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## Message from the Superintendent



Dear Families and Students:

Education is the key to a successful future, providing the knowledge and skills students need to engage their potential and unleash their ambitions.

Picture a long, wide hallway lined with locked doors. Behind each door is a place of possibility, a chance to do and see and learn and become. There are many doors, chock-full of many different and exciting opportunities. As a person walks down that hall, they can earn keys to open doors - how many is up to the individual, but it's safe to say that more keys mean more open doors and more opportunities.

That's how I picture the E-12 educational experience. The courses students choose, the activities in which they participate, the level of effort dedicated to learning and the experiences they have outside of school are "keys" that will open doors as students make that important transition from childhood into adulthood.

Everything we do is focused on providing that educational experience. Teams of staff are working together toward specific goals focused on increasing student achievement. Closing the achievement gap, increasing graduation rates, and ensuring the success of every student is at the core of all we do as educators. Whether it is supporting students by providing a healthy meal, cleaning the spaces in which students learn, giving them a ride to school, or leading lessons in the classroom, all of this work is geared toward one goal: providing a quality education that prepares all students for successful lives as global citizens in the home, community, and the wider world.

We consider you an important partner in all that we do. Best wishes for a successful school year.

Sincerely,

A handwritten signature in black ink that reads "William Gronseth". The signature is written in a cursive, flowing style.

William Gronseth  
Superintendent of Schools

## Message from the Assistant Superintendent



Dear Families and Students:

It is my pleasure to welcome you to Duluth Public Schools, a place where all members of the community come together to transcend learning for every learner. Our equitable approach to all aspects of education is a foundational pillar in our school district. As a family member or student, we look forward to partnering with you throughout the educational journey.

Our *Family and Student Handbook* is an important document for members of our school community to review at the beginning of each year. As you read it, you will become familiar with academic programming, school climate, safety, co-curricular activities, nutritional services, as well as policies and procedures to help us proactively collaborate throughout the school year.

I look forward to teaming with all of you to create transformational learning opportunities for all of our learners.

Sincerely,

*Jeff Horton*

Jeff Horton  
Assistant Superintendent of Schools

## School Board










### ISD 709 Community Vision and Priorities

We will build on our shared beliefs and values of unity, high achievement and responsible use of resources to create Duluth Public Schools and classrooms that are safe, supportive and inclusive. We will work to inspire every student to achieve their potential, and prepare students to lead productive, fulfilling lives as citizens of Duluth and the wider world.

Go to the Duluth Public Schools' website at [www.isd709.org](http://www.isd709.org) to access agendas and information related to upcoming School Board meetings. Please feel free to call (218) 336-8752 or email [Melinda.Thibault@isd709.org](mailto:Melinda.Thibault@isd709.org) if you have questions. Regular School Board meetings are broadcast live on Cable Channel 187.

	<p><b>Rosie Loeffler-Kemp</b>  <b>District 1 – Chairperson</b>            2902 Bald Eagle Trail            Duluth MN 55804            (218) 525-6878  <a href="mailto:Rosalie.LoefflerKemp@isd709.org">Rosalie.LoefflerKemp@isd709.org</a></p>		<p><b>Jill Lofald</b>  <b>District 4– Vice Chairperson</b>            6310 Elinor St            Duluth MN 55807            (218) 391-4696  <a href="mailto:Jill.Lofald@isd709.org">Jill.Lofald@isd709.org</a></p>
	<p><b>Josh Gorham</b>  <b>At Large – Clerk</b>            4402 Pitt St            Duluth MN 55804            (218) 409-6864  <a href="mailto:Joshua.Gorham@isd709.org">Joshua.Gorham@isd709.org</a></p>		<p><b>Sally Trnka</b>  <b>At Large– Treasurer</b>            1828 Columbus Ave            Duluth, Minnesota 55803            (218) 310-3070  <a href="mailto:Sally.Trnka@isd709.org">Sally.Trnka@isd709.org</a></p>
	<p><b>David Kirby</b>  <b>District 2</b>            2216 E. 2<sup>nd</sup> Street            Duluth MN 55812            (218) 724-7095  <a href="mailto:David.Kirby@isd709.org">David.Kirby@isd709.org</a></p>		<p><b>Nora Sandstad</b>  <b>District 3</b>            1429 Belmont Road            Duluth MN 55805            (218) 461-8336  <a href="mailto:Nora.Sandstad@isd709.org">Nora.Sandstad@isd709.org</a></p>
	<p><b>Alanna Oswald</b>  <b>At Large</b>            615 N. 56<sup>th</sup> Avenue West            Duluth MN 55807            (218) 393-5365  <a href="mailto:Alanna.Oswald@isd709.org">Alanna.Oswald@isd709.org</a></p>		<p><b>William Gronseth</b>  <b>Superintendent</b>            215 North 1<sup>st</sup> Avenue East            Duluth, MN 55802            (218) 336-8700 ext. 1109  <a href="mailto:William.Gronseth@isd709.org">William.Gronseth@isd709.org</a></p>

## Elementary School Administration

	<p><b>CONGDON PARK ELEMENTARY</b>  <b>Kathi Kusch Marshall, Principal</b>  <a href="mailto:Kathi.Marshall@isd709.org">Kathi.Marshall@isd709.org</a>                      3116 East Superior Street                      Duluth, Minnesota 55812                      Phone: (218) 336-8825                      Fax: (218) 336-8829</p>		<p><b>LOWELL ELEMENTARY</b>  <b>Jennifer Larva, Principal</b>  <a href="mailto:Jennifer.Larva@isd709.org">Jennifer.Larva@isd709.org</a>                      2000 Rice Lake Road                      Duluth, Minnesota 55811                      School: (218) 336-8895                      Fax: (218) 336-8899</p>
	<p><b>HOMECROFT ELEMENTARY</b>  <b>Tom Cawcutt, Principal</b>  <a href="mailto:Thomas.Cawcutt@isd709.org">Thomas.Cawcutt@isd709.org</a>                      4784 Howard Gnesen Road                      Duluth, Minnesota 55803                      School: (218) 336-8865                      Fax: (218) 336-8869</p>		<p><b>MYERS-WILKINS ELEMENTARY</b>  <b>Amy Worden, Principal</b>  <a href="mailto:Amy.Worden@isd709.org">Amy.Worden@isd709.org</a>                      1027 North 8<sup>th</sup> Avenue East                      Duluth, Minnesota 55805                      School: (218) 336-8860                      Fax: (218) 336-8864</p>
	<p><b>LAKEWOOD ELEMENTARY</b>  <b>Darren Sheldon, Principal</b>  <a href="mailto:Darren.Sheldon@isd709.org">Darren.Sheldon@isd709.org</a>                      5207 North Tischer Road                      Duluth, Minnesota 55804                      School: (218) 336-8870                      Fax: (218) 336-8874</p>		<p><b>PIEDMONT ELEMENTARY</b>  <b>Beth Shermoen, Principal</b>  <a href="mailto:Beth.Shermoen@isd709.org">Beth.Shermoen@isd709.org</a>                      2827 Chambersburg Avenue                      Duluth, Minnesota 55811                      School: (218) 336-8950                      Fax: (218) 336-8954</p>
	<p><b>LAURA MACARTHUR ELEMENTARY</b>  <b>James Erickson, Principal</b>  <a href="mailto:James.Erickson@isd709.org">James.Erickson@isd709.org</a>                      720 North Central Avenue                      Duluth, Minnesota 55807                      School: (218) 336-8900                      Fax: (218) 336-8904</p>		<p><b>STOWE ELEMENTARY</b>  <b>Nathan Glockle, Principal</b>  <a href="mailto:Nathan.Glockle@isd709.org">Nathan.Glockle@isd709.org</a>                      715 101<sup>st</sup> Avenue West                      Duluth, Minnesota 55808                      School: (218) 336-8965                      Fax: (218) 336-8969</p>
	<p><b>LESTER PARK ELEMENTARY</b>  <b>Susan Lehna, Principal</b>  <a href="mailto:Susan.Lehna@isd709.org">Susan.Lehna@isd709.org</a>                      5300 Glenwood Street                      Duluth, Minnesota 55804                      School: (218) 336-8875                      Fax: (218) 336-8879</p>		

## Secondary School Administration

	<b>LINCOLN PARK MIDDLE SCHOOL</b>  3215 West Third Street Duluth, Minnesota 55806 School: (218) 336-8880 Fax: (218) 336-8894		<b>DENFELD HIGH SCHOOL</b>  <b>Tonya M. Sconiers, Principal</b> <a href="mailto:Tonya.Sconiers@isd709.org">Tonya.Sconiers@isd709.org</a> 401 North 44th Ave West Duluth, Minnesota 55807 School: (218) 336-8830 Fax: (218) 336-8844
	<b>LINCOLN PARK MIDDLE SCHOOL</b>  <b>Jacob Hintsala, Assistant Principal</b> <a href="mailto:Jacob.Hintsala@isd709.org">Jacob.Hintsala@isd709.org</a> 3215 West Third Street Duluth, Minnesota 55806 School: (218) 336-8880 Fax: (218) 336-8894		<b>DENFELD HIGH SCHOOL</b>  <b>Marcia Nelson, Assistant Principal</b> <a href="mailto:Marcia.Nelson@isd709.org">Marcia.Nelson@isd709.org</a> 401 North 44th Ave West Duluth, Minnesota 55807 School: (218) 336-8830 Fax: (218) 336-8844
	<b>ORDEAN EAST MIDDLE SCHOOL</b>  <b>Gina Kleive, Principal</b> <a href="mailto:Gina.Kleive@isd709.org">Gina.Kleive@isd709.org</a> 2900 East 4th Street Duluth, Minnesota 55812 School: (218) 336-8940 Fax: (218) 336-8949		<b>DENFELD HIGH SCHOOL</b>  <b>Tom Tusken, Assistant Principal</b> <a href="mailto:Thomas.Tusken@isd709.org">Thomas.Tusken@isd709.org</a> 401 North 44th Ave West Duluth, Minnesota 55807 School: (218) 336-8830 Fax: (218) 336-8844
	<b>ORDEAN EAST MIDDLE SCHOOL</b>  <b>Rachel Jackson, Assistant Principal</b> <a href="mailto:Rachel.Jackson@isd709.org">Rachel.Jackson@isd709.org</a> 2900 East 4th Street Duluth, Minnesota 55812 School: (218) 336-8940 Fax: (218) 336-8949		<b>EAST HIGH SCHOOL</b>  <b>Danette Seboe, Principal</b> <a href="mailto:Danette.Seboe@isd709.org">Danette.Seboe@isd709.org</a> 301 North 40th Avenue East Duluth, Minnesota 55804 School: (218) 336-8845 Fax: (218) 336-8859
	<b>ORDEAN EAST MIDDLE SCHOOL</b>  <b>Mike Emerson, Assistant Principal</b> <a href="mailto:Michael.Emerson@isd709.org">Michael.Emerson@isd709.org</a> 2900 East 4th Street Duluth, Minnesota 55812 School: (218) 336-8940 Fax: (218) 336-8949		<b>EAST HIGH SCHOOL</b>  <b>Jon Flaa, Assistant Principal</b> <a href="mailto:Jon.Flaa@isd709.org">Jon.Flaa@isd709.org</a> 301 North 40th Avenue East Duluth, Minnesota 55804 School: (218) 336-8845 Fax: (218) 336-8859
	<b>AREA LEARNING CENTER - AEO</b>  <b>Adrian Norman, Principal</b> <a href="mailto:Adrian.Norman@isd709.org">Adrian.Norman@isd709.org</a> 215 North 1st Avenue East Duluth, Minnesota 55802 School: (218) 336-8756 Fax: (218) 336-8791		<b>EAST HIGH SCHOOL</b>  <b>Kyle Rock, Assistant Principal</b> <a href="mailto:Kyle.Rock@isd709.org">Kyle.Rock@isd709.org</a> 301 North 40th Avenue East Duluth, Minnesota 55804 School: (218) 336-8845 Fax: (218) 336-8859

## Additional Principals and Administrators

<b><u>RESIDENTIAL TREATMENT PROGRAMS</u></b>	<b>AMBERWING</b>	<b>MILLER DWAN</b>
	615 Pecan Avenue Duluth, Minnesota 55811 Contact: (218) 355-2100 Crisis Hotline: (218) 723-0099	Lakeside Academy Duluth, Minnesota Contact: (218) 786-1329
	<b>MERRITT CREEK ACADEMY</b>	<b>CHESTER CREEK ACADEMY</b>
	4000 West 9th Street Duluth, Minnesota 55807 Contact: (218) 625-2689 Fax: (218) 625-2694	714 ½ West College Street Duluth, Minnesota 55811 Contact: (218) 728-5722 Fax: (218) 728-7465
	<b>ARROWHEAD ACADEMY</b>	<b>ROCKRIDGE ACADEMY</b>
1918 Arlington Avenue Duluth, Minnesota 55811 Contact: (218) 625-6708 Fax: (218) 722-0018	4849 Ivanhoe Street Duluth, Minnesota 55804 Contact: (218) 366-8955 Fax: (218) 336-8959	
<b><u>SPECIAL SERVICES DEPARTMENT</u></b>  Jason Crane, Director <a href="mailto:Jason.Crane@isd709.org">Jason.Crane@isd709.org</a>  Jackie Ward, Assistant Director <a href="mailto:Jackie.Ward@isd709.org">Jackie.Ward@isd709.org</a>	<b>SPECIAL SERVICES</b>	<b>EARLY CHILDHOOD SPECIAL EDUCATION (ECSE)</b>
	215 N. 1 <sup>ST</sup> Ave. E Duluth, MN 55802 Contact: (218) 336-8741 Fax: (218) 336-8775	215 N. 1 <sup>ST</sup> Ave. E Duluth, MN 55802 Contact: (218) 336-8744 Fax: (218) 336-8743
	<b>HELP ME GROW REFERRAL INTAKE</b>	<b>EARLY CHILDHOOD SCREENING</b>
	Contact: (218) 336-8744 Fax: (218) 336-8743	Contact: (218) 336-8816 Fax: (218) 336-8743
<b><u>COMMUNITY EDUCATION &amp; SERVICES DEPARTMENT</u></b>  Jay Roesler, Director <a href="mailto:Jay.Roesler@isd709.org">Jay.Roesler@isd709.org</a>	<b>EARLY CHILDHOOD FAMILY EDUCATION</b>	
	<b>COMMUNITY EDUCATION</b>	
	215 N 1 <sup>st</sup> Ave E Duluth, MN 55802 Contact: (218)336-8708 Fax: (218)336-8773	<ul style="list-style-type: none"> <li>• K.E.Y Zone/Out of School Time</li> <li>• Driver Education</li> <li>• Aquatics</li> <li>• Youth Enrichment</li> <li>• Adult Learning</li> <li>• Project Access</li> <li>• Community Use of School Facilities</li> </ul>
<b><u>ASSESSMENT, EVALUATION &amp; PERFORMANCE</u></b>	<b><u>CURRICULUM AND INSTRUCTION</u></b>	<b><u>DULUTH PRESCHOOL</u></b>
Dr. Tawnyea Lake, Director <a href="mailto:Tawnyea.Lake@isd709.org">Tawnyea.Lake@isd709.org</a> 215 North 1 <sup>st</sup> Avenue East Duluth, Minnesota 55802 School: (218) 336-8713 Fax: (218) 336-8788	Gail Netland, Director <a href="mailto:Gail.Netland@isd709.org">Gail.Netland@isd709.org</a> 215 North 1 <sup>st</sup> Avenue East Duluth, Minnesota 55802 School: (218) 336-8711 Fax: (218) 336-8788	Sheryl Williams, Supervisor <a href="mailto:sheryl.williams@isd709.org">sheryl.williams@isd709.org</a> 215 N 1 <sup>st</sup> Ave E Duluth, MN 55802 Contact: (218)336-8815 Fax: (218)336-8819

