



BEMIDJI AREA SCHOOLS

Tiffany Palmer, Site Administrator

## SCHOOL HANDBOOK 2024-25

### DISTRICT PERSONNEL

#### **District Office Staff:**

Jeremy Olson, Superintendent	333-3100
Alexis Wilde, Director of Special Education	333-3100
Ashley Eastridge, Director of Business Services	333-3100
Jordan Hickman, Director of Human Resources	333-3100
Colleen Cardenuto, Director of Curriculum	333-3100
Jeremy Jensen, Transportation Director	333-3225
Sonia Wadena, Coordinator of Indian Education	333-3187
Tiffany Palmer, Special Education Coordinator (First City, Early Childhood Special Ed., Lakeside Learning Center)	333-3299

#### **District Principals:**

Bruce Goodwin, J.W. Smith Elementary	333-3290
Kathy VanWert, Horace May Elementary	333-3240
Jason Luksik, Lincoln Elementary	333-3250
Amy Worden, Northern Elementary	333-3260
Kim Goodwin, Solway Elementary	467-3232
Drew Hildenbrand, Bemidji Middle School	333-3215
Kyle McMartin, Assist. Principal, Bemidji Middle School	333-3215
Andra Vaughn, Dean of Students & Activities Dir., BMS	333-3215
Jason Stanoch, Principal, Bemidji High School	444-1600
Christine Christiansen, Assist. Principal, Bemidji High School	444-1600
Kyle Resler, Assist. Principal, Bemidji High School	444-1600
Ami Aalgaard, Principal, Gene Dillion	333-3400

#### **School Board Members:**

Ann Long Voelkner	333-0510
Dave Wall	308-5422
Anna Manecke	497-0331
Justin Hoover	N/A
Julie Laitala	556-4394
Jenny Frenzel	766-3939

### ***First City School***

The First City School serves youth ages 10 to 18 residing at the Northwestern Minnesota Juvenile Center. Our school educates students through four separate programs, each designed to meet a specific need of the courts:

- Residential Treatment
- Satellite Homes
- Non-secure Detention
- Secure Detention

The First City School provides an individualized curriculum designed to further students' abilities in all areas, but is focused on improving their math, reading, and written language skills. The diagnostic, prescriptive curriculum stresses the skills necessary to pass the Minnesota Comprehensive Assessment Exams as well as preparing students to earn their diploma.

## **NORTHWESTERN MINNESOTA JUVENILE CENTER OVERVIEW**

### **MISSION**

The Northwestern Minnesota Juvenile Center exists to provide positive intervention within the Juvenile Justice System for juveniles, family units, and communities. The Center offers legitimate attentive pathways to adulthood for juveniles through equal access to services that are least intrusive, co-educational, culturally sensitive and consistent with the highest professional standards.

### **RESIDENTIAL TREATMENT PROGRAM UNIT**

The youth, as committed to the Program by Court order, exhibit a broad range of behavioral and emotional problems which call for simultaneous attention at a variety of levels. The primary function, therefore, is to provide a structured system of behavior management with a therapeutic approach which is consistent with cognitive skills therapy. Activities based within the community add a further dimension to the program by exposing residents to their surroundings and providing them with a reality-based means of testing their developing skills.

### **SATELLITE HOME**

Center Satellite Homes are owned and operated and subsidized by the Northwestern Minnesota Juvenile Center. Their goals are to provide a family atmosphere with the structure that could be modified to the individual needs of the youth, provide youth with the necessary skills to be successful once they leave the home and provide opportunities for individualized and group treatment without resorting to placement in a highly structured environment.

### **NON-SECURE TEMPORARY DETENTION SERVICES**

The Non-Secure Detention Unit (NSDU) provides non-secure detention services for non-delinquent and delinquent youth (co-educational) 10-18 years of age who are in need of protective services or awaiting court disposition. NDSU may also conduct court-appointed 30-day evaluations while in placements.

## **SECURE DETENTION UNIT**

The Northwestern Minnesota Juvenile Center and its Secure Detention Unit (SDU) provides a local dispositional alternative to the State of Minnesota District Court through its 30/60/90 day Secure Detention Unit Corrections Program. Adjudicated delinquent youth commitments to the 30/60/90 day SDU corrections program are made at the order of the State of Minnesota District Court.

## **FIRST CITY SCHOOL REGULATIONS**

*The following are not necessarily inclusive of all rules or procedures to follow, but are an attempt to guide us in some uniformity and consistency as we work with our student population.*

### **GENERAL RULES**

- Personal notebooks and other personal items are not allowed in school
- School folders are expected to remain clean of all writing/drawing inside and out with the exception of the student's name, written in a proper place.
- Teacher desks are off limits at all times to students unless specific permission has been granted by the teacher.
- Students must keep shirts tucked in and pants worn on the waistline.
- Short pants are not allowed during the regular school year.
- Students are expected to wear belts or have elasticized waistbands at all times.
- No jackets are allowed to be worn in the school setting. Flannels must be tucked in if worn, hooded pullovers and sweatshirts are expected to be waist length and banded or tucked in.
- No baseball hats can be brought to the school setting or when attending school functions.
- Pants should not be so long that they present a safety concern.

