpose.However, these provisions shall not apply to records relating to an individual in attendance at the school district who is employed as a result of his or her status as a student.
 - d. Records relating to an eligible student, or a student attending an institution of post-secondary education, which are:
 - (1) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity or assisting in that capacity;
 - (2) made, maintained, or used only in connection with the provision of treatment to the student; and
 - (3) disclosed only to individuals providing the treatment; provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are a part of the program of instruction within the school district.
 - e. Records that only contain information about an individual after he or she is no longer a student at the school district and that are not directly related to the individual's attendance as a student.

H. Parent

"Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent of the student in the absence of a parent or guardian. The school district may presume the parent has the authority to exercise the rights provided herein, unless it has been provided with evidence that there is a state law or court order governing such matters as marriage dissolution, separation or child custody, or a legally binding instrument which provides to the contrary.

I. Personally Identifiable

"Personally identifiable" means that the data or information includes, but is not limited to: (a) a student's name; (b) the name of the student's parent or other family member; (c) the address of the student or student's family; (d) a personal identifier such as the student's social security number or student number or biometric record; (e) other direct identifiers, such as the student's date of birth, place of birth, and mother's maiden name; (f) other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or (g) information requested by a person who the school district reasonably believes knows the identity of the student to whom the education record relates.

J. Record

"Record" means any information or data recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.

K. Responsible Authority

"Responsible authority" means Elementary Principal, Secondary Principal, or the Superintendent of Schools.

L. Student

“Student” includes any individual who is or has been in attendance, enrolled, or registered at the school district and regarding whom the school district maintains education records. Student also includes applicants for enrollment or registration at the school district and individuals who receive shared time educational services from the school district.

M. School Official

“School official” includes: (a) a person duly elected to the school board; (b) a person employed by the school board in an administrative, supervisory, instructional, or other professional position; (c) a person employed by the school board as a temporary substitute in a professional position for the period of his or her performance as a substitute; and (d) a person employed by, or under contract to, the school board to perform a special task such as a secretary, a clerk, a public information officer or data practices compliance official, an attorney, or an auditor for the period of his or her performance as an employee or contractor.

N. Summary Data

“Summary data” means statistical records and reports derived from data on individuals but in which individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify the individual is ascertainable.

IV. **GENERAL CLASSIFICATION**

State law provides that all data collected, created, received, or maintained by a school district are public unless classified by state or federal law as not public or private or confidential. State law classifies all data on individuals maintained by a school district which relates to a student as private data on individuals. This data may not be disclosed to parties other than the parent or eligible student without consent, except pursuant to a valid court order, certain state statutes authorizing access, and the provisions of FERPA and the regulations promulgated thereunder.

VI. **DISCLOSURE OF EDUCATION RECORDS**

A. Consent Required for Disclosure

1. The school district shall obtain a signed and dated written informed consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of the student, except as provided herein.
2. The written consent required by this subdivision must be signed and dated by the parent of the student or the eligible student giving the consent and shall include:
 - a. a specification of the records to be disclosed;
 - b. the purpose or purposes of the disclosure;
 - c. the party or class of parties to whom the disclosure may be made; and
 - d. the consequences of giving informed consent; and
 - e. if appropriate, a termination date for the consent.
3. When a disclosure is made under this subdivision:
 - a. if the parent or eligible student so requests, the school district shall provide him or her with a copy of the records disclosed; and
 - b. if the parent of a student who is not an eligible student so requests, the school district shall provide the student with a copy of the records disclosed.
4. A signed and dated written consent may include a record and signature in electronic form that:
 - a. identifies and authenticates a particular person as the source of the electronic consent; and
 - b. indicates such person’s approval of the information contained in the electronic consent.
5. If the responsible authority seeks an individual’s informed consent to the release of private data to an insurer or the authorized representative of an insurer, informed consent shall not be deemed to have been given unless the statement is:
 - a. in plain language;
 - b. dated;
 - c. specific in designating the particular persons or agencies the data subject is authorizing to disclose information about the data subject;
 - d. specific as to the nature of the information the subject is authorizing to be disclosed;
 - e. specific as to the persons or agencies to whom the subject is authorizing information to be disclosed;
 - f. specific as to the purpose or purposes for which the information may be used by any of the parties named in Clause e. above, both at the time of the disclosure and at any time in the future; and
 - g. specific as to its expiration date which should be within a reasonable time, not to exceed one year except in the case of authorizations given in connection with applications for: (i) life insurance or noncancellable or guaranteed renewable health insurance and identified as such, two years after the date of the policy, or (ii) medical assistance

under Minn. Stat. Ch. 256B or Minnesota Care under Minn. Stat. Ch. 256L, which shall be ongoing during all terms of eligibility, for individualized education program health-related services provided by a school district that are subject to third party reimbursement.