## Notification of Rights under the Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) provides rights related to educational records to parents of students and to 18-year-old students currently in attendance. This Act gives the parent, guardian, or 18-year-old student the right to:

1. inspect and review the student's educational records;
2. make copies of these records;
3. ask for an explanation or interpretation of any item in the records;
4. consent to the disclosure of personally identifiable information in the student's records that is not otherwise authorized to be disclosed without consent;
5. ask for an amendment to any record on the grounds that it is inaccurate, misleading or violates the student's privacy rights;
6. a hearing on the issue if the school refuses to make the amendment; and
7. file a complaint with the U.S. Department of Education under *34 C.F.R. §§ 99.63 and 99.64* concerning alleged failures by the school district to comply with the federal data privacy requirements.

*District Policy No. 5060.2R*, cited in part below, includes the procedures for exercising the right to inspect and review educational records and for requesting an amendment of student records.

The District may disclose private educational data on students to school officials who have a legitimate educational interest in the information without obtaining the student's or the parent's consent. The term "school official" includes a person duly elected to the school board, a person employed by the school board in the position of administrator, supervisor, teacher, instructor, paraprofessional, health-related professional, and other professionals. It also includes a person employed by the school board to perform a special task such as a secretary, a clerk, or a person employed or acting as an agent in a temporary position, such as an attorney or an auditor, or a professional substitute for the period of his or her performance as an employee or under contract for a service. The term also includes a parent or student serving on an official committee, such as a disciplinary or grievance committee. "School official" also means a contractor, consultant, volunteer, or other party with whom the District has outsourced institutional services or functions for which the District would otherwise use employees. For example, a parent, student, or other volunteer assisting another school official in performing his or her tasks would be considered a school official.

The term "legitimate educational interest" includes interests directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, and a student's health and welfare. It includes a person's need-to-know in order to:

- a. Perform an administrative or professional task required in the school employee's, agent's, consultant's or volunteer's position description, service agreement, volunteer agreement, or other term and condition governing the scope of an individual's responsibilities as a District employee, contractor, consultant, or volunteer.
- b. Perform a supervisory or instructional task directly related to the student's education.
- c. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid.

The District, without consent, may disclose a student's educational records to officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll. *District Policy No. 5060.3R* governs the transfer of records.

District Policy References: [5060.2 R – Rights of Students and Parents or Guardians Regarding Data Collection](#)

[5060.3R – Transfer of Records and Release of Information](#)

[5022 – Policy on Staff Notification of Violent Students](#)

Under the Family Educational Rights and Privacy Act (FERPA), a parent/guardian of a student or an 18-year-old student attending the district may restrict the release of student data/directory information, including release of information to military recruiting officers for students in grades 11 and 12, by completing the [Request to Deny Public Access To Directory Information and Annual Notification Of Rights Under The Family Educational Rights And Privacy Act \(FERPA\)](#) form. Forms are available online at [www.isd709.org](http://www.isd709.org) or paper copies may be obtained at each school site.



## Notification of Rights under the Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents of elementary and secondary students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

- *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)–
  1. Political affiliations or beliefs of the student or student’s parent;
  2. Mental or psychological problems of the student or student’s family;
  3. Sex behavior or attitudes;
  4. Illegal, anti-social, self-incriminating, or demeaning behavior;
  5. Critical appraisals of others with whom respondents have close family relationships;
  6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
  7. Religious practices, affiliations, or beliefs of the student or student’s parent; or
  8. Income, other than as required by law to determine program eligibility.
- *Receive notice and an opportunity to opt a student out of –*
  1. Any other protected information survey, regardless of funding;
  2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
  3. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)
- *Inspect*, upon request and before administration or use –
  1. Protected information surveys of students and surveys created by a third party;
  2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
  3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

The District has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The District will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this direct notification requirement:

- Collection, disclosure, or use of personal information collected from students for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

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

*Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202*

## Communications

ISD 709 school and district personnel are committed to engaging parents, families, and the community to ensure each child's educational success. These relationships enhance a meaningful learning environment for our children and provide a stronger community for us all.

**Parent Support Helps Students Succeed** - Research shows that parents have a huge impact on student achievement. The best way to help your child succeed in school is to get involved. Decades of research show that when parents are interested and involved, a child achieves:

- Higher grades, test scores, and graduation rates
- Better school attendance
- Increased motivation, higher self-esteem
- Lower rates of suspension
- Decreased use of drugs and alcohol
- Fewer instances of violent behavior
- Greater enrollment rates in post-secondary education

**The National Parent Teacher Association (PTA)** offers a wealth of suggestions for helping your child succeed. More information is available at: [www.pta.org](http://www.pta.org).

**Infinite Campus Parent Portal ~~Billboard~~ Homepage** - General school and district information for parents is often shared through the Infinite Campus Parent Portal ~~sign-in billboard~~ [Homepage](#).

**Back to School Packets** - Packets of school-specific and district information are distributed in August and include school and district news, transportation details, immunization requirements, annual notifications, an ISD 709 calendar, a Student Handbook, and other information families will find useful. [Information is also posted at www.ISD709.org](http://www.ISD709.org).

**Weather Closing Information** - When severe weather conditions or other school emergencies exist, the Superintendent of the Duluth Public Schools is authorized by the School Board to close schools or implement a two hour late start. Closing information is shared at [www.isd709.org](http://www.isd709.org) through local television and radio stations, the Duluth News Tribune website, and by an automated phone call to families.

**School Board Meetings and Materials** - Duluth School Board meeting videos, meeting schedules and agendas, and detailed meeting packets are available to the public at [www.isd709.org](http://www.isd709.org).

**Community Conversation** - ISD 709 continues to provide opportunities for all Duluth citizens to participate in a community conversation about education. Participation may take place in a variety of ways including face-to-face meetings or online surveys.

**ISD 709 Annual Report to the Community** - Detailed budget information, student achievement results, and ISD 709 ~~Community Vision & Goals~~ [World's Best Workforce information](#) are available online at [www.isd709.org](http://www.isd709.org). An annual meeting is held in ~~October~~ [November](#) to share this report.

The ISD 709 website includes sections for parents and families, students, staff, and families new to the district. The website includes:

- ISD 709 budgets and financial information
- Course catalogs, school web pages, teacher pages
- ISD 709 News Feed
- Contact information for schools and district departments
- Ability to check school meal menus and pay lunch fees online

**Facebook and Twitter** - We love to share what's going on in our schools and highlight student and staff success. Follow us on Facebook for ISD 709 School News, [www.facebook.com/duluthpublicschools](http://www.facebook.com/duluthpublicschools) and on Twitter, [www.twitter.com/isd709news](http://www.twitter.com/isd709news).

**School Newsletters** - Most schools distribute regular electronic and/or hard copy newsletters to parents and families. Please check the newsletters carefully for important school and ISD 709 district information. School newsletters are also available at [www.isd709.org](http://www.isd709.org).

**Campus Messenger Phone/Email Messaging** - Parents and families receive automated phone and/or email notifications, reminders, news and alerts regarding schools, and ISD 709 district information through this system. ~~Parents and families may choose to receive the ISD 709 E-Newsletter which includes information for parents, students and the community at large. Sign up online at [www.isd709.org](http://www.isd709.org).~~

## Electronic Technologies/Cyber Safety

Duluth Public Schools is pleased to offer students access to district technology resources to help promote educational excellence. Each student is responsible for his/her use of technology, whether personal or district-provided. While using district and personal technology resources on school property, in school vehicles, and at school-sponsored activities, as well as using district technology resources via off-campus access, each student must act in an appropriate manner consistent with school, district, and legal guidelines. It is the joint responsibility of school personnel and the parent or guardian of each student to educate the student about his/her responsibilities and to establish expectations when using technology.

**Classroom Technology** - All classrooms are equipped with SMART Boards, projectors or TV monitors and sound amplification systems.

**Infinite Campus Parent Portal Access** - To provide parents and students convenient access to student information, Duluth Public Schools provides Infinite Campus Portal. The Portal provides access to data such as attendance, grades, schedules, assignments, etc. Student Portal accounts are automatically created when the student is enrolled. Parent Portal **can be accessed** online or via mobile device **and can be obtained** by contacting the school in which the student is enrolled. **To request a password reset, simply click on the *Forgot Password?* link on the Parent Portal site or app to have a link emailed to the e-mail address we have on file for you. Parents may update their email address at any time by logging into the Infinite Campus Parent Portal and updating their contact information.**

The Infinite Campus Parents and Students Manual is available on the Duluth Public School website at [www.isd709.org](http://www.isd709.org).

~~To better protect your privacy and security, users will be prompted to enter security preferences when registering an account. Security preferences are another layer of protection and will allow you to reset your password should you ever need to. To request a password reset, simply click on *Help* and then *Forgot Password* to have a link emailed to the e-mail address we have on file for you. Parents may update their email address at any time by logging into the Infinite Campus Parent Portal and updating their contact information. The form can be found at the end of this handbook and at [www.isd709.org](http://www.isd709.org).~~

**Passwords and Log-ins** - All students and staff are assigned login IDs and passwords that define their access to the district's technology resources. Passwords are distributed to students at school. Students are responsible for maintaining the confidentiality and security of their login and password information and should not share them with anyone besides parents. All inappropriate use of the district's technology resources under the student's login is the responsibility of the student assigned that login ID. Additional information can be found in Duluth School District Policy 3187 and 3187R. If at any time a ~~staff member or~~ student feels their password has been compromised, please contact your principal, a teacher, or a media specialist. If passwords are forgotten, students can contact the media specialist or a teacher for assistance.

**Student Responsible Use of District Technology Resources** - Duluth Public Schools provides technology resources for students to use for educational purposes. The district maintains a content filtering system to protect students from accidental exposure to inappropriate content and to remain compliant with the [Children's Internet Protection Act \(CIPA\)](#); however, each student is responsible for his/her use of technology, whether personal or district-provided, when using district technology resources. **Students have no expectation of privacy with respect to their use of district-provided resources.** Students are advised that **the school district and its representative have the right to personnel may monitor as well as search the contents of any district-provided technology resource at any time and for any reason.** ~~use of and content stored on district technology resources. Access to technology resources may be revoked at any time for inappropriate use.~~

The Duluth School District Policy for Internet Access 3187 and 3187R and the School Discipline Policy 5085 set forth guidelines for student responsibilities while using district technology resources. Each year, the ~~Student Internet Permission Form~~ [Duluth Public Schools ISD 709 Children's Online Privacy Protection Act \(COPPA\) Privacy Notice & Authorization form](#) is sent in a ~~packet or made available~~ to every family with an enrolled student. This form must be completed for every elementary and middle school student and returned to their school. Parents with questions or concerns about ~~the policy~~ **these policies or forms** should schedule a meeting with the school principal to discuss alternative learning options. ~~Policies and forms are available on the Duluth Public Schools website~~ [www.isd709.org](http://www.isd709.org).

**Google Apps G Suite for Education** - Duluth Public Schools uses Google **Apps G Suite** for Education, tools built specifically for K-12 education. Google **Apps G Suite** for Education allows for classroom and individual collaboration and includes document storage, word processing, presentation templates, spreadsheets, and email. All students receive a district-provided email account through Google **Apps G Suite** for Education. These accounts will not contain a student's name, just an ID number, such as 12345@isd709.org.

District-provided ~~e-mail addresses~~ **Google G Suite for Education accounts** have a direct relationship to school and are subject to all school policies, **even if when used** including the ~~Student Internet Permission Form and the Student Handbook, even if sent between students~~ outside the school day or for purposes unrelated to school. Students should always use their ~~e-mail~~ **Google G Suite for Education account** appropriately and never send/**share** anything that they wouldn't be comfortable with a teacher, a principal, or a parent reading. **Students have no expectation of privacy with respect to their use of district-provided resources. Students are advised that the school district and its representative have the right to monitor as well as search the contents of any district-provided technology resource at any time and for any reason.** ~~The form is available at the end of this handbook and at~~ [www.isd709.org](http://www.isd709.org).