### **BATHROOMS**

- Students are not to use the bathroom before the first hour, after lunch, or after 6<sup>th</sup> period.
- If a student must leave class to use the bathroom, the teacher may lower the student's behavior grade.
- Students are to be escorted to the bathroom when leaving class to do so. Staff are to monitor students outside of the bathroom.

### **REMOVAL FROM SCHOOL**

- Illness or emotional instability.
- Any physical acting out behavior.
- If problems occur or continue after 2 breaks, the student is removed to the unit. They can return to school when ready and with a plan.

### **CASE MANAGER**

Each staff member is assigned a group of students to supervise and get to know informally during the social skills period.

### **Take a Break Philosophy:**

A break in the Take a Break room is used as a technique to help students to take responsibility for their behaviors, make better choices, and to help them follow school and residential rules/expectations. A break provides a supervised, safe, **non-punitive atmosphere** that allows students to prepare themselves to return to class as quickly as possible.

Breaks are not intended to be a punishment. They are designed as a period of time for a student to regain control and make better choices.

Students are also encouraged to take a Voluntary Break when they are upset or frustrated and need some time to regain control.

The Take a Break procedure is as follows:

1. Students are given cues to correct inappropriate behavior.
2. If inappropriate behavior continues, the student receives a warning.
3. If inappropriate behavior persists, the student may be moved to an isolated area within the classroom.
4. If the behavior continues to disrupt the learning process, the student will be given approximately a 10 minute time out in the time out room.
5. Students are required to talk with staff assigning the break before returning to class to reach closure and to assure that they will meet expectations.
6. Plans are made for the student to return to class or, if disruptive behaviors continue, the student will be given a second time out.
7. Residential staff is notified by phone when a student is starting their second time out on the same school day.
8. If disruptive behaviors continue after two breaks, the student will be returned to the residential setting for the remainder of the school day.
9. Students who become physically aggressive can be removed from school immediately.

If a student refuses to go to time out, remove other students to the adjoining room and seek assistance from staff.

### **Our goal is to keep kids in school.**

In most situations we should be encouraging students to take both of their 10 minute time outs before returning them to the unit – even when a student tells us they “just want to go to the unit”. Sometimes they just need time to calm down and make better decisions.

### **INDIAN EDUCATION**

The Bemidji Indian Education Program is designed to meet the identified educational and cultural needs of American Indian students attending Bemidji Area Public Schools. Annually, a needs assessment is conducted where the educational and cultural needs of American Indian students are outlined, based on that needs assessment. The ultimate goal of the Indian Education Program is to assist American Indian students to successfully complete high school and to encourage and prepare students to seek post secondary training and education. The Indian Education Program has become an integral part of our public school system. The Local Indian Education Committee (L.I.E.C.) in cooperation with the Board of Education and school staff governs the Indian Education Program.

Bemidji Indian Education Forms are on the following pages. For more information, contact our Bemidji High School Indian Education Staff or Sonia Wadena, District Indian Education Director, by phone at 333-3125 ext. 56151 or by email at [Sonia\\_Wadena@isd31.net](mailto:Sonia_Wadena@isd31.net)

## **INSTRUCTIONS FOR THE ED 506 FORM FOR APPLICANTS:**

**PURPOSE:** To comply with the requirements in 20 USC 7427(a), which provides that: “The Secretary shall require that, as part of an application for a grant under this subpart, each applicant shall maintain a file, with respect to each Indian child for whom the local educational agency provides a free public education, that contains a form that sets forth information establishing the status of the child as an Indian child eligible for assistance under this subpart, and that otherwise meets the requirements of subsection (b)”.

**MAINTENANCE:** A separate ED 506 form is required for each Indian child that was enrolled during the count period. A new ED 506 form does **NOT** have to be completed each year. All documentation must be maintained in a manner that allows the LEA to be able to discern, for any given year, which students were enrolled in the LEA’s school(s) and counted during the count period indicated in the application.

## **FOR PARENTS/GUARDIANS:**

### **For Parent/Guardians:**

**Definitions:** Indian means an individual who is (1) A member of an Indian Tribe or Band, as membership is defined by the Indian Tribe or Band, including any Tribe or Band terminated since 1940, and any Tribe or Band recognized by the State in which the Tribe or Band resides; (2) A descendant of a parent or grandparent who meets the requirements described in paragraph (1) of this definition; (3) Considered by the Secretary of the Interior to be an Indian for any purpose; (4) An Eskimo, Aleut, or other Alaska Native; or (5) A member of an organized Indian group that received a grant under the Indian Education Act of 1988 as it was in effect on October 19, 1994.