VII. RELEASE OF DIRECTORY INFORMATION

A. Classification

Directory information is public except as provided herein.

B. Former Students

Unless a former student validly opted out of the release of directory information while the student was in attendance and has not rescinded the opt out request at any time, the school district may disclose directory information from the education records generated by it regarding the former student without meeting the requirements of Paragraph C. of this section. In addition, under an explicit exclusion from the definition of an “education record,” the school district may release records that only contain information about an individual obtained after he or she is no longer a student at the school district and that are not directly related to the individual’s attendance as a student (e.g., a student’s activities as an alumnus of the school district).

C. Present Students and Parents

The school district may disclose directory information from the education records of a student and information regarding parents without prior written consent of the parent of the student or eligible student, except as provided herein. Prior to such disclosure the school district shall:

1. Annually give public notice by any means that are reasonably likely to inform the parents and eligible students of:
 - a. the types of personally identifiable information regarding students and/or parents that the school district has designated as directory information;
 - b. the parent’s or eligible student’s right to refuse to let the school district designate any or all of those types of information about the student and/or the parent as directory information; and
 - c. the period of time in which a parent or eligible student has to notify the school district in writing that he or she does not want any or all of those types of information about the student and/or the parent designated as directory information.
2. Allow a reasonable period of time after such notice has been given for a parent or eligible student to inform the school district in writing that any or all of the information so designated should not be disclosed without the parent’s or eligible student’s prior written consent, except as provided in Section VI. of this policy.
3. A parent or eligible student may not opt out of the directory information disclosures to prevent the school district from disclosing or requiring the student to disclose the student’s name, identifier, or school district e-mail address in a class in which the student is enrolled.
4. The school district shall not disclose or confirm directory information without meeting the written consent requirements contained in Section VI.A. of this policy if a student’s social security number or other non-directory information is used alone or in combination with other data elements to identify or help identify the student or the student’s records.

D. Procedure for Obtaining Nondisclosure of Directory Information

The parent’s or eligible student’s written notice shall be directed to the responsible authority and shall include the following:

1. Name of the student and/or parent, as appropriate;
2. Home address;
3. School presently attended by student;
4. Parent’s legal relationship to student, if applicable; and
5. Specific categories of directory information to be made not public without the parent’s or eligible student’s prior written consent, which shall only be applicable for that school year.

E. Duration

The designation of any information as directory information about a student or parents will remain in effect for the remainder of the school year unless the parent or eligible student provides the written notifications provided herein.

VIII. DISCLOSURE OF PRIVATE RECORDS

A. Private Records

For the purposes herein, education records are records which are classified as private data on individuals by state law and which are accessible only to the student who is the subject of the data and the student’s parent if the student is not an eligible student. The school district may not disclose private records or their contents except as summary data, or except as provided in Section VI. of this policy, without the prior written consent of the parent or the eligible student. The school district will use

reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other party to whom personally identifiable information from education records is disclosed.

B. Private Records Not Accessible to Parent

In certain cases state law intends, and clearly provides, that certain information contained in the education records of the school district pertaining to a student be accessible to the student alone, and to the parent only under special circumstances, if at all.

1. The responsible authority may deny access to private data by a parent when a minor student who is the subject of that data requests that the responsible authority deny such access. The minor student's request must be submitted in writing setting forth the reasons for denying access to the parent and must be signed by the minor. Upon receipt of such request the responsible authority shall determine if honoring the request to deny the parent access would be in the best interest of the minor data subject. In making this determination the responsible authority shall consider the following factors:
 - a. whether the minor is of sufficient age and maturity to be able to explain the reasons for and understand the consequences of the request to deny access;
 - b. whether the personal situation of the minor is such that denying parental access may protect the minor data subject from physical or emotional harm;
 - c. whether there are grounds for believing that the minor data subject's reasons for precluding parental access are reasonably accurate;
 - d. whether the data in question is of such a nature that disclosure of it to the parent may lead to physical or emotional harm to the minor data subject; and
 - e. whether the data concerns medical, dental or other health services provided pursuant to Minn. Stat. §§ 144.341-144.347, in which case the data may be released only if the failure to inform the parent would seriously jeopardize the health of the minor.