#### **Online Safety Information for Parents - Family Online Safety Institute (FOSI):**

1. Talk with your child about Internet safety as soon as he/she begins using the Internet. It is never too early to start discussing the importance of being a good digital citizen.
2. Use age-appropriate filtering, blocking, and monitoring software on all Internet-enabled devices used by your child, including laptops, wireless phones and video games.
3. Stay involved in your child's online world by setting limits on his/her "screen time" and monitoring who your child is communicating with online. Get to know the web sites your child is visiting and educate yourself about your child's online activities.
4. Review FOSI's Internet Safety Contract with your family members at [www.fosi.org](http://www.fosi.org) and consider having all family members sign the agreement.
5. Explain to your child that he/she should never give out personally identifiable information online. For example, your child should understand that he/she should not post detailed information about his/her whereabouts.
6. Make sure your child knows never to meet face-to-face someone they've only met online without first talking with you about the situation.
7. Tell your child to never share their passwords with anyone, including friends.
8. Explain the consequences of posting inappropriate material online. For example, a child's reputation can be impacted by a status entry or an image that is shared.
9. Monitor your child's mobile phone usage and review text messages sent and received, including images downloaded and uploaded.
10. Educate yourself on the latest threats facing kids online (e.g., cyber bullying, sexting, etc.) and arm yourself with information that will allow you to talk to your child about being a good digital citizen.

## **Educational Programming/Curriculum**

### **Grading and Curriculum – Reporting Student Progress**

**Elementary - Standards Based Report Card** - Duluth Public Schools has implemented a standards based report card for elementary students. The report cards are designed to report on each child's performance in relation to specific criteria. The goals of standards based report cards include the ability to:

- reflect academic achievement

- provide meaningful feedback
- be honest, fair, transparent, credible, useful, and user friendly
- be aligned with the Duluth Public Schools curriculum
- reflect consistency among courses, grade levels, departments, and schools
- separate non-academic factors like participation or effort

**Middle School and High School Report Card** - Report card for grades six through twelve are issued four times per year. While the district has not moved to a standards-based report card in the secondary grades, work is being done to move in that direction. Students do receive instruction based on standards and assessments are written to reflect these standards. Assessments in individual courses are based on academic standards adopted by the state of Minnesota. You may access your student's grades by going to: <https://duluthmn.infinitecampus.org/campus/portal/duluth.jsp>

**Grading Periods** - The middle school and high school grading periods are scheduled on four quarters per year, while the elementary schools are scheduled on semesters. Below is the schedule of the grading periods for the 2018-2019 school year.

2019-20 Grading Terms Schedule					
High School/Middle School	Term Type	Term 1 Start	Term 1 End	Term 2 Start	Term 2 End
All High Schools/Middle Schools	Quarters	September 3, 2019	November 1, 2019	November 4, 2019	January 16, 2020
		Term 3 Start	Term 3 End	Term 4 Start	Term 4 End
		January 21, 2020	March 27, 2020	March 30, 2020	June 5, 2020
Elementary School	Term Type	Term 1 Start	Term 1 End	Term 2 Start	Term 2 End
Kindergarten	Semesters	September 5, 2019	January 16, 2020	January 21, 2020	June 5, 2020
Grades 1-5	Semesters	September 3, 2019	January 16, 2020	January 21, 2020	June 5, 2020

#### POLICY REGARDING DROPPING CLASSES

**Semester Courses** (i.e. Health, Physical Education, Psychology): Students will have **ten school days** after the **end start** of the first grade period to drop without penalty.

**Sequential/Yearlong Semester Courses** (i.e. English 10, Geometry, American History, Biology, Mathematics):

- First Semester - Students will have **ten school days** after the **end start** of the first grade period to drop without penalty.
- Second Semester - Students will have **ten school days** after the start of the ~~third grade period~~ **second semester** to drop a second semester class without penalty.

Students who choose to drop a class after the above mentioned timelines would have as part of their transcript a record of their credit(s) attempted and credits earned. Example: If a student drops a class after the deadline, regardless of the grade earned at the time, the student will receive no credit and will receive a grade of "I". The grade point average will be permanently affected since this would be a credit attempted, but no credit earned.

**NOTE:** The current policy relative to removing a student from a class due to lack of attendance remains in effect. That is, any student removed from a class due to excessive trancies or absences will receive no credit and a permanent "I" grade. The grade point average will be permanently affected since this would be credit attempted, but no credit earned.

Reasons allowed by district policy:	Schedule changes will not be approved if:
The student failed a class and needs to retake it.	The student is requesting a different teacher (unless the student failed a class with that teacher previously).
The student didn't register for a class required for graduation.	The student is requesting a different lunch.
There was an error and a student was placed in a class they didn't register for.	The student is trying to re-arrange for early release or late start. (Only seniors may have this.)

The student is scheduled for the same class twice.	The student changed their mind about what was requested at registration.
There is a gap in the student's schedule and/or the student is registered for two classes in the same hour.	The student is trying to re-arrange their schedule to be with friends.

**Graduation Requirements** – Graduating high school students need 22.5 credits to graduate. Specific requirements are listed below.

Graduating Year	Total Credits	Required Credits	Elective Credits
2019 and Beyond	22.50	15.5	7.00

CREDIT	SUBJECT
1.0	<b>Arts-Visual, Media, Arts, or Music*</b>
4.0	<b>English-Language Arts*</b>
1.0	English 9**
1.0	English 10**
1.0	English 11**
1.0	English Electives
0.5	<b>Health*</b>
3.0	<b>Mathematics*</b>
1.0	Intermediate Algebra (Students who complete Intermediate Algebra in 8 <sup>th</sup> grade must take one additional math credit to graduate.)
1.0	Geometry 9 or Geometry
1.0	Algebra 2 or Algebra 2 Concepts
0.5	<b>Physical Education*</b>
3.0	<b>Science*</b>
1.0	Physical Science 9/Earth Science 9 Integrated
1.0	Biology**
1.0	Chemistry, Physics, or Aerospace**
3.5	<b>Social Studies*</b>
0.5	Civics in Global Society
1.0	American History 10**
1.0	World History or International Studies (Grade 11)**
0.5	Economics (Grade 11 or 12)**
0.5	Government (Grade 12)**
	<b>Electives</b> (Please refer to table above for required credits for graduation year.)
	<b>Credits required to Graduate</b> (Please refer to table above for required credits for your graduation year.)
	*Required by Minnesota Department of Education
	**See catalog for available options: Honors/AP/CITS

**ADDITIONAL OPTIONS TO MEET GRADUATION CREDIT REQUIREMENTS**

Course	Credit
Journalism - English Elective or General Elective	1.0
Computer Graphics - Media Arts	0.5
Advanced Computer Graphics - Media Arts	1.0
Graphic Arts/Digital Design 1, 2, 3 Imaging - Media Arts	1.0
Marketing 1 and 2 - Economics	0.5

In addition to specific credit requirements, Minnesota students ~~graduating in 2017 and beyond~~ must also be provided the opportunity to participate in a district-provided college entrance exam in grade 11 or grade 12. There are no additional assessment requirements to earn a diploma in Minnesota.

### ISD 709 Graduation Procedures

- ISD 709 students attending AEO or ALC may request to walk through the graduation ceremony where they previously attended prior to enrolling in AEO or ALC
- AEO and ALC staff will request information from their students regarding where the students plan to walk at the end of Semester 1
- ALC principal will provide the names of students at the start of Semester 2 to East or Denfeld in order to order graduation materials for students
- Final grades for AEO and ALC students must be to Denfeld and East by 8:00am Monday the week of graduation
- Students will receive a diploma from the school they attend at least 50% the last semester of 12th grade year

**English Language Learner Program** - The English Language Learner (ELL) Program serves students who:

1. First spoke a language other than English, come from homes where a language other than English is usually spoken, or do not use English as a primary language

- AND -

2. Lack the necessary English skills to fully participate in classes taught in English

If you think your child requires ELL services, please contact the ELL Coordinator at (218) 336-8700 extension 1166.

**Immersion Language Programs** - Duluth Public Schools is providing high quality language instruction in two different elementary immersion programs. Families interested in enrolling their child/children in the Misaabekong Ojibwe Language Immersion Program should contact Misaabekong Ojibwe Immersion Program coordinator Diana Lawrey at 218-336-8895, ext. 4166, and those interested in the **or** Nueva Vision Spanish Language Immersion Program should contact the Spanish Immersion Program Coordinator, Crystal Goldman at 218-336-8700, ext. 1166. **Lowell Elementary School at 218-336-8895.**

**Homebound Instruction** - If a student is unable to attend regular classes at the normal school site because of illness, injury, or placement in a treatment facility, the student can be defined as a homebound student. To ensure that the student continues to make educational progress in his/her individual curriculum, a licensed instructor provides homebound instruction as soon as practical. Contact the school of attendance for more information regarding instructional guidelines and parameters.

### Help Me Grow - Identification of Pupils with Disabilities

School districts have a responsibility to identify, locate, and evaluate children from birth to 21 who have a disability and are in need of special education. Special education services are available to all public, non-public, home-school and pre-kindergarten children who meet the State of Minnesota's criteria.

Early identification of children from birth up to kindergarten with disabilities is guided by the Region 3 Interagency Early Intervention Committee following Minnesota Statute 125A. 30. Minnesota Help Me Grow is our state-wide referral system. If you are concerned about the development of a child you can refer via the web at [helpmegrowmn.org](http://helpmegrowmn.org) or call our local Help Me Grow Intake Coordinator at 336-8744. Identifying, locating and evaluating children is at no cost, to any pre-kindergartener, however, eligibility for special education services is defined by state law.

Upon reaching school age, if your child is having academic, behavior, motor, speech or other health issues, you may refer your child to special education services by contacting her/his classroom teacher. A team will meet with you to discuss systematic researched based interventions if appropriate. If these interventions are not successful, a special education evaluation will be conducted to determine eligibility for services.

## Special Education Services

The Department of Special Services provides a comprehensive special education program from birth to age 21 that adheres to the federal regulations included within the Individuals with Disabilities Education Act (IDEA) and to the state of Minnesota requirements. Upon meeting eligibility requirements for special education services through a comprehensive evaluation, a student will receive supports to access the general curriculum based on need. Duluth Public Schools is committed to providing an education for all students to meet their fullest potential. If you have any questions regarding your child's progress and special education services please contact your child's classroom teacher. For those already receiving services please contact your child's case manager. For further information regarding special education services, Minnesota State eligibility for services, and parental rights, you can refer to the district's website at [www.isd709.org](http://www.isd709.org) or contact the Director of Special Services at (218) 336-8741.

## Assessment

Testing is one way that student achievement is measured in the Duluth Public Schools. Duluth Public Schools administers three categories of assessments during the school year: state assessments, district benchmark screening assessments, and classroom assessments. Each state assessment takes place once a year, district benchmark screening assessments take place up to three times a year (PreK-5 only), and classroom assessments take place on an ongoing basis throughout the school year. All three types of assessments provide educators with the necessary information needed to measure student learning.

**State Assessments** - The Minnesota Comprehensive Assessments (MCA) and the Minnesota Test of Academic Skills (MTAS) are the state tests that measure student progress toward mastery of Minnesota's academic standards as required by the Every Student Succeeds Act (ESSA). Most students take the MCA; however, students who receive special education services and meet specific requirements may take the MTAS instead.

**District Assessments** - In addition to the required state assessments, students in grades preK-5 take district benchmark screening assessments up to three times a year. These assessments measure student progress against academic standards, determine programmatic needs, and identify students who may need extra support or enrichment.

**Classroom Assessments** - Individual teachers administer many types of assessments throughout the school year which may include quizzes, midterms, chapter tests, final exams, and diagnostic assessments among others. The results are used to determine mastery of skills and to help inform instruction.

Additional testing-related information, including the most up-to-date testing calendar, may be accessed on our website at <http://www.isd709.org>.

## Health Regulations and Procedures

**School Health Office** - Parents and/or guardians and the child's medical providers are responsible for the care of an ill student. School health service staff provide support to families in their responsibility of caring for their children. The school health offices are staffed from bell to bell during the student's school day by a health paraprofessional, with licensed school nurse support in the building or on call in the district.

The health paraprofessional:

- Attends to children who become ill or injured at school
- Monitors student health status
- Contacts parents of sick children
- Administers prescribed medications under the direction of the Licensed School Nurse
- Provides first aid in emergencies
- Assists with health screenings, students with chronic health issues, and record keeping



Licensed school nurses:

- Perform health assessments
- Provide consultation and referral services
- Provide health counseling and health education
- Prepare individual health plans
- Supervise staff that are assisting or providing students with personal care activities
- Delegate and supervise medication administration and health office procedures
- Perform health care procedures as needed, and
- Assist with health prevention and promotion activities

Parents are requested to call the Attendance Office and secondary attendance lines when their child is tardy, ill, or will not be at school for other reasons. Parents will be asked to pick up their child from school under the following circumstances:

1. The child has a fever of 100° F or above.
2. The child is vomiting and/or has diarrhea.
3. The child has a rash that may be disease related.
4. The child does not feel well enough to return to the classroom.

Parents should not send their child to school if he or she:

1. Has a fever of 100° F or more. The student should stay home for 24 hours after the temperature returns to normal without fever-reducing medication.
2. Has vomited or had diarrhea. The student should stay home until 24 hours after the last episode.
3. Has a rash that may be disease-related or from an unknown cause

**Infectious Diseases** - Infectious diseases are caused by viruses, bacteria, fungi or parasites and can be spread from one individual to another. Parents will be notified when a communicable illness has been identified in their child's classroom and will be provided with a list of symptoms and other pertinent information. Please encourage good hygiene and regular hand washing at home.

**Head Lice** - In the United States, infestation with head lice (*Pediculus humanus capitis*) is most common among preschool and elementary school-age children and their household members and caretakers. An estimated 6 - 12 million infestations occur each year in the United States among children 3 to 11 years of age, with the fall and winter being the peak season. Head lice can be a nuisance but they have not been shown to carry or spread disease. Personal hygiene or cleanliness in the home or school is not connected with becoming infested with head lice.

The most common way to become infested with head lice is by head-to-head contact with a person who already has head lice. Such contact can be common among children during play at school, home, and activities such as; sports, playgrounds, camp, and **slumber parties**). Uncommonly, transmission may occur by: wearing clothing, such as hats, scarves, coats, sports uniforms, or hair ribbons worn by an infested person; using infested combs, brushes or towels; or lying on a bed, couch, pillow, carpet, or stuffed animal that has recently been in contact with an infested person.

**Parents, please examine your child's head weekly**, especially behind the ears and at the nape of the neck, for crawling lice and nits. If crawling lice or nits are found, all household members should be examined for crawling lice and nits every 2–3 days. Persons with live (crawling) lice or nits within ¼ inch or less of the scalp should be treated.