**Student Information:** Write the name of the child, date of birth, grade level, name of school and school district.

Only name one child per form.

**Tribal Membership:** Write the name of the individual with the tribal membership, if it is not the child listed. Only one name is needed for this section, even though multiple persons may have tribal membership. Select only one identifier: the child, child’s parent or grandparent, for whom you can provide membership information. Write the name and address of the organization that maintains updated and accurate membership data for such Tribe or Band of Indians. The name does not need to be the official name as it appears exactly on the Department of Interior’s list of federally recognized Tribes, but the name must be recognizable and be of sufficient detail to permit verification of the eligibility of the Tribe. Check only one box indicated whether it is a Federally Recognized, State recognized, Terminated Tribe or Organized Indian Group. Write the enrollment number establishing the membership for the child, parent or grandparent, if readily available, or other evidence of membership.

**Attestation Statement:** Provide the printed name of parent/guardian and signature, address, phone number and email of the parent or guardian of the child. The signature of the parent or guardian of the child verifies the accuracy of the information supplied.

**Paperwork Burden Statement:** According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1810-0021. The time required to complete this portion of the information collection per type of respondent is estimated to average: 15 minutes per Indian student certification (ED506) form; including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-4651. If you have comments or concerns regarding the status of your individual submission of this form, write directly to: Office of Indian Education, U.S. Department of Education, 400 Maryland Avenue, S.W., LBJ/Room 3W238, Washington, D.C. 20202-6335

**JOHNSON O'MALLEY STUDENT CERTIFICATION**

All information requested is voluntary. However, failure to fully complete the student/ parent information may result in delays in processing this certification or make it impossible to process.  
(TO BE USED FOR EDUCATIONAL PURPOSES ONLY)

SCHOOL: BEMIDJI DISTRICT

STUDENT INFORMATION:

Name of Student \_\_\_\_\_  
Date of Birth \_\_\_\_\_ Social Security Number \_\_\_\_\_  
\_\_\_\_\_ Tribal Enrollment # \_\_\_\_\_  
\_\_\_\_\_  
Tribe \_\_\_\_\_

PARENT INFORMATION:

Father's Name \_\_\_\_\_  
Date of Birth \_\_\_\_\_  
Tribal Enrollment # \_\_\_\_\_ Tribe/ Agency \_\_\_\_\_  
\_\_\_\_\_

Mother's Name \_\_\_\_\_  
Date of Birth \_\_\_\_\_  
Tribal Enrollment # \_\_\_\_\_ Tribe/ Agency \_\_\_\_\_  
\_\_\_\_\_

I authorize the Office of Indian Education Program, ISD 31 to verify enrollment on blood quantum of the above named student.

Signature of Parent/ Guardian X \_\_\_\_\_

CERTIFICATION BASED ON AVAILABLE RECORDS AND INFORMATION, I CERTIFY THAT THE ABOVE NAMED STUDENT IS:

- 1. An Enrolled member of the \_\_\_\_\_ Tribe. Enrollment # \_\_\_\_\_.
- 2. Eligible for enrollment with \_\_\_\_\_ Tribe.  
(Enrollment pending tribal action)
- 3. Not eligible for enrollment, but is \_\_\_\_\_ degree Indian blood descendant of \_\_\_\_\_ Tribe \*Support documentation is attached.

TRIBAL OFFICIAL- TYPED/ PRINTED  
\_\_\_\_\_

SIGNATURE OF BIA/ TRIBAL OFFICIAL \_\_\_\_\_ DATE \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**ED 506 Form**  
**Indian Student Eligibility Certification Form for Title VI Indian Education Formula Grant Program**

**Parent/Guardian:** This form serves as the official record of the eligibility determination for each individual child included in the student count for the Title VI Indian Education Formula Grant Program. If you choose to submit a form, your child could be counted for funding under the program. The grantee receives the grant funds based on the number of eligible forms counted during the established count period. You are not required to complete or submit this form unless you wish for your child(ren) to be included in the Indian student count. This form should be kept on file with the grant applicant and will not need to be completed every year. Where applicable, the information contained in this form may be released with your prior written consent or the prior written consent of an eligible student (aged 18 or over), or if otherwise authorized by law, if doing so would be permissible under the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and any applicable state or local confidentiality requirements.