C. Private Records Not Accessible to Student

Students shall not be entitled to access to private data concerning financial records and statements of the student's parent or any information contained therein.

IX. DISCLOSURE OF CONFIDENTIAL RECORDS

A. Confidential Records

Confidential records are those records and data contained therein which are made not public by state or federal law, and which are inaccessible to the student and the student's parents or to an eligible student.

B. Reports Under the Maltreatment of Minors Reporting Act

Pursuant to Minn. Stat. § 626.556, reports pertaining to a neglected and/or physically and/or sexually abused child shall be accessible only to the appropriate welfare and law enforcement agencies. In respect to other parties, such data shall be confidential and will not be made available to the parent or the subject individual by the school district. The subject individual, however, may obtain a copy of the report from either the local welfare agency, county sheriff, or the local police department subject to the provisions of Minn. Stat. § 626.556, Subd. 11.

C. Investigative Data

Data collected by the school district as part of an active investigation undertaken for the purpose of the commencement or defense of pending civil legal action, or which are retained in anticipation of a pending civil legal action are classified as protected nonpublic data in the case of data not on individuals, and confidential data in the case of data on individuals.

1. The school district may make any data classified as protected non-public or confidential pursuant to this subdivision accessible to any person, agency, or the public if the school district determines that such access will aid the law enforcement process, promote public health or safety, or dispel widespread rumor or unrest.
2. A complainant has access to a statement he or she provided to the school district.
3. Parents or eligible students may have access to investigative data of which the student is the subject, but only to the extent the data is not inextricably intertwined with data about other school district students, school district employees, and/or attorney data as defined in Minn. Stat. § 13.393.
4. Once a civil investigation becomes inactive, civil investigative data becomes public unless the release of the data would jeopardize another pending civil legal action, except for those portions of such data that are classified as not public data under state or federal law. Any civil investigative data presented as evidence in court or made part of a court record shall be public. For purposes of this provision, a civil investigation becomes inactive upon the occurrence of any of the following events:
 - a. a decision by the school district, or by the chief attorney for the school district, not to pursue the civil legal action.

However, such investigation may subsequently become active if the school district or its attorney decides to renew the

- civil legal action;
 - b. the expiration of the time to file a complaint under the statute of limitations or agreement applicable to the civil legal action; or
 - c. the exhaustion or expiration of rights of appeal by either party to the civil legal action.
5. A “pending civil legal action” for purposes of this subdivision is defined as including, but not limited to, judicial, administrative, or arbitration proceedings.

XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS

A. Parent of a Student, an Eligible Student or the Parent of an Eligible Student Who is Also a Dependent Student

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.

B. Response to Request for Access

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.

C. Right to Inspect and Review

The right to inspect and review education records under Subdivision A. of this section includes:

1. The right to a response from the school district to reasonable requests for explanations and interpretations of records; and
2. If circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the education records, the school district shall provide the parent or eligible student with a copy of the records requested or make other arrangements for the parent or eligible student to inspect and review the requested records.
3. Nothing in this policy shall be construed as limiting the frequency of inspection of the education records of a student with a disability by the student’s parent or guardian or by the student upon the student reaching the age of majority.

D. Form of Request

Parents or eligible students shall submit to the school district a written request to inspect education records which identify as precisely as possible the record or records he or she wishes to inspect.

E. Collection of Student Records

If a student’s education records are maintained in more than one location, the responsible authority may collect copies of the records or the records themselves from the various locations so they may be inspected at one site. However, if the parent or eligible student wishes to inspect these records where they are maintained, the school district shall attempt to accommodate those wishes. The parent or eligible student shall be notified of the time and place where the records may be inspected.

F. Records Containing Information on More Than One Student

If the education records of a student contain information on more than one student, the parent or eligible student may inspect and review or be informed of only the specific information which pertains to that student.

G. Authority to Inspect or Review

The school district may presume that either parent of the student has authority to inspect or review the education records of a student unless the school district has been provided with evidence that there is a legally binding instrument or a state law or court order governing such matters as marriage dissolution, separation, or custody which provides to the contrary.

H. Fees for Copies of Records

1. The school district shall charge a reasonable fee for providing photocopies or printed copies of records unless printing a copy is the only method to provide for the inspection of data. In determining the amount of the reasonable fee, the school district shall consider the following:
 - a. the cost of materials, including paper, used to provide the copies;
 - b. the cost of the labor required to prepare the copies;
 - c. any schedule of standard copying charges established by the school district in its normal course of operations;
 - d. any special costs necessary to produce such copies from machine based record-keeping systems, including but not limited to computers and microfilm systems; and
 - e. mailing costs.
2. If 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and, instead, the charge shall be no more than 25 cents for each page copied.
3. The cost of providing copies shall be borne by the parent or eligible student.