**Please notify our Health Office should you find evidence of lice on your child's head.**

**The following are steps that can be taken to help prevent and control the spread of head lice:**

- Avoid head-to-head (hair-to-hair) contact during play and other activities at home, school, and elsewhere (sports activities, playground, camp and slumber parties).
- Do not share clothing such as hats, scarves, coats, sports uniforms, hair ribbons, or barrettes.

- Do not share combs, brushes, or towels. Disinfect combs and brushes used by an infested person by soaking them in hot water (at least 130°F) for 5–10 minutes.
- Do not lie on beds, couches, pillows, carpets, or stuffed animals that have recently been in contact with an infested person.
- Machine wash and dry clothing, bed linens, and other items that an infested person wore or used during the 2 days before treatment using the hot water (130°F) laundry cycle and the high heat drying cycle. Clothing and items that are not washable can be dry-cleaned OR sealed in a plastic bag and stored for 2 weeks.
- Vacuum the floor and furniture, particularly where the infested person sat or lay.
- Do not use fumigant sprays or fogs; they are not necessary to control head lice and can be toxic if inhaled or absorbed through the skin.

**REMEMBER, ONCE A WEEK... TAKE A PEEK!**

Management of head lice is primarily the responsibility of parents. The school follows Minnesota Department of Health, American Academy of Pediatrics and National Association of School Nurses guidelines to assist in the management/control in the school setting.

**School Procedure for Head Lice** – The goal is to keep students in the classroom. Head lice do not carry communicable disease, are primarily spread through direct head to head contact, and only live 18-24 hours without a host. Head lice are not related to poor hygiene/cleanliness in the home.

- The ISD 709 Head Lice Information Handout will be sent to all families and staff periodically during each school year.
- School staff will refer reports of head lice and suspected head lice to the health office for evaluation by the school nurse or health assistant. Parents are required to report cases of head lice to the school health office.
- The parent/guardian of a student with evidence of head lice will be contacted by phone and/ or a letter sent home with the student at the end of the day.
- Classroom notification letters and head lice education materials will be sent out at the first incidence of live lice in the classroom setting.
- Classroom notification letters for recurrence of head lice in the classroom will be sent out at the discretion of the licensed school nurse.
- The treated student may be periodically checked by the school nurse or health assistant.
- No healthy child should be excluded or miss school because of head lice or nits.
- Parents should not rely on school staff to check for lice, but should do this at home, especially before and after vacation, holidays, and sleepovers. Families should not depend on someone else to check a child's head – this may delay treatment.

Additional information on the district's head lice procedure is available at: [www.isd709.org](http://www.isd709.org).

**Prescription Medications** - If your child requires a prescription medication, it is best to ask your doctor if it is possible to schedule administration times outside of school hours so that your child can take the medication at home. If your child must take a medication at school, it is kept in the Health Office and must be given to the student by the health paraprofessional or licensed school nurse. Exceptions include inhalers and Epi-pens. Please see information below for procedures regarding inhalers and Epi-pens. Minnesota law allows students to carry and use their inhalers/auto injectable Epi-pens. If the licensed medication prescriber, parents, and licensed school nurse agree the student has demonstrated appropriate knowledge and administration of the inhaler/Epi-pen. A licensed medication prescriber's signed order for the medication and a parent signature must be on file in the school health office and must include a statement to self-carry. Most elementary students need an adult to supervise their inhaler/Epi-pen use to ensure adequate administration, frequency, technique, prescribed usage, and safety. Whenever possible, parents are asked to provide an extra inhaler/Epi-pen to store in the health office in case the student's is left at home or lost. Students carrying these medications have the responsibility to use them correctly and only for themselves. Students are asked to report to the health office if they use inhalers more than once during the school day. Students **MUST** report to the health office immediately if they use their Epi-pen. Authorization forms for medication administration at school are available on the district web site or in each school health office. Parents are asked to provide:

1. The physician or licensed provider's authorization, and directions for administration at school
2. Parent permission for the medication to be administered at school
3. The medication in its original prescription container from the pharmacist or physician (Please ask the pharmacist to provide a separate school prescription container.)

If you have visited an urgent care clinic or hospital emergency room and medication has been prescribed, please have the attending physician give written authorization for the medication to be given at school. Parents are requested to pick up all unused or expired medications at the end of the school year as medications will not be sent home with students.

**Over-the-Counter Medications** - Over-the-Counter (OTC) medications require the same parental authorization and original, labeled bottle as prescriptive medications. They must be administered in a manner consistent with the instructions on the label. The licensed school nurse may request to receive further information about the medication prior to administration. When possible, parents are encouraged to administer OTC medications, vitamins and other non-prescriptive agents during off-school hours. All medications should be discussed with the licensed school nurse in the building. All students must keep prescription and non-prescription medications in the school health office. Exceptions to this requirement for secondary students are: non-prescription pain relievers, prescription asthma medications self-administered with an inhaler, prescription epinephrine self-administered with a non-syringe injector, and medications specified in an IEP Section 504 plan or individual health plan. For the full text on medication, see School Board Policy 6180R Procedures of Administration of Medication during the School Day.

**Immunizations** - Minnesota Law requires that every child attending school be immunized unless a parent requests an exemption for medical reasons or conscientiously held beliefs against immunizations for diphtheria, tetanus, pertussis (whooping cough), polio, Hepatitis B, varicella (chicken pox), measles, mumps, and rubella (German measles). As of September 1, 2014 MN Immunization Law was updated to also include requiring Meningococcal booster shots in middle school and high school.

The Minnesota Department of Health annually updates their website with information on all required immunizations titled **Are Your Kids Ready? Minnesota's Immunization Law**. Visit [www.health.state.mn.us/divs/idepc/immunize/readykidswhento.pdf](http://www.health.state.mn.us/divs/idepc/immunize/readykidswhento.pdf) for more information.

Students who are entering school for the first time must have their immunization record on file in the school Health Office before starting school. If a student has previously enrolled in another school, parents must present immunization records before that student enters the district. Forms are available on the district web site on the Health Services tab. Please contact the health paraprofessional or licensed school nurse if you have questions or concerns regarding these immunizations.

No student shall be required to receive an immunization that is contrary to the conscientiously held beliefs of the parent or guardian. An exemption statement must be on file in the health office and signed by a certified notary and parent or guardian. Students with specific health conditions may have medical exemption by their physician.

UNLESS PROOF OF IMMUNIZATION OR LEGAL EXEMPTION IS PROVIDED, YOUR CHILD WILL BE EXCLUDED FROM FURTHER ATTENDANCE IN SCHOOL. We regret the necessity of taking such action. However, state law requires that these immunization records or exemption forms be completed and on file for continued school attendance. Parents and guardians are notified of necessary changes in the immunization requirements and asked to provide the needed information prior to deadline dates.

**Emergency Contact Information** - At the beginning of the school year you will receive an emergency contact information form. It is important that you update the information, as needed, and return it immediately. It is necessary that we have your phone numbers as well as the phone numbers of two additional friends, neighbors or family members who can be contacted in case your child needs emergency medical help. Home and work numbers must be included. Please be sure the persons you list on the form know that the school may contact them to pick up your child up from school if you are unavailable. It also helps if your family member, friend, or neighbor is easily reachable when you are not. Please notify the office immediately of any changes to your child's emergency information during the school year.

**Free Dental Care Available for Children (Birth – Age 21)** - Tooth decay is one of the most chronic childhood diseases. However, only fifty percent of low-income children in Minnesota receive any dental care. That's why Smiles Across Minnesota (SAM), Children's Dental Services (CDS) and ISD 709 are working to provide preventative dental care in local schools. This program provides preventative dental care to uninsured or under-insured children from birth until the age of 21. CDS has a history of working with low-income children and those with special needs. Upon formal parental consent, children are provided with a full exam, a range of preventative care, and oral health care education. Preventative service includes cleaning, sealants and fluoride treatments. Children requiring additional treatment will be referred to Lake Superior Health Clinic or a dental clinic of your choice. If you have questions, please contact the School Nurse at your child's school or CDS at (612) 238-0220.

## Parents Right to Know Act 2000 and Emergency Response Information

**Parents Right to Know Act of 2000**-The school district utilizes a licensed, professional pest-control firm for the prevention and control of rodents, insects, and other pests in and around the district's buildings. The program consists of:

- Inspection and monitoring to determine whether pests are present and to determine the type of treatment required.
- 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, screening and the application of EPA-registered pest-control materials when needed.

Since pests can sting, bite, and cause contamination, damage to property, and spread disease, the district will make every attempt to control them. Because the long-term health effects on children from the application of such pesticides or the class of chemicals to which they belong may not be fully understood, the district will sparingly use chemicals to control pests. All pest control materials are chosen and applied according to label directions as per federal law. Facilities Management will schedule pest control response actions requiring the use of pesticides during days when school is not in session. Included in your packet is a school calendar listing those dates. In an emergency situation where this practice cannot be followed, parents of a student may request prior notification of the application of EPA Class I, II, and III pesticides. To receive prior notification, send a written request with a daytime phone number and a stamped, self-addressed envelope to Facilities Management, 215 North 1st Avenue East, Duluth, MN 55802

**Asbestos Hazard Emergency Response Act (AHERA)** -For years, asbestos was used in construction and building materials as a fire retardant and insulator to prevent building fires and to protect structural members that, if heat-damaged, could cause building collapse. Since inhalation of asbestos fibers can cause serious health risks, our greatest concern is asbestos-containing materials that could be easily crumbled by hand, located where it could be damaged or become airborne. Per AHERA requirements, a certified inspector has reviewed all Duluth Schools for the presence of asbestos-containing material. Findings of the original inspection, along with periodic re-inspections, are compiled in a report and kept in each building. This report describes the district's strategy for dealing with asbestos. Our programs are designed to create a fiber-free environment for occupants of all schools. We closely monitor any asbestos-containing material and use only AHERA Certified inspectors, management planners, project designers, contractors, supervisors, and workers to complete any asbestos related activities. Our district is committed not only to compliance with AHERA, but to a safe, quality environment for all students, parents, employees, and building occupants. If you have questions, please contact the district's AHERA Designated Coordinator of Health, Safety, and Environmental Management at (218) 336-8700 ext. 3240.

**School Emergency Information** - A fundamental goal of the Duluth Schools is to provide students with an opportunity to learn and achieve in school environments that are safe and secure. An Emergency Response Crisis Management (ERCM) Plan guides district-wide efforts to maximize the safety and welfare of students, staff, and visitors. ISD 709 employees work with city, county, and state emergency management and response agencies to assure that schools are prepared for an emergency.

**Emergency Response Procedures** - Emergency response procedures are in place at every school. Parents should be familiar with these procedures to help ensure the safety of their student(s).

**Active Threat Response** - Duluth Schools has adopted the ALICE model for active threat response. ALICE is an acronym for Alert, Lockdown, Inform, Counter, and Evacuate. ALICE is a proactive, options-based plan that authorizes and empowers staff and students to make informed decisions during an active threat, removes as many people as possible from the danger zone, and provides options so those involved will have the best chance of surviving.

**Shelter-In-Place** - Students are kept inside the building because of severe weather or other identified emergencies.

**Lockdown** - Students are secured in areas within the building because of danger inside or outside. Only law enforcement is allowed to enter or leave the building.

**Evacuation On-Site** - The school building is deemed unsafe, but the grounds safe. Students are moved outside the building temporarily.

**Evacuation Off-Site** - The school building and grounds are unsafe. Students are moved to an alternate location. Use of personal vehicles is not allowed. When students are moved outside of the building, they are under staff supervision. Parents are not to prevent or obstruct the trained response of supervisory staff or emergency responders. Our top priority is the safety of each and every student. In the interest of student safety, the Duluth Police Department asks that you not attempt to call your student via cell phone or respond to the school site during emergency situations. Please listen to local TV/Radio alert stations or look online for up-to-date information and direction: KBJR TV6 KDLH TV3

**Mandated Assessment Policies** - Parents have the right to request and receive information about any policy for student participating in mandated assessments. Please contact our [Assessment and Evaluation Department](#) at 218-336-8713 to request a copy of any related policy.

**Teacher Licensing** - You are able to look up your child's teacher licensing areas. Visit the [Minnesota Professional Educator Licensing and Standards Board License Lookup](#) webpage at <http://w20.education.state.mn.us/LicenseLookup/lookup> and input the teacher's first and last names. You can also request a copy of this document from Human Resources.

## Nutrition Services

**Overview** - ISD 709 Child Nutrition staff strive to provide healthy, satisfying, and appealing meals to students. They work toward this goal while taking into consideration the requirements established by the U.S. Department of Agriculture's National School Lunch Program, the desires of students/families for certain types of foods, and budgeted funds, in addition to other variables impacting the meals program.

**Menu Planning** - Nutritious meals are served every day and meet guidelines established by the U.S. Department of Agriculture's National School Lunch Program (NSLP) and the Healthy, Hunger-Free Kids Act of 2010.

Menus are planned by the district's Registered and Licensed Dietitian according to USDA guidelines. School meals offer milk, fruit, vegetables, proteins and grains. The guidelines require age-appropriate calorie limits, larger servings of vegetables including dark green and red/orange vegetables and legumes, milk (flavored milk must be fat free) and less sodium. School meals must meet strict limits on saturated fat and portion size.

Breakfast is offered at no cost at all schools and is a great way to jump start a student's day. Breakfast menus focus on boosting nutrition. Assorted cereals and whole grains, fresh fruits, and milk are served daily, in addition to a featured breakfast item.

School lunch menus include hot entrees, salads, sandwiches, vegetables, fruits, grains, and milk. Often the daily fresh fruit and vegetable items are locally grown. In the middle and high schools, a la carte items add flexibility for student nutrition and have a place in a healthy school environment. Yogurt, bottled water, 100% juices are available on the a la carte line. Food selections vary between elementary and secondary schools.

Families have an interactive, online way to view meal menus: [www.isd709.com](http://www.isd709.com).