**Student Information**

Name of the Child \_\_\_\_\_ Date of Birth \_\_\_\_\_ Grade level \_\_\_\_\_

Name of School \_\_\_\_\_ School District \_\_\_\_\_

**Tribal Membership**

The individual with Tribal membership is the (select only one):  child  child's parent  child's grandparent

If the individual with Tribal membership is **not** the child listed above, name the individual (parent/grandparent) with tribal membership: \_\_\_\_\_

Name and address of Tribe or Band that maintains updated and accurate membership data for the individual listed above:

Name \_\_\_\_\_ Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

The Tribe or Band is (select only one):

- Federally Recognized Tribe
- State Recognized Tribe
- Terminated Tribe
- Alaska Native
- Member of an organized Indian group that received a grant under the Indian Education Act of 1988 as it was in effect October 19, 1994.

Proof of membership in Tribe or Band listed above, as defined by Tribe or Band is:

- Membership or enrollment number establishing membership (if readily available) or
- Other evidence establishing membership in the Tribe listed above (describe and attach)

Membership or enrollment number establishing membership (if readily available) or other evidence establishing membership in the Tribe listed above (describe and attach). \_\_\_\_\_

**Attestation Statement**

I verify that the information provided above is true and correct to the best of my knowledge and belief.

Printed Name of Parent/Guardian \_\_\_\_\_ Signature \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_ Email \_\_\_\_\_ Date \_\_\_\_\_

# First City School Network/Internet Acceptable Use Form

Students must sign this agreement for the student to use computers/Internet at school. Any action by the student that is determined to be inappropriate use is a breach of this Acceptable Use Contract. **A complete copy of the district's Acceptable Use Policy is available at <http://bemidji.k12.mn.us/polpro/aup.html>.**

## **Student Agreement:**

While on the Computer/Network/Internet, **I Will:**

- Use Internet access to do research for assignments that are directly related to my school work.
- Log in using my district assigned username and password only.
- View or print approved educational/research material only.
- Tell a teacher, immediately, if I have a problem.

**I Will Not:**

- Access or use internet sites that are not directly school related and teacher approved (Facebook, music sites, etc.)
- Play games that are not curriculum-related
- Share my username or password with other students.
- Use another person's username and password.
- Delete my history without a teacher's consent.
- Change the settings, background pictures, etc. on any school computers.

## **Student**

I understand these rules and will follow them when I am using the Internet/Network. I understand that if I don't follow these rules, I will lose my use privileges, and I may be subject to disciplinary actions by school officials.

\_\_\_\_\_

Print Student Name

\_\_\_\_\_

Student Signature

\_\_\_\_\_

Date

\_\_\_\_\_

School Staff Signature

**SCHOOL EMERGENCY RESPONSE TEAM – FIRST CITY SCHOOL**

<b>Function</b>	<b>Staff Assigned</b>	<b>Backup Staff</b>
<b>Incident Commander (Person in charge)</b>	Mindy O'Brien Tiffany Palmer Kathy Pfannenstein	Doyle Turner Scott Deshane
Safety	Mindy O'Brien Doyle Turner	Steve Spindler
Public Information	Mindy O'Brien Tiffany Palmer	District Office
Liaison	Mindy O'Brien	TBD
<b>Operations Chief</b>	Mindy O'Brien Tiffany Palmer	Scott Deshane Doyle Turner
Medical	Paul Nelson	Emily Helm, District Nurse
Site Security/Facility Clerk	Mindy O'Brien	
Student Release Coordinator	Debbie Little	Aaron Riedel
<b>Logistics Chief</b>	Mindy O'Brien Tiffany Palmer Kathy Pfannenstein	Scott Deshane Doyle Turner
Communications	Doyle Turner Debbie Little	
Transportation	TBA Scott Burke	Monica Gregerson Kayla Henskensiefken
<b>Planning Chief</b>	Mindy O'Brien Kathy Pfanneinstein	Scott Burke Ernie Heifort
<b>Financial Recordkeeping</b>	Aaron Riedel	

These functions mirror the National Incident Management System (NIMS) used by emergency responders.

## SCHOOL RESPONSE TEAM FUNCTIONS

<b>Incident Commander</b> (person in charge)	Activates school's emergency response plan; assesses the threat; orders protective measures such as lockdown, evacuation or shelter-in-place; notifies district authorities and provides situation updates; requests resources.
Safety	Responsible for safety and security of the site; stops operations if conditions become unsafe.
Public Information	May be designated site spokesperson; cooperates with the district and other agencies on joint news releases; coordinates media briefings as necessary.
Liaison	Contact person for outside agencies; may represent school/district at city emergency operations center or at emergency responder's on-scene command post.
<b>Operations Chief</b>	Directions, i.e., lockdown, evacuation, site security, release of students to parents/guardians, first aid or medical care, cleanup, control of utilities.
Medical	Provides for first aid or other medical care; coordinates with emergency medical services personnel as necessary; activates school's first aid/CPR responders.
Site Security/Facility Check	Responsible for seeing that the school building and grounds are visually inspected and secured.
Student Release Coordinator	Responsible for implementing the school's plan for release of students to parents/guardians from relocation site; takes necessary documents to relocation site.
<b>Logistics Chief</b>	Estimates logistical needs; gets personnel, facilities (relocation sites), services and materials to support operations.
Communications	Responsible for emergency communications systems and equipment; may act as lead or hub for internal communications response.
Transportation	Responsible for arranging transportation for emergency relocations and early dismissal of school; keeps current contact list of transportation providers.
<b>Planning Chief</b>	Assists in assessing emergencies; establishes priorities, identifies issues and prepares an action plan with the incident commander.
<b>Financial/Recordkeeping</b>	Manages financial aspects of an emergency; compiles record of expenditures; tracks injuries and