4. The responsible authority, however, may not impose a fee for a copy of an education record made for a parent or eligible student if doing so would effectively prevent or, in the case of a student with a disability, impair the parent or eligible student from exercising their right to inspect or review the student's education records.

XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA

A. Request to Amend Education Records

The parent of a student or an eligible student who believes that information contained in the education records of the student is inaccurate, misleading, or violates the privacy or other rights of the student may request that the school district amend those records.

1. The request shall be in writing, shall identify the item the requestor believes to be inaccurate, misleading, or in violation of the privacy or other rights of the student, shall state the reason for this belief, and shall specify the correction the requestor wishes the school district to make. The request shall be signed and dated by the requestor.
2. The school district shall decide whether to amend the education records of the student in accordance with the request within thirty (30) days after receiving the request.
3. If the school district decides to refuse to amend the education records of the student in accordance with the request, it shall inform the parent of the student or the eligible student of the refusal and advise the parent or eligible student of the right to a hearing under Subdivision B. of this section.

XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA

A. Where to File Complaints

Complaints regarding alleged violations of rights accorded parents and eligible students by FERPA, and the rules promulgated thereunder, shall be submitted in writing to the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue S.W., Washington, D.C. 20202.

B. Content of Complaint

A complaint filed pursuant to this section must contain specific allegations of fact giving reasonable cause to believe that a violation of FERPA and the rules promulgated thereunder has occurred.

XVIII. WAIVER

A parent or eligible student may waive any of his or her rights provided herein pursuant to FERPA. A waiver shall not be valid unless in writing and signed by the parent or eligible student. The school district may not require such a waiver.

XIX. ANNUAL NOTIFICATION OF RIGHTS

A. Contents of Notice

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. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records;
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 disclosure without consent;
4. 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;
5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing education records to other school officials whom the school district has determined to have legitimate educational interests; and
6. That the school district forwards education records on request to a school 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 or transfer and that such records may include suspension and expulsion records pursuant to the federal No Child Left Behind Act and, if applicable, a student's history of violent behavior.

B. Notification to Parents of Students Having a Primary Home Language Other Than English

The school district shall provide for the need to effectively notify parents of students identified as having a primary or home language other than English.

C. Notification to Parents or Eligible Students Who are Disabled

The school district shall provide for the need to effectively notify parents or eligible students identified as disabled.

XX. DESTRUCTION AND RETENTION OF RECORDS

Destruction and retention of records by the school district shall be controlled by state and federal law.

ISD 139, Policy #526: HAZING PROHIBITION

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. No student, teacher, administrator, volunteer, contractor or other employee of the school district shall plan, direct, encourage, aid or engage in hazing.
- B. No teacher, administrator, volunteer, contractor or other employee of the school district shall permit, condone or tolerate hazing.
- C. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.
- D. This policy applies to behavior that occurs on or off school property and during and after school hours.
- E. A person who engages in an act that violates school policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act.
- F. The school district will act to investigate all complaints of hazing and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor or other employee of the school district who is found to have violated this policy.

III. DEFINITIONS

- A. "Hazing" means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term hazing includes, but is not limited to:
 1. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking or placing a harmful substance on the body.
 2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
 5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school district policies or regulations.
- B. "Student organization" means a group, club or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate school district official designated by this policy.
- B. The building principal or the principal's designee, (hereinafter building report taker) is the person responsible for receiving reports of hazing at the building level. Any person may report hazing directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- C. Teachers, administrators, volunteers, contractors and other employees of the school district shall be particularly alert to possible situations, circumstances or events which might include hazing. Any such person who receives a report of, observes, or has other knowledge or belief of conduct which may constitute hazing shall inform the report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute hazing in a timely manner may be subject to disciplinary action.

- D. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future employment, grades or work assignments.

V. SCHOOL DISTRICT ACTION

- A. Upon receipt of a complaint or report of hazing, the school district shall undertake or authorize an investigation by school district officials or a third party designated by the school district.
- B. The school district may take immediate steps, at its discretion, to protect the complainant, reporter, students, or others pending completion of an investigation of hazing.
- C. Upon completion of the investigation, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements, applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act, school district policies and regulations.

VI. REPRISAL

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

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.