**Lunch Prices** - -- Lunch prices are available on the district's website [www.isd709.org](http://www.isd709.org)

**Paying for School Meals** - Each student has an individual lunch account based on his/her student identification number. Students enter their student ID into a keypad each day to pay for their lunch. To provide efficient service, ISD 709 school cafeterias operate on a pre-paid lunch system. Parents wishing to pay using a credit card or a bank account may do so through the PayPams online system. This is a secure online payment system which allows parents to check student balances and monitor what their student is choosing to eat. Individual checks can be sent to school and given to the Cafeteria Manager. Checks are payable to Child Nutrition or the School Café. Please write the name of the student and the student number on the memo line of the check. Parents wishing to send cash are asked to put it in a sealed envelope with the student's name and student ID number printed on the outside.

In the middle and high schools, items in the a la carte line are individually priced and can be purchased if the student has money in their lunch account or cash in hand. Parents can limit their student's a la carte purchases by calling the Child Nutrition Office at 218-336-8707.

**Free and Reduced Lunch Applications** - Free and Reduced Lunch Applications- Your children may qualify for free or reduced price school meals. A new application must be filled out each new school year.

Apply online at [www.paypams.com/onlineapp](http://www.paypams.com/onlineapp), click the link and follow the instructions. Online application is safe, secure, convenient and available 24/7.

OR fill out a hard copy form and submit by mail or drop off at the school office. Hard copy forms are available from the school office, from the Child Nutrition Office (call 218-336-8707) or download an application online at [www.isd709.org](http://www.isd709.org).

In Minnesota, all students who are approved for free or reduced priced school meals will receive meals at no charge.

**School Lunch Policy – Unpaid Meal Charges** – Briefly, the purpose of the policy is to ensure that students receive healthy and nutritious meals through the school district’s nutrition program and the employees, families and students have a shared understanding of the expectations regarding meal charges.

- Payment for lunch is expected at the time the meal is served.
- Parents may put money in their child’s account by online payment, check or cash.
- All students, elementary, middle or high school will be allowed to charge lunch meals regardless of a zero or negative balance but not allowed to make a la carte purchases.
- In the instance of a student with outstanding meal debt, the student will be allowed to pay for a full price meal without applying the student’s money toward the debt balance.
- The school district will make reasonable efforts to notify families when meal account balances are low.
- Reminders for payment of outstanding meal balance will not demean or stigmatize any student participating in the school lunch program.
- Where appropriate, families may be encouraged to apply for free and reduced price meals for their children.
- The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges.
- Unpaid charges are designated as delinquent debt when payment is overdue, the debt is considered collectable and efforts are being made to collect it.
- Consistent with the treatment of other debts, negative balances of \$50 or more not paid prior to the end of the school year will be subject to handling by a collection agency.
- Student lunch debt of \$49.99 or less is transferred with the student to the next school year.

**Positive Account Balances** - Positive lunch balances/monies in the student’s account advance with the student into the next school year or parents may request a refund. Students leaving the district may also obtain a refund by calling the Child Nutrition Office at (218) 336-8707.

## Wellness

### Communications with Parents

- The school district recognizes that parents and guardians have a primary role in promoting their children’s health and well-being.
- The school district will support parents’ efforts to provide a healthy diet and daily physical activity for their children.
- The school district will provide information about physical education and other school-based physical activity opportunities and will support parents’ efforts to provide their children with opportunities to be physically active outside of school.

### Other Foods and Beverages Made Available to Students

- Student wellness will be a consideration for all foods offered, but not sold, to students on the school campus. Caution will be exercised when offering foods that may cause allergic reactions or adversely impact students with health conditions, including those foods provided through:
  - Celebrations and parties. A celebration or party is a special and enjoyable occasion (birthdays, holidays, etc.). The school district will provide a list of healthy party ideas to families and staff, including non-food celebration ideas.

- Classroom snacks to be distributed to the class. A snack is food eaten between usual meals to supplement the nutritional needs of student intended to make a positive contribution to the child's health and diet. The school district will provide to parents families and staff a list of suggested foods and beverages that meet Smart Snacks nutrition standards.
- Rewards and incentives. Schools will not use foods or beverages as rewards for academic performance or good behavior (unless this practice is allowed by a student's individual education plan or behavior intervention plan) and will not withhold food or beverages as punishment.
- Fundraising. The school district will make available to families and staff a list of suggested healthy fundraising ideas. Foods and beverages sold as fundraisers during the school day must comply with standards listed in C1 and C2. No restrictions are placed on the sale of food/beverage items sold outside of the school day.

## Support Services

Support Services focus on child-centered excellence and helping students reach high levels of achievement. Support services include guidance counselors, health professionals, and social workers.

**Guidance and Counseling Program** - The goal of the district School Guidance Program is to ensure all students have the support they need throughout high school and into post high school planning. The Counseling Department's delivery system provides the type of proactive post-high school planning consistent with the American School Counseling Association (ASCA) model which includes academic, career, and personal/social counseling. We support students in developing an individual plan for academic success and assist with social/emotional issues which includes accessing community mental health agencies as needed. Our focus on personalization and our proactive model includes periodic classroom visits, group seminars, and individual meetings with students. Each student and family remains with the same counselor during all four years of high school.

Several classroom counseling seminars on a wide variety of topics are available to students in addition to one-on-one meetings. Evening workshops for parents are also offered throughout the year on a variety of topics.

**Counselors provide assistance to students in these areas:**

- Educational planning, including college selection and application, technical training opportunities, employment outlook planning, and academic assessments
- Crisis intervention
- Career development
- Post-high school planning - applications & scholarships
- Personal/social development and support
- Communication and consultation with staff and parents regarding individual student needs
- Referral to appropriate in-school and/or community resources
- Supervision of maintenance and processing of student records and applications

**Sources of Strength (SOS)** – A Strength-based Suicide Prevention Program at both High Schools that focuses on normalizing healthy help-seeking behaviors and promoting connections between peers and adults. SOS is in place to further develop school environments where help seeking and healthy peer to adult connections are the norm and promote protective factors by spreading Hope, Help, and Strength. SOS is peer based with evidence to support its use.

**Career Center** - The Career Center is open to all students and parents. Supporting the Guidance Department, the Career Center coordinators and volunteers help students search the Jobs Bulletin Board and look for current scholarship information or volunteer opportunities. Resource materials include college catalogs, test preparation materials, scholarship and financial aid resources, and career computer programs such as the Minnesota Career Information System (MCIS). Career Center staff will provide students with the training needed (via classroom presentations) to navigate the array of tools and information available in the center. Representatives from numerous colleges and branches of the military visit the Career Center. Parents and students are encouraged to visit the Career Center and Guidance websites (links can be found off the school's main page) for specific dates.

**Mental Health** - The Duluth Public Schools partners with community agencies to provide additional mental health services for students and families. Co-located therapists from different agencies provide individual therapy and other mental health services

before, during, and after school hours to students and their families. In-school mental health services provide support to many students who otherwise would not have access to such services. Day Treatment programs are provided in elementary schools and middle schools for students and families needing services. All community mental health providers are screened and formally approved. Providers work very closely with building and district administration to best support and improve the mental health of students. Contact your principal, teacher, counselor, or school social worker for more information.

**Connecting to Community Mental Health Resources** - School counselors, school social workers, and a variety of other support staff work closely with teachers, students, and families to connect them with community mental health and chemical health resources. The Duluth community is a hub for mental health services. Many of our school staff have the capability to make referrals to community programs that support the overall health, but especially the mental and chemical health of the students and families we serve.

**Mobile Crisis Unit** - The mobile crisis service provides a 24 hour crisis phone line for support, information, and problem solving: 218-623-1800 (press 2 for the Crisis Response Team). The mobile crisis team consists of two mental health staff members who are available 24/7 to respond to mental health crisis in our community. Mobile crisis interventions are face-to-face, short term mental health services to help an individual:

- Cope with stress
- Identify and use available resources
- Avoid unnecessary hospitalization
- Avoid the loss of independent living
- Develop action plans
- Return one to baseline level functioning

These services are provided at a number of locations including schools. In an emergency, School Administrators will work with parents and/or police to reach the Mobile Crisis Team. All other consults, questions, and referrals can be directed to the Mobile Crisis Response Team at 218-623-1800 (press 2 for the Crisis Response Team).

**Social Workers** - Each school has a social worker who offers support services to students in crisis or with special needs. They:

- Provide crisis intervention
- Help students access mental health services
- Facilitate groups for social-emotional issues
- Coordinate crisis intervention and post-vention teams
- Assist families in understanding their child's emotional needs

**Academic System of Support** - Duluth Public Schools is in a multi-year process of implementing a Multi-Tiered System of Supports to ensure we are addressing the needs of all learners. As the foundation, all schools use evidence-based, scientifically researched, high quality instruction that is aligned to state standards. For students who may be behind in skills or capable of extending their learning beyond the core instruction, we will be integrating instruction, interventions, and assessments to accelerate their achievement. Every school has a team of staff dedicated to supporting student success. There are academic, social, emotional, and behavioral supports available at you school. Contact your child's teacher or principal for more information.

**Chemical Health** - Duluth Public Schools values a chemical-free environment. Drug and or alcohol use is not permitted on its campuses. Duluth Public Schools works with community agencies to provide students and families with a variety of chemical health supports when appropriate.

**Families in Transition Program** - The Duluth Families in Transition Program can assist families, schools, and the community to:

- Enroll homeless students in a stable education program
- Make transportation arrangements that promote stability
- Gather school records from other locations
- Distribute school supplies and make referrals to agencies that meet other basic needs
- Increase awareness and support in the community regarding conditions of homelessness
- Be advocates within the school system as well as in the community to help assure that homeless students are respected and their needs addressed



Working district-wide, we assist homeless parents and children new to our district or currently enrolled. An array of services are available: enrolling children new to the district; assessing their strengths and needs, including eligibility for various school programs; arranging transportation; providing school supplies; gathering records to expedite enrollment and programming; tutoring for academic success; assessing requirements for graduation and testing; identifying and referring preschool students; educating staff and community members; and advocating for community resources.

**Early Entrance to Kindergarten** - Students who turn five after September 1, but before November 1 may apply for early enrollment. Parents should contact the Duluth Public Schools Special Services Department at (218) 336-8740 to set up an appointment for Early Entrance Screening.

**School Resource Officers** - School Resource Officers shall work with students, parents, and school staff to promote positive relationships, to promote positive choices and activities, and to establish rapport and encourage open communications. SRO's shall ensure a safe and secure educational environment for all faculty and students in the Duluth Public Schools.

Community Partnerships: Why student Resource Officers (SRO's) are in the schools

1. The school is the community and the community is the schools.
2. School safety equals public safety.
3. School crisis demands a law enforcement response.
4. The school community presents a great opportunity for positive interaction with youth.
5. Staff and students deserve due process as victims and suspects.
6. Today's youth need positive role models.
7. School staff members need to be educated on community crime conditions.
8. Community policing goals fit into educational objective.
9. Problem oriented policing defines problem solving in the school community.
10. Public safety is served by student success.

SROs are not involved in recommending or determining student discipline or in investigating incidents of student discipline which do not involve potential criminal activity, except that a SRO who is a witness to alleged misconduct or otherwise has information related to alleged misconduct may be a witness in an investigation or hearing related to the incident.

**Section 504 of the Rehabilitation Act of 1973** - Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against individuals with disabilities by school districts or other agencies receiving federal funds. The district does not discriminate against any student on the basis of his or her disability and allows equal access to and participation in its programs and activities.

504 Plans may be developed with students who have a disability and need accommodations to equally access and participate in their education. The responsibility for implementation of 504 accommodations rests with the school professionals who work directly with the student (teacher, principal, school nurse, etc.). The Assistant Superintendent serves as the Duluth Public Schools 504 Coordinator. The office of the Assistant Superintendent is located at 215 N 1<sup>st</sup> Ave E, Room 203, Duluth, MN, 55803, and the Assistant Superintendent can be reached at (218) 336-8739 for any questions or concerns.

**ANNUAL PUBLIC NOTIFICATION INFORMATION REGARDING SECTION 504 OF THE REHABILITATION ACT OF 1973**

Section 504 is an Act which prohibits discrimination against persons with a disability in any program receiving Federal financial assistance. The Act defines a person with a handicap as anyone who:

1. Has a mental or physical impairment which substantially limits one or more major life activities, including learning  
- OR -
2. Has a record of such an impairment  
- OR -
3. Is regarded as having such impairment

In order to fulfill its obligation under Section 504, the Duluth School District recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a handicap will knowingly be permitted in any of the programs and practices in the school system.

The school district has specific responsibilities under the Act, which include the responsibility to identify, evaluate, and if the child is determined to be eligible under Section 504, to afford access to appropriate educational services.

If the parent or guardian disagrees with the determination made by the professional staff of the school district, he/she has a right to a hearing with an impartial hearing officer.

The Family Educational Rights and Privacy Act (FERPA) gives parents certain rights with respect to their children's education records including the right to:

- A. Inspect and review his/her child's educational records
- B. Have copies of records provided (for a fee) if it is impossible for parents or eligible students to review the records
- C. Request that the school correct records that they believe to be inaccurate or misleading
- D. A formal hearing if the school decides not to amend the records
- E. Place a statement with the record setting forth his/her view about the contested information

## 504 GRIEVANCE PROCEDURES

In order to fulfill its obligation under Section 504, Duluth Public Schools recognize a responsibility to avoid discrimination in policies and practices regarding personnel and students. No discrimination against any person with a handicap will knowingly be permitted in any of the programs and practices in the school system. If there is a disagreement between an individual and the school district in the interpretation of Section 504, the district has established the following grievance procedure to resolve the dispute.

Grievances may be filed without fear of reprisal.

Grievance Definition: A "Grievance" shall mean a dispute or disagreement between an individual and the school district as to the interpretation or application of Section 504 of the Rehabilitation Act of 1973.

Grievance Procedure:

**Step 1** - Any grievance must first be submitted in writing to the Duluth Public Schools 504 Coordinator. The address is 215 North First Avenue East, Duluth, MN 55802. A written decision will be issued within fifteen school days from receipt of the grievance.

**Step 2** - In the event the grievance is not resolved in Step 1, the individual has the right to request a hearing with an impartial officer. The district shall determine the Hearing Officer and set the date within twenty (20) school days after receiving a written appeal for a hearing from the individual submitting the grievance.