	lost or damaged property; coordinates with district for insurance; initiates business recovery efforts.
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**FIRST CITY SCHOOL EMERGENCY PROCEDURES**

**FIRE**

- Secure Unit - Remove students to outside recreation areas.
- Non-Secure Unit - Removed students back to hallway
- Residential Unit - Remove students out front doors to the parking lot.

**TORNADO**

- Secure Unit - Students are locked down in their cell.
- Non-Secure Unit - Remove students down the back hall to the housing unit.
- Residential Unit - Remove students down the back hall to the housing unit.

\*\*During these evacuations Residential and Non-Secure Unit students are to be kept separate at **ALL** times.

**HAZING PROHIBITION POLICY**

**I. PURPOSE**

**STUDENT PERSONNEL HAZING PROHIBITION**

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 students to an unreasonable risk of harm 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 students 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, which 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, the principal's designee, or the building supervisor (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 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 building 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.
- E. Reports of hazing are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

## **V. SCHOOL DISTRICT ACTION**

- A. 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.
- D. 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 involved in a hazing incident and the remedial action taken, to the extent permitted by law, based on a confirmed report.

## **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.

## **STUDENT PERSONNEL**

### **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 students' ability to learn and/or 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 remediate, and discipline 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 and disruptive 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 district property or at school-related functions, 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, of 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 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, 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 school district's policies and procedures, including the school district's discipline policy. The school district may take into account the following factors:
1. The developmental ages and maturity levels of the parties involved;
  2. The levels of harm, surrounding circumstances, and nature of the behavior;
  3. Past incidences or past or continuing patterns of behavior;
  4. The relationship between the parties involved; and
  5. The context in which the alleged incidents occurred.
- Consequences for students who commit prohibited acts of bullying may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion. The school district shall employ researched-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 and/or termination of services and/or contracts.
- 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 harmful 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 harmful 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, physical appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age, or any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.
- E. "On school premises, on school district property, at school functions or activities, or on school transportation" means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property

also may mean a student's walking route to or from school for the purpose of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.

- F. "Prohibited conduct" means bullying or cyberbullying as defined in this policy or retaliation or reprisal for asserting, 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 student may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor or each building or available from the school district office, but oral reports shall be considered complaints as well.
- C. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as the primary contact on policy and procedural matters. The building report taker or a third party designated by the school district shall be responsible for the investigation. The building report taker shall provide information about available community resources to the target or victim of the bullying or other prohibited conduct, the perpetrator, and other affected individuals as appropriate.
- D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.
- E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in

conjunction with the reasonable 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, or 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 official may take immediate steps, at its discretion, to protect the target or victim or the bullying or other prohibited conduct, the complainant, reporter, students, or other pending completion of an investigation of bullying or other prohibited conduct, consistent with applicable law.
- C. the alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of the investigation that determines that bullying or other prohibited conduct has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act, and other 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 guardian (s) of alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or respond to bullying or other prohibited conduct committed by or directed against a child with a disability, the school district shall, when determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not 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 participate 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, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual (s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy.

## **VII. TRAINING AND EDUCATION**

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

#### **VIII. NOTICE**

- A. The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.
- B. This policy or a summary thereof must be conspicuously posted in the administrative offices of the school district and the office of each school.
- C. This policy must be given to each school employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- D. Notice of the rights and responsibilities of students and their parents under this

policy must be included in the student discipline policy (See MSBA/MASA Model Policy 506) distributed to parents at the beginning of each school year.

- E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the school district's or a school's website.
- F. The school district shall provide an electronic copy of its most recently amended policy to the commissioner of Education.

#### **IX. POLICY REVIEW**

To the extent practicable, the school board shall, on a cycle consistent with other school district policies, review and revise this policy. The policy shall be made consistent with Minn. Stat. 121A.031 and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definition of Public School)  
Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 121A.03 (Sexual, Religious and Racial Harassment and Violence)  
Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. § 121A.0311 (Notice of Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.69 (Hazing Policy)  
Minn. Stat. § 124D.10 (Charter School)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)  
34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)  
MSBA/MASA Model Policy 423 (Employee-Student Relationships)  
MSBA/MASA Model Policy 501 (School Weapons Policy)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 507 (Corporal Punishment)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)  
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)  
MSBA/MASA Model Policy 525 (Violence Prevention)  
MSBA/MASA Model Policy 526 (Hazing Prohibition)  
MSBA/MASA Model Policy 529 (Staff Notification of Violent Behavior by Students)  
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)  
MSBA/MASA Model Policy 711 (Video Recording on School Buses)  
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

## **HARASSMENT AND VIOLENCE POLICY**

### **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.

### **GENERAL STATEMENT OF POLICY**

It is the policy of Independent School District No. 31 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.

### **DEFINITION**

“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 individual’s 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:

- has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment.
- has the purpose or effect of substantially or unreasonably interfering with an individual’s work or academic performance; or,
- otherwise adversely affects an individual’s employment or academic opportunities.

### **REPORTING PROCEDURE**

Any person who believes he or she has been the victim of harassment or violence on the basis of race, floor, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability by a pupil, teacher, administrator, or other school personnel of the school district, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a pupil, teacher, administrator, or other school personnel or group of pupils, teachers, administrators, or other school personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. The school district encourages the reporting party or complainant to use the report form available from the principal of each building or available from the school district office, but oral reports shall be considered complaints as well. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent.

### **INVESTIGATION**

By authority of the school district, the human rights officer, upon receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall immediately undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.

### **SCHOOL DISTRICT ACTION**

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. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and school district policies.

### **REPRISAL**

The school district will discipline or take appropriate action against any pupil, teacher, administrator, or other school personnel who retaliates against any person who makes a good faith report of alleged harassment or violence prohibited by this policy or any person who testifies, assists, or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment, or intentional disparate treatment.

**THIS IS A SUMMARY OF THE DISTRICT #31 HARASSMENT AND VIOLENCE PROHIBITION POLICY – SBR 700-90-9. A COMPLETE POLICY AND/OR REPORT FORM IS AVAILABLE IN THE SCHOOL OFFICE.**



**BEMIDJI AREA SCHOOLS**

**BEMIDJI, MINNESOTA HARASSMENT AND VIOLENCE REPORT FORM**

General Statement of Policy Prohibiting Harassment and Violence

Independent School District No. 31 maintains a firm policy prohibiting all forms of discrimination. Harassment or violence against students or employees or groups of students or employees 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 is strictly prohibited. All persons are to be treated with respect and dignity. 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 any student, teacher, administrator, or other school personnel, which create an intimidating, hostile, or offensive environment will not be tolerated under any circumstances.

Complainant \_\_\_\_\_

Home Address \_\_\_\_\_

Work Address \_\_\_\_\_

Home Phone \_\_\_\_\_

Work Phone \_\_\_\_\_

Date of Alleged Incident(s) \_\_\_\_\_

Basis of Alleged Harassment/Violence – circle as appropriate: race \ color \ creed \ religion \ national origin \ sex \ age \ marital status \ familial status \ status with regard to public assistance \ sexual orientation \ disability

Name of person you believe harassed or was violent toward you or another person or group

\_\_\_\_\_

If the alleged harassment or violence was toward another person or group, identify that person or group

\_\_\_\_\_

Describe the incident(s) as clearly as possible, including such things as: what force, if any, was used; any verbal statements (i.e., threats, requests, demands, etc.); what, if any, physical contact was involved; etc. (Attach additional pages if necessary)

\_\_\_\_\_

Where and when did the incident(s) occur?

\_\_\_\_\_

List any witnesses that were present

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This complaint is filed based on my honest belief that \_\_\_\_\_ has harassed or has been violent to me or to another person or group. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge and belief.

\_\_\_\_\_ Complainant Signature  
Date

\_\_\_\_\_ Received by Date

**ED 506 Form**  
**Indian Student Eligibility Certification Form for Title VI Indian Education Formula Grant Program**

**Parent/Guardian:** This form serves as the official record of the eligibility determination for each individual child included in the student count for the Title VI Indian Education Formula Grant Program. If you choose to submit a form, your child could be counted for funding under the program. The grantee receives the grant funds based on the number of eligible forms counted during the established count period. You are not required to complete or submit this form unless you wish for your child(ren) to be included in the Indian student count. This form should be kept on file with the grant applicant and will not need to be completed every year. Where applicable, the information contained in this form may be released with your prior written consent or the prior written consent of an eligible student (aged 18 or over), or if otherwise authorized by law, if doing so would be permissible under the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and any applicable state or local confidentiality requirements.