**Step 3** - In the event the grievance is not resolved in Step 2, the individual may submit an appeal to the School Board in writing within ten (10) school days of the receipt of the Hearing Officer's decision. The hearing date shall be no more than thirty (30) school days after the receipt of the appeal unless otherwise mutually agreed. Within five (5) school days after the hearing, the School Board shall issue its decision in writing to the parties involved.

**Step 4** - Individuals may file a complaint to:

Office for Civil Rights, Chicago Office (Region V)  
U. S. Department of Education  
500 W. Madison Street Suite 1475  
Chicago, Illinois 60661  
(312) 730-1560  
FAX: (312) 730-1576  
TDD: (312) 730-1609  
Email: OCR.Chicago@ed.gov

## Transportation

The Duluth Public Schools Transportation Department strives to provide safe, comfortable, and efficient service to our young riders. To accomplish these goals, we count on the support of the schools, students, and parents. Transportation service to Duluth students is provided through a combination of school district owned buses and contracted service with Voyageur Bus Company. Specific questions about student transportation can be addressed by calling one of the following numbers:

- Duluth Public School Transportation Office - (218) 336-8970
- Voyageur Bus Company - (218) 724-1707

**Bus Route Information** - Most bus routes and bus stops remain the same from year to year. Some changes are necessary each year due to changing demographics. Busing information is available from your school by the end of August each year. Questions about routes and stops can be answered by calling your school or the Transportation Office at (218) 336-8970.

**Eligibility for Transportation** - Eligibility for transportation service is based primarily on the distance between a student's residence or daycare and school of attendance. In some cases students are transported when a high traffic area, or other hazards, exists between the residence or daycare and the school. MN Statute requires that students be transported if they live two miles or more from school. The Duluth Public Schools will use the following eligibility distances:

- Elementary schools - 0.7 miles
- Middle Schools - 1.5 miles
- High Schools - 2.0 miles

**Transportation for Out of District Students** - Bus transportation may be available for families outside the Duluth school district who open enroll their student into selected Duluth public schools. Such transportation may be an option through collector stops established at or close to ISD 709 borders.

For information regarding availability contact the ISD 709 Transportation Department at 218-336-8970. For information on open enrolling into the Duluth school district, contact the Office of the Assistant Superintendent at 218-336-8739.

**Daycare Transportation** - Transportation to and from daycare sites is permitted. The daycare must be within the attendance area of the school your child attends. Pick up and drop off addresses may be different from each other but must remain consistent five days per week.

**Riding a Different Bus** - For safety reasons, the district will not make one-day or short-term changes in bus stops. This includes staying with a friend, clubs, lessons or appointments. Families need to make other arrangements when these issues arise. Bus drivers will not accept notes from home. To help ensure a safe, comfortable bus ride:

1. Arrange for your child to be at the bus stop five minutes before the scheduled pick up time.
2. Help your child learn his or her route number(s).
3. Teach your children about the DANGER ZONE. The DANGER ZONE is the area ten feet around the bus. This is the area where most accidents occur.
4. Arrange for first time and young riders to be accompanied to and from the bus stop for at least the first few days of school.
5. Understand that bus pick-up and drop-off times are based on existing weather and road conditions. Inclement weather, traffic congestion, road construction, and demographic changes can cause minor adjustments to route times. Attempts will be made to notify parents about major adjustments in bus schedules that may affect their child. If the bus is more than ten minutes late, direct your child to return home, and call the Transportation Office.

### School Bus Safety Rules:

1. ~~Immediately follow the directions of the driver.~~
2. ~~Sit in your own seat facing forward.~~
3. ~~Talk quietly and use appropriate language.~~
4. ~~Keep all parts of your body inside the bus.~~

- ~~5. Keep your arms, legs, and belongings to yourself.~~
- ~~6. No fighting, harassment, intimidation, or horseplay.~~
- ~~7. Do not throw any objects.~~
- ~~8. No eating, drinking or use of tobacco or drugs.~~
- ~~9. Do not bring any weapon or dangerous objects on the school bus.~~
- ~~10. Do not damage the school bus.~~

<b>Dos</b>	<b>Don'ts</b>
Immediately follow the directions of the driver.	No fighting, harassment, intimidation, or horseplay
Sit in your own seat facing forward	Do not throw any objects
Talk quietly and use appropriate language	No eating, drinking or use of tobacco or drugs
Keep all parts of your body inside the bus.	Do not bring any weapons or dangerous objects on the bus
Keep your arms, legs, and belongings to yourself	Do not damage the school bus

Riding the bus to school is a privilege, not a right - MN Statute 121a.59 - "Transportation by school bus is a privilege, not a right for an eligible student. A student's eligibility to ride a school bus may be revoked for a violation of school bus safety or conduct policies, or for violation of any other law governing student conduct on a school bus, pursuant to written school discipline policy."

**Consequences** - Consequences for school bus/bus stop misconduct apply to all routes. Decisions regarding a student's ability to ride the bus in connection with co-curricular and extra-curricular events (i.e., field trips or competitions) will be the sole discretion of the School District. Parents or guardians will be notified of any suspension of bus privileges.

This is a general guideline and based on the severity of the offense may further restrict student's privilege of riding the bus.

Assigned seating may be used at the full discretion of the driver or school administration. Refusal to comply with assigned seating may result in immediate loss of riding privileges.

Depending on severity, a student not receiving a bus referral for 3+ months will start over with offenses.

**1st offense:** Verbal Warning to student by the driver

**2nd offense:** Written warning to student & parent/guardian from driver & building administration; may include meeting with student, driver, parent & administration.

**3rd offense:** Possible but not limited to -

- Lunch or after school detention
- up to 5 days suspension from the bus; suspension from riding the bus may require a parent/student meeting to return to full bus privileges.

**4th offense:** Possible -

- Lunch or after school detention
- In-school-suspension/Out of school suspension
- up to 10 day suspension from the bus; parent/student meeting required to reinstate bus privileges

**Further offenses** - Individually considered. Students may be suspended for longer periods of time, up to and including the remainder of the school year. Serious misconduct may result in police action.

Student use of electronic devices to take pictures or video of anyone on the bus is strictly prohibited.

Drivers need to be notified regarding any specific student behavior plans.

The majority of our student riders follow the rules, helping make the experience enjoyable for everyone. Parent support of school bus safety rules helps us ensure a safe, comfortable ride every day.

### Special Transportation

- Appropriate transportation accommodations and supports will be provided for students with special needs when specified and written into the IEP (Individual Education Plan) or 504 Accommodation Plan.
- Under the Individual with Disabilities Education Act (IDEA) transportation “as may be required to assist a child with a disability to benefit from special education” is a related service to be discussed at an IEP meeting. Transportation includes travel to/from school, travel between schools.
- IEP or 504 Accommodation plans may require additional due process considerations before applying additional consequences. Removal from the Special Education Transportation Route counts toward a student’s total days of school suspension.

**Travel Rules and Guidelines for Athletics** - Students must travel on school district provided transportation. Exceptions:

- Travel Release for emergencies-allows for a student to travel with their parent to and/or from a contest, game, or activity provided it is completed in 48 hours and signed by the advisor/coach, or Activities Department. Forms can be found on school website and outside AD office.
- Local games to East or Denfeld, Proctor, Superior, and Hermantown require players to provide their own transportation.

**Weather Related School Closing or Two Hour Late Start** - When severe weather conditions such as snow or extreme cold exist, the Superintendent of ISD 709 is authorized by the School Board to close schools or implement a Two Hour Late Start. The decision is communicated in several ways:

- Local TV Stations: KDLH-TV3, KBJR-TV6, KQDS-TV21, WDIO-TV10
- Local Radio Stations: KDAL 610 AM - 95.7 FM, WEBC 560 AM, WSCN 100.5 FM, KQDS 1490 AM - 94.9 FM
- ISD 709 Website ([www.isd709.org](http://www.isd709.org))
- Duluth News Tribune Website ([www.duluthnewstribune.com](http://www.duluthnewstribune.com))
- An automated phone call to families
- The decision to close or delay school due to severe weather is made prior to 6:00AM. Schools will be open unless you hear/see an announcement that schools are closed or delayed.

**All families, especially those with elementary age students, should have a contingency plan for their children in the event of weather-related school closings or two hour late start.**

Duluth schools rarely dismiss early, and recent parent and staff survey results indicate concerns about using early dismissal, including access to last minute childcare and sending young children home to an empty house. During severe weather, parents always have the option of picking their children up early from school. Students will not be dismissed on their own based on a telephone request.

**Please know that when it comes to winter weather, we encourage and strongly support you in making the decision that is best for your child.** You are the best judge of your child’s health and safety. The School Board and administration realize that their decision for the majority of students may not fit with your individual circumstances. As long as you contact the school to report the absence, a decision to keep your child home or pick up your child early from school for safety reasons will be considered excused. If the absence is not reported to the school, it will be considered unexcused.

**Attendance Boundaries** - Information on attendance boundaries for each school can be obtained from your school or by calling the Transportation Office at (218) 336-8970. The map can also be viewed at [www.isd709.org](http://www.isd709.org).

## Enrolling for School

Welcome to ISD 709, Duluth Public Schools. As educators, we believe every student is unique and has the potential to learn and achieve personal success. We work to engage parents, families, and our community because these relationships enhance a

meaningful learning environment for our students and provide a stronger community for us all. We are committed to providing safe, welcoming environments where the uniqueness of each person is honored, respected and valued, recognizing that we all come from many different circumstances and cultures. It is in this spirit that we embrace high expectations of ourselves, our staff, and our students. We look forward to a year of outstanding learning opportunities and appreciate everyone's support.

**Enrollment** – For families new to the Duluth Public Schools, please directly contact the school your child will be attending to enroll. If you are unsure of which school serves your attendance area, contact our Transportation Department at (218) 336-8970. To enroll, please bring along your child's birth certificate, immunization record and proof of address. If you do not have a copy of your child's birth certificate, contact the St. Louis County Recorder - Vital Statistics, Court House, Room 101 in Duluth or call (218) 726-2559 if your child was born in St. Louis County. If your child was born outside St. Louis County, contact the courthouse in the county in which your child was born.

**Open Enrollment** - Duluth Public Schools welcome non-resident students through Minnesota's Open Enrollment Program, which allows any Minnesota student to apply to enroll in any public school in the state tuition-free. The Statewide Enrollment Options form is available by following this link: <https://education.mn.gov/MDE/fam/open/>. Please call 218-336-8739 for more information or see Policy 5042 Open Enrollment at [www.isd709.org](http://www.isd709.org).

**Early Childhood Screening** – Minnesota State Law requires a developmental and health screening for each child prior to enrollment in kindergarten. Duluth offers free screening each week from September-April, with one session each month from May-August. An equivalent screening may be accepted from another agency or provider, such as your family physician. For more information, contact Early Childhood Screening at (218) 336-8816 or email [ecscreening@isd709.org](mailto:ecscreening@isd709.org). (This office is not open during the summer months).

## Community Education/Out of School Time Programs and Services

**Duluth Community Education** - Community Education programs provide a variety of opportunities for learning, recreation and community involvement to learners of all ages from youth to senior citizens. Programs include Early Childhood Family Education (ECFE), school readiness/preschool, youth and adult enrichment and recreation programs, aquatics, driver education and more. General information, programs, classes and activities are promoted through school newsletters, social media and the Community Education Schedule. Registration information is available at [www.duluthcommunityed.org](http://www.duluthcommunityed.org) or email us at [communityeducation@isd709.org](mailto:communityeducation@isd709.org). Community Education contact information listed below:

- **District Office**  
(218) 336-8708
- **Ordean East Middle School**  
(218) 336-8760, extension 1
- **Lincoln Park Middle School**  
(218) 336-8760, extension 5
- **Early Childhood/PreKindergarten**  
(218) 336-8890
- **Denfeld High School/Project Access**  
(218) 336-8760, extension 2
- **Key Zone/School Age Care**  
(218) 336-8760, extension 6
- **Driver Education**  
(218) 336-8760, extension 3

**K.E.Y. Zone/School Age Care** - K.E.Y. Zone (Knowledge, Enrichment and Youth Development) in all Duluth elementary schools provides safe and supervised environments for youth to receive academic support and participate in life skill-building enrichment activities. The staff, program, and facilities create a warm, secure atmosphere for channeling children's energies and meeting individual needs. The programs are offered collaboratively with Duluth Community Education and the Duluth Area Family YMCA. For KEY Zone information or to register, visit [www.isd709.org](http://www.isd709.org).

Program goals include enrichment and learning, encouraging the development of life skills, promoting regular attendance, and providing year-round opportunities for fun and adventure through the following activities: Academics, Creative Arts, Health and Wellness, Science, Technology, Engineering and Math (STEM), Service Learning Projects, Homework Help, Tutoring and Mentoring.

**Program Hours of Operation:** After school until 6:00 pm; Break weeks and summer 6:30 am – 6:00 pm

**Community Use of School Facilities** - School facilities are an integral part of the community and may be used to promote school, civic, or social goals in accordance with policies and regulations. The use of school facilities and grounds by community groups is coordinated and supervised by the Community Education Department. A building permit must be submitted to the

building principal or community education coordinator of the requested facility. More information can be found online at [www.isd709.org](http://www.isd709.org).

## Co-Curricular Activities

**Participation Fees** - Participation fees are charged to students who take part in co-/extra-curricular activities. Activities are placed in categories based on the amount of money paid for coaching/advisor stipends, the number of games or contests held during a season, transportation costs associated with the activity, lease and rental costs, and the amount of money paid to officials and judges.

For students who qualify for reduced lunch, the participation fee is reduced to \$25.00 for all activities. The participation fee for students who qualify for free lunch is waived. The family maximum fee is \$1000.00.

All participation fees must be paid prior to the first scheduled event. Participation Fee Refunds - Students who choose to participate in athletics must realize there are no guarantees regarding playing time or injuries. No participation fees will be refunded after the day prior to the first scheduled event.