**Student Information**

Name of the Child \_\_\_\_\_ Date of Birth \_\_\_\_\_ Grade level \_\_\_\_\_

Name of School \_\_\_\_\_ School District \_\_\_\_\_

**Tribal Membership**

The individual with Tribal membership is the (select only one):  child  child's parent  child's grandparent

If the individual with Tribal membership is **not** the child listed above, name the individual (parent/grandparent) with tribal membership: \_\_\_\_\_

Name and address of Tribe or Band that maintains updated and accurate membership data for the individual listed above:

Name \_\_\_\_\_ Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

The Tribe or Band is (select only one):

- Federally Recognized Tribe
- State Recognized Tribe
- Terminated Tribe
- Alaska Native
- Member of an organized Indian group that received a grant under the Indian Education Act of 1988 as it was in effect October 19, 1994.

Proof of membership in Tribe or Band listed above, as defined by Tribe or Band is:

- Membership or enrollment number establishing membership (if readily available) or
- Other evidence establishing membership in the Tribe listed above (describe and attach)

Membership or enrollment number establishing membership (if readily available) or other evidence establishing membership in the Tribe listed above (describe and attach). \_\_\_\_\_

**Attestation Statement**

I verify that the information provided above is true and correct to the best of my knowledge and belief.

Printed Name of Parent/Guardian \_\_\_\_\_ Signature \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_ Email \_\_\_\_\_ Date \_\_\_\_\_

## Parent/Guardian Guide and Refusal for Student Participation in Statewide Testing

This information will help parents/guardians make informed decisions that benefit their children, schools, and communities.

### Why statewide testing?

Minnesota values its educational system and the professionalism of its educators. Minnesota educators created the academic standards which are rigorous and prepare our students for career and college.

The statewide assessments are how we as a state measure that curriculum and daily instruction in our schools are being aligned to the academic standards, ensuring all students are being provided an equitable education. Statewide assessment results are just one tool to monitor that we are providing our students with the education that will ensure a strong workforce and knowledgeable citizens.

### Why does participation matter?

A statewide assessment is just one measure of your student's achievement, but your student's participation is important to understand how effectively the education at your student's school is aligned to the academic standards.

- In Minnesota's implementation of the federal Every Student Succeeds Act, a student not participating in the statewide assessments will not receive an individual score and for the purpose of school and district accountability calculations, including opportunities for support and recognition, will not be considered "proficient."
- Students who receive a college-ready score on the high school MCA are not required to take a remedial, noncredit course at a Minnesota State college or university in the corresponding subject area, potentially saving the student time and money.
- Educators and policy makers use information from assessments to make decisions about resources and support provided.
- Parents and the general public use assessment information to compare schools and make decisions about where to purchase a home or to enroll their children.
- School performance results that are publicly released and used by families and communities, are negatively impacted if students do not participate in assessments.
- English learners not taking ACCESS or Alternate ACCESS for ELLs will not receive a score to meet English learner program exiting criteria.

### Academic Standards and Assessments

#### What are academic standards?

The [Minnesota K-12 Academic Standards](#) are the statewide expectations for student academic achievement. They identify the knowledge and skills that all students must achieve in a content area and are organized by grade level. School districts determine how students will meet the standards by developing courses and curriculum aligned to the academic standards.

#### What is the relationship between academic statewide assessments and the academic standards?

The statewide assessments in mathematics, reading, and science are used to measure whether students, and their school and district, are meeting the academic standards. Statewide assessments are one measure of how well students are doing on the content that is part of their daily instruction. It is also a measure of how well schools and districts are doing in aligning their curriculum and teaching the standards.

<p><b>Minnesota Comprehensive Assessments (MCA) and Minnesota Test of Academic Skills (MTAS)</b></p> <ul style="list-style-type: none"> <li>• Based on the Minnesota Academic Standards; given annually in grades 3-8 and high school in reading and mathematics; given annually in grades 3, 8, and high school for science.</li> <li>• Majority of students take the MCA.</li> <li>• MTAS is an option for students with the most significant cognitive disabilities.</li> </ul>	<p><b>ACCESS and Alternate ACCESS for English Learners</b></p> <ul style="list-style-type: none"> <li>• Based on the WIDA English Language Development Standards.</li> <li>• Given annually to English learners in grades K-12 in reading, writing, listening, and speaking.</li> <li>• Majority of English learners take ACCESS for ELLs.</li> <li>• Alternate ACCESS for ELLs is an option for English learners with the most significant cognitive disabilities.</li> </ul>
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### Why are these assessments effective?

Minnesota believes that in order to effectively measure what students are learning, testing needs to be more than answering multiple choice questions.

- To answer questions, students may need to type in answers, drag and drop images and words, or manipulate a graph or information.
- The Reading and Mathematics MCA are adaptive, which means the answers a student provides determine the next questions the student will answer.
- The Science MCA incorporates simulations, which require students to perform experiments in order to answer questions.