Category One - \$500	Category Two - \$235	Category Three - \$185	Category Four - \$60
Hockey	Baseball Basketball Debate Football Lacrosse Soccer Softball Speech Swimming Volleyball	Cheerleading Dance Team Cross Country Running Track & Field Golf Nordic Ski Alpine Ski Tennis	Drama Knowledge Bowl Math Team

**Instrument Rental Fees** - Class room instruments will be furnished by the School Board District and include instruments such as rhythm instruments, bells, pianos, autoharps, cellos, flutophones, as well as other special items. Rental fees are reduced to one-half the amount that is listed for students who qualify for reduced lunch, and waived for students who qualify for free lunch. The district also furnishes bands and orchestras with large instruments such as tympani, chimes, tubas, etc. In some cases, instruments are furnished to students on a rental basis for the school year or during the summer months.

Type	Duration	Cost
One Instrument ( <del>other than</del> or Percussion)	School Year	<del>\$80</del> \$100
Two Instruments (larger instruments that cannot be transported - to have one at home and school, such as string bass, bass clarinet, etc.)	School Year	<del>\$400</del> \$125
Percussion	School Year	\$80
One Instrument	Summer	<del>\$20</del> \$30

**Travel** - Students must travel on school district provide transportation. Exception: Travel Release for emergencies-allows for a student to travel with their parent to and/or from a contest, game, or activity provided it is completed in 48 hours and signed by the advisor/coach, or Activities Department. Forms can be found on school website and outside AD office. Local games to Denfeld, Proctor, Superior, and Hermantown require players to provide their own transportation.

All State Tournament Travel Rules apply for band, cheerleaders, and other student groups.

Students must be in attendance at school at least two hours (end of the day) in order to PRACTICE or participate in GAMES. (Unless cleared with the Activities Department)

#### **State Tournament Travel Guidelines:**

The Cheerleaders/Band Must Be Chaperoned and Travel Together. (coaches/advisors must chaperone their squad/group at all State Tournaments). For liability reasons, if cheerleaders or band members are going to cheer at a State Tournament, they must go as a group and be accompanied by the official coach or advisor.

Band/cheerleader members cannot stay overnight apart from their group during the State Tournaments.

Cheerleaders and band members must travel as a group on Duluth School District (ISD #709) provided transportation to and from the State Tournament.

Schools may substitute the official Cheerleader Advisor with an Administrator, Activities Director, or Faculty Member for out-of-town trips. The insurance rider of the School District will cover all liability in these instances.

The Band and Cheerleaders agree to perform at all tournament games. "Championship Brackets." only. Championship Brackets are defined as those games which are played for the Championship trophy. Consolation Games and Third Place Games are not included. If Cheerleader or band members decide not to perform at all of the State Tournament games, the squad will not perform at any game.

#### **Weather related closings and late starts:**

**School SNOW DAY:** NO GAME or Practice (Unless noted); Section or State playoff games can be an exception.

**Two Hour Late Start:** K-12 Schools start two hours later and dismiss at their regular times; Buses pick up students two hours later (bus stops remain the same and cannot be changed); K-12 afternoon activities and athletics will be held.

**ISD 709 Website:** [www.isd709.org](http://www.isd709.org)

**Television:** KBJR – TV6, KDLH – TV3, WDIO-TV10, KQDS-TV21

**Radio:** KDAL 610 AM – 95.7 FM, WEBC 560 AM, WSCN 100.5 FM, KQDS 1490 AM – 94.9 FM

**Duluth News Tribune Website:** [www.duluthnewstribune.com](http://www.duluthnewstribune.com)

**Attendance** - Student Athletes must attend class following a road game or trip; if a team gets home late the coach should give them the following day's practice off. If a student has been excused for an all-day absence and it is not a school related absence, the student may not participate in any after school activity that day. If a student comes to school in the morning and then is excused for the rest of the day due to an illness or an unexcused absence, the student may not participate in any after school activity that day. Students must be in attendance the last two hours of the day in order to participate in games or practice. Special circumstances must be cleared with the activities office prior to the event. Student athletes that violate the district participation attendance policy can be subject to multiple game penalties. Middle school athletes participating at the High School level need parent permission to leave school in accordance with school policy.

#### **Social Media Policy – Facebook/Twitter, Snapchat, Instagram, etc.**

Duluth Public Schools students are expected to follow student handbook guidelines, even though an event may happen off school property or after school hours.

Social network sites, other digital platforms (including cell phones) and distribution mechanisms that facilitate students communicating with other students are considered "Social Networking" platforms. Participation in such networks has both positive appeal and potentially negative consequences. It is important that as a student in the Duluth Public Schools, you are aware of these consequences and exercise appropriate caution if they choose to participate.



Students are not restricted from using any on-line social network sites and/or digital platforms. However, users must understand that any content they make public via on-line social networks or digital platforms is expected to follow acceptable social behaviors and also to comply with federal, state and local laws, as well as, your Student Handbook. As a student in the Duluth Public Schools, you must be aware of your Student Handbook regulations and expectations of our said extra-curricular programs. Ignorance of these regulations does not excuse students from adhering to them.

### **Guidelines for Students Using Social Media:**

These guidelines are intended to provide a framework for students to conduct themselves safely and responsibly in an on-line environment. As a student and athlete in the Duluth Public Schools you should:

1. Be careful with how much and what kind of identifying information you post on social networking sites. Virtually anyone with an email address can access your personal page. It is unwise to make available information such as a full date of birth, social security number, address, phone number, cell phone numbers, class schedules, bank account information, or details about your daily routine. All of these can facilitate identity theft or stalking. Social Media sites provide numerous privacy settings for information contained in its pages. Use these settings to protect private information. However, once posted, remember the information becomes property of the website and public record.
2. Be aware that community members, family and potential current and future employers and college admissions offices often access information you place on on-line social networking sites. You should think about any information you post on sites or similar directories that potentially portrays an image of you to a prospective employer or school. The information is considered public information. Protect yourself by maintaining a self-image that you can be proud of years from now.
3. Be careful in responding to unsolicited e-mails asking for passwords or PIN numbers. Reputable businesses do not ask for this information in e-mails.
4. Don't have a false sense of security about your rights to freedom of speech when using Social Media. Understand that freedom of speech is not unlimited. The on-line social network sites are NOT a place where you can say and do whatever you want without repercussions or personal accountability.
5. Remember photos once put on the social network site's server become their property and public record. You may delete the photo from your profile but it still stays on their server. Internet search engines like "Google" or "Yahoo" may still find that image long after you have deleted it from your profile. Think long and hard about what type of photo you want to represent you.
6. Whoever is the "adult" (over 18) responsible for the contracts, computers, phone lines, etc...is liable (civil and criminal) for your actions as a minor as well.

### **Things students should avoid when using Social Media:**

1. Derogatory language or remarks about our students, teammates, school personnel and our community at-large; as well as, teachers, or coaches; student-athletes, administrators or representatives of other schools.
  2. Demeaning statements about or threats to any third party- (Including support of demeaning statements and threats.) Don't respond to these.
  3. Distribution and possession of unauthorized videos and photos or statements depicting violence; hazing; sexual harassment and content; vandalism, stalking; underage drinking, selling, possessing, or using controlled substances; or any other inappropriate behaviors.
  4. Creating a serious danger to the safety of another person or making a credible threat of serious physical or emotional injury to another person.
  5. Indicating knowledge of an unreported felonies, crimes, thefts or damage to property or unethical behavior.
  6. Indicating knowledge of an unreported school or team violation—regardless if the violation was unintentional or intentional.
- One of the biggest lessons social network users can learn is that anything you post online enters the public record. You never know who may be looking and when.
  - Students, Parents and Guardians, let it be known that any students in violation of said conduct is subject to consequences to be determined by the Administration, Principal and/or Activities Director.
  - The Minnesota State High School League Student Code of Responsibilities, Bylaw 206.00, is applicable and relevant in all student related issues and concerns in such matters.

**No Cell Phones allowed in locker rooms or changing areas.**

**Hazing** - 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.

Coaches will make sure that the team does not engage in the following:

1. Initiation rites that includes face-painting or unusual costumes
2. Any physical activities (padding, blindfolds, obstacle courses, etc.)
3. Any public activities that would embarrass or single out a member. (singing in a restaurant, standing on a street corner waving at cars, making purchases which may embarrass the individual)
4. Any activity that involves putting up signs or toilet paper on any buildings or homes or anything in a yard.
5. Any activity that separates team members and treat them in an embarrassing way.

### **District #709 Behavior Regulations**

- Students must serve a consequence in each activity in which they participate – MSHSL, Duluth High School Intramurals, Activities, and Fine Arts. Penalties may be served concurrently.
- Due Process including appeals procedure as defined in the MSHSL bylaw 213.02.8.

#### **All penalties:**

1. Are in effect year round (including summer and off-season.)
2. Carry over from school year to school year.
3. Carry over from sport/activity to sport/activity.
4. Are applied to MSHSL violations that occur anywhere and anytime.
5. Student fully agrees to fully cooperate in any investigation honestly and truthfully.

**The Duluth Police Department will be sharing information on underage ticket violations. It is advised that violations be reported to the Coach, AD, or Principal within 48 hours.**

#### **Determination and notification of violations:**

1. Any violation(s) of the MSHSL or ISD 709 policy known to a coach/advisor must be reported to the Activities Director and/or Principal in writing immediately upon learning of the violation.
2. The Principal and Activities Director are responsible for administering this policy and declaring a student ineligible. The Principal and Activities Director will conduct a thorough investigation prior to reporting findings in the case.
3. Written notification of a student's ineligibility and the reason for such should be provided to the parent, student, and the coach/advisor.
4. Serving a penalty: Students who are not in good standing due to suspension, expulsion, injury, illness, family vacations, etc are not able to be placed in a game, meet or contest and are therefore not able to count those contests toward the penalty.
5. A copy of this notification must be kept on file in the High School Activity Director's Office until the student graduates. All and any paperwork will be shredded immediately the student no longer participates.

### **MOOD-ALTERING CHEMICALS - Reference MSHSL Bylaw 205**

Twelve (12) months of the year, a student shall not at any time, regardless of the quantity: (1) use or consume, have in possession a beverage containing alcohol; (2) use or consume, have in possession tobacco; or, (3) use or consume, have in possession, buy, sell, or give away any other controlled substance or drug paraphernalia, (4) use or consume, have in possession, buy, sell or give away products containing or products used to deliver nicotine, tobacco products and other chemicals. "Tobacco products" means: any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part or accessory of a tobacco product, (5) use or consume, have in possession, buy, sell or give away any substance or product where the intent of such use of the substance or product is to induce intoxication, excitement, or stupefaction of the central nervous system, except under the direction and supervision of a medical doctor. Such substance or products shall include, but are not limited to, synthetic drugs, gasoline, glue, aerosol devices, bath salts, and any substances addressed by Minnesota or Federal law.

### **STUDENT CODE OF RESPONSIBILITIES - Reference MSHSL Bylaw 206**

As a student participating in my school's interscholastic activities, I understand and accept the following responsibilities:

1. I will respect the rights and beliefs of others and will treat others with courtesy and consideration.
2. I will be fully responsible for my own actions and the consequences of my actions
3. I will respect the property of others.
4. I will respect and obey the rules of my school and the laws of my community, state and country.
5. I will show respect to those who are responsible for enforcing the rules of my school and the laws of my community, state and country.

A student ejected from a contest shall be ineligible for the next regularly scheduled game or meet at that level of competition and all other games or meets in the interim at any level of competition, for the first ejection. All subsequent ejections shall result in ineligibility for four (4) regularly scheduled games or meets. This suspension can be deemed longer or shorter based on the violation and is up to the discretion of the building principal.

### **SEXUAL/RACIAL/RELIGIOUS HARASSMENT / VIOLENCE and HAZING - Reference MSHSL Bylaw 209.00**

A student shall not engage in the sexual, racial, religious harassment, violence or hazing during the school year or any portion of an activity season that occurs prior to the start of the school year or after the close of the school year.

#### **Reporting Procedures:**

1. Any person who believes he or she has been the victim of sexual, racial, religious harassment, violence or 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.
2. The building principal is the person responsible for receiving reports of sexual, racial, religious harassment, violence or hazing at the building level. Any person may report hazing directly to a school district human rights officer or to the superintendent.
3. Teachers, administrators, officials, volunteers, and employees of the school district shall be particularly alert to possible situations, circumstances or events which might include sexual, racial, religious harassment, violence or hazing. Any such person who receives a report of, observes, or had other knowledge or belief of conduct, which may constitute sexual, racial, religious harassment, violence or hazing, shall inform the building principal immediately.
4. Submission of a good faith complaint or report of sexual, racial, religious harassment, violence or hazing will not affect the complainant or reporter's future employment, grades or work assignments.

**Reprisal** - The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, coach, official contractor or employee of the school district who retaliates against any person who makes a good faith report of alleged sexual, racial, religious harassment, violence or 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 sexual, racial, religious harassment, violence or hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

**Fair Hearing Procedure** - The League Constitution provides a Fair Hearing Procedure for the student or parent contesting a school's determination of ineligibility for a student. The student has 10 calendar days in which to appeal the school's decision. The appeals process includes an appeal before a hearing panel at the school and the right, if desired, to appeal that decision to the League's Board of Directors. An independent hearing examiner will hear the appeal and make written findings of fact, conclusions and a recommendation for the Board of Directors, following the hearing. The Board's decision shall be final. A complete listing of the Fair Hearing Procedure may be obtained from the athletic director or principal of the high school or on Web at [www.mshsl.org](http://www.mshsl.org) in the Publications section.

#### **First Offense**

1. After confirmation of the first violation, the student shall lose eligibility for the next two (2) consecutive activities (performances, contest, events) or two (2) weeks of a season in which the student is a participant, whichever is greater **if the student athlete notifies the coach, AD, or school principal within 48 hours** (summer & off-season included) after the violation occurred. If the student athlete **does not notify their coach, AD, or Principal within 48 hours** after the violation the student shall lose eligibility for the next three (3) consecutive activities (performances, contest, events) or three

- (3) weeks of a season in which the student is a participant, whichever is greater. No exception is permitted for a student who becomes a participant in a treatment program.
2. The student shall make arrangements with the respective coach or advisor to establish a plan for reentry with the team or group.