All of these provide students the opportunity to apply critical thinking needed for success in college and careers and show what they know and can do.

### Are there limits on local testing?

As stated in Minnesota Statutes, section 120B.301, for students in grades 1–6, the cumulative total amount of time spent taking locally adopted districtwide or schoolwide assessments must not exceed 10 hours per school year. For students in grades 7–12, the cumulative total amount of time spent taking locally adopted districtwide or schoolwide assessments must not exceed 11 hours per school year. These limits do not include statewide testing.

In an effort to encourage transparency, the statute also requires a district or charter school, before the first day of each school year, to publish on its website a comprehensive calendar of standardized tests to be administered in the district or charter school during that school year. The calendar must provide the rationale for administering each assessment and indicate whether the assessment is a local option or required by state or federal law.

### What if I choose not to have my student participate?

Parents/guardians have a right to not have their student participate in state-required standardized assessments. Minnesota Statutes require the department to provide information about statewide assessments to parents/guardians and include a form to complete if they refuse to have their student participate. This form follows on the next page and includes an area to note the reason for the refusal to participate. Your student's district may require additional information.

A school or district may have additional consequences beyond those mentioned in this document for a student not participating in the state-required standardized assessments. There may also be consequences for not participating in assessments selected and administered at the local level. Please contact your school for more information regarding local decisions.

### When do students take the assessments?

Each school sets their testing schedule within the state testing window. Contact your student's school for information on specific testing days.

- The MCA and MTAS testing window begins in March and ends in May.
- The ACCESS and Alternate ACCESS for ELLs testing window begins at the end of January and ends in March.

### When do I receive my student's results?

Each summer, individual student reports are sent to school districts and are provided to families no later than fall conferences. The reports can be used to see your child's progress and help guide future instruction.

### How much time is spent on testing?

Statewide assessments are taken one time each year; the majority of students test online. On average, the amount of time spent taking statewide assessments is less than 1 percent of instructional time in a school year. The assessments are not timed and students can continue working as long as they need.

### Why does it seem like my student is taking more tests?

The statewide required tests are limited to those outlined in this document. Many districts make local decisions to administer additional tests that the state does not require. Contact your district for more information.

### Where do I get more information?

Students and families can find out more on our [Statewide Testing page](#) (education.mn.gov > Students and Families > Programs and Initiatives > Statewide Testing).





Minnesota Statutes, section 120B.31, subdivision 4a, requires the commissioner to create and publish a form for parents and guardians to complete if they refuse to have their student participate in state-required standardized assessments. Your student's district may require additional information. School districts must post this three-page form on the district website and include it in district student handbooks.

## Parent/Guardian Refusal for Student Participation in Statewide Assessments

To opt out of statewide assessments, the parent/guardian must complete this form and return it to the student's school.

*To best support school district planning, please submit this form to the student's school no later than January 15 of the academic school year. For students who enroll after a statewide testing window begins, please submit the form within two weeks of enrollment. A new refusal form is required each year parents/guardians wish to opt the student out of statewide assessments.*

Date \_\_\_\_\_ (This form is only applicable for the 20\_\_\_\_ to 20\_\_\_\_ school year.)  
Student's Legal First Name \_\_\_\_\_ Student's Legal Middle Initial \_\_\_\_\_  
Student's Legal Last Name \_\_\_\_\_ Student's Date of Birth \_\_\_\_\_  
Student's District/School \_\_\_\_\_ Grade \_\_\_\_\_

Please initial to indicate you have received and reviewed information about statewide testing.

I received information on statewide assessments and choose to opt my student out. MDE provides the *Parent/Guardian Guide and Refusal for Student Participation in Statewide Testing* on the [MDE website](http://education.mn.gov) ([education.mn.gov](http://education.mn.gov) > Students and Families > Programs and Initiatives > Statewide Testing).

Reason for refusal: \_\_\_\_\_

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

MCA/MTAS Reading       MCA/MTAS Science  
 MCA/MTAS Mathematics       ACCESS/Alternate ACCESS for ELLs

Contact your school or district for the form to opt out of local assessments.

I understand that by signing this form, my school and I may lose valuable information about how well my student is progressing academically. As a result, my student will not receive an individual score. Refusing to participate in statewide assessments may impact the school, district, and state's efforts to equitably distribute resources and support student learning; for the purpose of school and district accountability calculations, my student will not be considered "proficient."

If my student is in high school, I understand that by signing this form my student will not have an MCA score that could potentially save time and money by not having to take remedial, non-credit courses at a Minnesota State college or university.

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

To be completed by school or district staff only. Student ID or MARSS Number \_\_\_\_\_

Posted May 2019