**A team/group/club, in conjunction with the coach/advisor as well as the knowledge and approval of the activities director and principal, may increase the severity of a penalty. The coach/advisor shall clearly communicate in writing any changes or additional consequences to the parents and students prior to the season.**

### Second Offense

1. **After confirmation of the second violation, the student shall lose eligibility for the next six (6) consecutive interscholastic contests in which the student is a participant or three (3) weeks, whichever is greater if the student athlete notifies the coach, AD, or school principal within 48 hours (summer & off-season included) after the violation occurs. If the student athlete does not notify their coach, AD, or Principal within 48 hours the student shall lose eligibility for the next eight (8) consecutive activities (performances, contest, events) or four (4) weeks of a season in which the student is a participant, whichever is greater. No exception is permitted for a student who becomes a participant in a treatment program.**
2. The student shall make arrangements with the respective coach or advisor to establish a plan for reentry with the team or group.

### Third Offense (and subsequent):

1. **Student will be ineligible for 12 weeks for any elected or appointed positions and for all school-sponsored MSHSL athletic teams and activities.** Student will be reinstated after a twelve (12) week or twelve (12) game suspensions, whichever is greater.
2. The student shall make arrangements with the respective coach or advisor to establish a plan for reentry with the team or group.
3. If after the third or subsequent violations, the student has been assessed to be chemically dependent and the student on her/his own volition becomes a participant in a chemical dependency program or treatment program, the student may be certified for reinstatement in MSHSL activities after a minimum period of six (6) weeks. Such certification must be issued by the director or a counselor of a chemical dependency treatment center.

### Penalties for Category II Activities and Clubs

Definition - Category II Activities: Those League-sponsored activities in which a member school does not have a schedule of interscholastic contests, exclusive of League-sponsored tournaments. Includes Fine Arts Activities:

1. Speech, Debate, Drama, Knowledge Bowl, Robotics, and Math Team, and One Act Play
2. Music Activities
3. Visual Arts Activities

Each member school shall develop penalties which it will apply to the participants in these activities.

**Denial Disqualification - A student shall be disqualified from all interscholastic athletics for nine (9) additional weeks beyond the student's original period of ineligibility when the student denies violation of the rule, is allowed to participate and then is subsequently found guilty of the violation.**

***This policy works in conjunction with the MSHSL policy and will supersede the State League's policy. There also may be other ramifications due to the violation, some being, but not limited to: consideration being eliminated for All Conference, Team Awards, and School Awards.***

## ISD 709 Academic Eligibility Information

**Academic Eligibility** - At the conclusion of each grading period, a student cannot have an F on the report card and must not have a "U" in conduct given by the administration. If a student receives an F on the report card, the student is ineligible at least the first six weeks of the next grade period (as described below). Students must be making progress towards graduation.

### B. Ineligibility Status

Report card issuance day is the Monday starting the second week of the marking period. Ineligibility is described as a period of time in which the student **may practice but not participate in activities/games/contests**. Grades will be reviewed the Friday of the fourth week of the marking period. The student must have no F's and no administrative "U" in conduct on that day to gain eligibility. For **consecutive grade period violations**, a student is **ineligible** to participate until the issuance of the next report card. Ineligibility is described as a time the student may continue to practice but may not participate in varsity games or contests.

#### Fall 2019:

Note: If a student failed a class the previous school year and/or credits do not meet district guidelines, completion of summer school course(s) may help student gain eligibility.

Eligibility review date for students who failed a class in Quarter 4 of the previous school year

Eligibility review date – **September 27**

End of 1<sup>st</sup> grade period November 1

#### Winter 2019-20:

Eligibility review date for students who failed a class in Quarter 1 – **November 22**

End of 2<sup>nd</sup> grade period – January 16 (All grades checked when report cards are issued)

Eligibility review date for students who failed a class end of Semester 1 – **February 15th**

End of 3<sup>rd</sup> grade period – March 27 (All grades checked when report cards are issued)

#### Spring 2020:

Eligibility review date for students who failed a class in Quarter 3 – **May 1**

End of 4<sup>th</sup> grade period – June 5 (All grades checked when report cards are issued)

**Credit Eligibility** - At the conclusion of the first semester and end of the school year, students must be making satisfactory progress toward graduation based on the credit schedule listed below. If a student falls below the credit requirements, they may be deemed ineligible for a period of time as determined by the building principal.

1. Incoming 10th grader (sophomore) – 5.25 credits, 8.0 credits at semester
2. Incoming 11th grader (junior) – 11.25 credits, 13.75 credits at semester
3. Incoming 12th grader (senior) – 16.50 credits, 19.00 credits at semester
4. ~~22.25 credits needed to graduate in 2018~~; 22.50 credits to graduate in 2019 and beyond
  - Have not dropped out of school or repeated a grade while in high school and will not participate in more than six (6) seasons in any sport in grades 7-12
  - Will not have turned 20 before the start of the season in which they participate.

**Less Than A Normal Course Load** - All students must be fully enrolled (as defined by the Minnesota Department of Education) – minimum of four classes and one study hall. This includes students enrolled in PSEO classes. Students must be on track to meet the school's graduation requirements in six years (12 consecutive semesters) beginning with the first day of attendance in the 7<sup>th</sup> grade.

**Special Education Programs** - These rules are applicable to students enrolled in Special Education programs; exceptions, with regard to academic performance and conduct, would be noted in the student's Individual Education Plan (IEP). An IEP cannot make exceptions to stated academic standards.

**Administrative Prerogative** - The Principal reserves the right to declare a student eligible or ineligible for any appropriate period.

**Home School Eligibility is based on State Statute**

- Student must reside in the schools home attendance area (ie - Denfeld or East)
- Home school must be registered with ISD 709

**Online Eligibility**

- Students enrolled in an online school like Academic Excellence Online (Duluth Public Schools) or Minnesota Virtual Academy (MNVA), they are fully eligible at either East or Denfeld - where their attendance area resides.
- If a student enrolls at an online charter school (Minnesota Transitions/Connections Academy) then that student is eligible to participate at that charter school.
- Not all online schools are created equally in the eyes of the MSHSL. Contact the activities director at East or Denfeld if you have any questions.

**Cooperative Agreements** - It is School District policy that ISD709 does not participate in cooperative agreements with charter or private schools. This is a decision by the school board.

- We do not offer cooperative sponsorship's or articulation agreements with private or charter schools; they would take opportunities to participate away from our own students.
- Students enrolled at other schools would be eligible at their own school, or if they co-oped with another MSHSL school.
- This includes students from; Edison, Lakeview Christian Academy, Holy Rosary (and other parochial schools), Catholic High School, Harbor City, Online Charter Schools, and Montessori etc.

**Student Rights and Responsibilities**

<b>Equal Opportunity</b>	
<b>Rights</b>	<b>Responsibilities</b>
Students have the right to participate in all school activities and school education programs for which they are eligible, within legal limits.	Students are responsible for following the rules and regulations of school-sponsored activities in which they and others participate.
<b>Student Government (Grades 6-12)</b>	
<b>Rights</b>	<b>Responsibilities</b>
Students have the opportunity to participate in Student Government as available. The purpose of Student Government is to represent and be responsive to the needs of all students.	Student government representatives have the responsibility to communicate with the student body, faculty, and administration, and to be aware of and comply with any policies of the school district that may affect them.
<b>Privacy</b>	
<b>Rights</b>	<b>Responsibilities</b>
Students have the right to be secure in their persons, papers, and effects. Students' rights to privacy regarding school records will be protected and any disclosure of information from student permanent records shall be consistent with legal requirements.	Students must refrain from bringing onto school property or to school-sponsored events any material or item that would cause, or tend to cause, a disruptive activity or endanger the health and safety of students or other persons.
Students have the opportunity to utilize school lockers, desks, and other designated areas for storing appropriate items of personal property subject to the understanding that such areas are within the exclusive control of the school district, and that such areas may be searched with reasonable suspicion, at any time, without permission, consent, or requirement of a search warrant. Any personal property on school grounds includes, but is not limited to purses, backpacks, and vehicles.	Students are responsible for keeping their lockers free of any items that are illegal or that are prohibited under school rules and district policies.
Students have the right to live free of abuse and neglect. ISD709 employees are mandatory reporters. Matters of abuse and/or neglect must be reported to the proper authorities according to state law.	Students are responsible for reporting any illegal activities or serious violations that threaten their health, their safety, or property that belongs to themselves or others.

Matters involving criminal behavior may also be reported to the proper authorities.	
Students have the right to privacy related to School Security Video Systems, which will only be accessible for administrative purposes and will only be provided to any outside entity consistent with the MN Government Data Privacy Act, FERPA, and Policy 3188R. Law enforcement may receive video footage with a court order or warrant.	Students are responsible to know schools use security video systems to assist in the protection of rights of all students. Students are also responsible for appropriate use of any/all recording devices or material recorded and received from others.
Students are responsible for keeping their personal property on school grounds free of any items that are illegal or that are prohibited under school rules and district policies.	
<b>Nondiscrimination</b>	
<b>Rights</b>	<b>Responsibilities</b>
Students have the right to be free from discrimination based on race, color, creed, religion, national origin, sex, marital status, disability, status with regard to public assistance, sexual orientation, age, gender identity, gender expression, and any or all protected groups.	Students are responsible for treating other students and district employees in a nondiscriminatory manner. Violations should be reported to building principals.
<b>Learning</b>	
<b>Rights</b>	<b>Responsibilities</b>
Students have the right to attend school in a safe environment. Students have the right to a free public education.	Students are responsible for being in attendance each school day and for engaging in these opportunities: Completing class assignments on time as instructed by the teacher. Properly caring for the instructional materials furnished to them by the school district. Bringing to class all materials required for daily classroom use. Actively participating in learning activities.
The right to learn without disruptions from inside or outside the classroom.	Students are responsible for contributing positively to a safe environment and reporting any suspicious behavior.
Students have the right to make up daily work, including tests, upon returning to class. Two days are allowed for every day of excused absences.	Students are responsible for obtaining and completing make-up work assigned for periods of absence. Two days are allowed for every day of absence. Students have a right to be exposed to all course content. Certain activities are not able to be duplicated and therefore are simply missed by the absence.
Students have the right to homebound instruction, as regulated by state guidelines, when absent for an extended period.	Students are responsible for coordinating and meeting with their homebound instructor and completing assigned work as part of the homebound instructional process.
<b>Fair Treatment</b>	
<b>Rights</b>	<b>Responsibilities</b>
Students have the right to be informed of all policies, rules, and regulations they are expected to follow. Copies of these rules governing the code of conduct shall be available in each school office, and the basic rules shall be published and distributed to all students, parent(s) or guardian(s), and other interested persons.	Students are responsible for following all necessary procedures, rules, and regulations to make effective the School Board policies relating to the standards of student behavior.
Students involved in a violation of district rules, have the right to hear the nature of the violation and to give their account of the situation.	Students are responsible to treat all persons and property respectfully and to follow rules and regulations specific to students.
Students have the right to know what standards of student behavior are required by the teacher. A copy of the teacher's expectations of acceptable behavior shall be posted in the teacher's classroom or provided in the course syllabus.	Each student is responsible for understanding and following classroom and school expectations.
Students have the right to be free from unreasonable physical contact from peers, teachers and other staff persons.	Students have the responsibility to refrain from using force or physical contact for the purposes of inflicting physical and emotional harm on another.
<b>Free Speech</b>	
<b>Rights</b>	<b>Responsibilities</b>
Students in the Duluth Public Schools represent a wide range and diversity of opinion and background. Students have the right to express opinions, take stands, and support causes, either publicly or privately, provided such expressions are not libelous or obscene according to current legal definition, are not in violation of school district policies, and do not interfere with the rights of others or disrupt or distract from the educational environment. The right to free expression of religion under the U.S. Constitution and the American	Students are responsible to maintain a working and learning environment that is free of harassment, violence and bullying based on sex, sexual orientation, race/ethnicity, religion or religious practices, disability, and other forms of harassment as defined in District Policy 4015. Students are also responsible to report incidents of physical, sexual, and verbal harassment, intimidation, and/or abuse that they have experienced, or of which they are aware. Such reports are encouraged to be made to building staff.

Indian Religious Freedom Act is protected.	
Harassment	
Rights	Responsibilities
Students have the right to be free from any form of harassment arising out of the physical or verbal conduct of other students, school staff, or others.	Students are responsible for following school regulations regarding time, place, and manner when expressing opinions through speech or written materials. Students may distribute such literature as long as it is free from obscenity, discrimination, and defamation; does not interfere with the rights of others; and does not disrupt the atmosphere of learning in the school. See Policy 413 – Prohibiting Harassment and Violence at <a href="http://www.isd709.org">www.isd709.org</a> .
Makeup Work	
Students have the right to make up missed work for days missed due to excused illness.	Make-up work for excused absences is allowed in most cases. Certain activities are not able to be duplicated and therefore are simply missed by the absence. In most cases, the student will be allowed two days' time for every day of illness. This time is for work assigned while the student was gone. If the student needs extra time for work that was assigned prior to absence, the student is responsible for obtaining approval for an extension from his or her teacher upon returning to school.

## Philosophy of Learning

The Duluth School Board and administrative team believe that self-disciplined, respect-filled, restorative practices help to achieve the aims of high student achievement, a safe and welcoming environment, and efficient and effective systems.

The School Discipline Policy has been prepared to clearly define the rights and responsibilities of persons in the Duluth Public Schools, ISD 709. WE URGE EACH PARENT OR GUARDIAN AND STUDENT TO REVIEW THIS MATERIAL CAREFULLY AND REFER ANY QUESTIONS TO SCHOOL ADMINISTRATION.

The rights of individual students shall be protected and each student shall be expected to respect the person and rights of all other students, teachers, and other school personnel as well as school property.

### ROLES

**THE DULUTH SCHOOL BOARD** shall carry out the educational requirements as expressed in law and formulate and adopt policies for the organization, management, and control of the school system, including policies applicable to its operation. The board, acting through the superintendent of schools, is responsible for the supervision of the behavior of students while legally under the supervision of the school.

**THE SUPERINTENDENT OF SCHOOLS** shall establish all necessary procedures, rules, and regulations to make effective the School Board policies relating to the standards of student behavior and shall be responsible to the board for discipline in the ISD 709 public schools.

**THE ASSISTANT SUPERINTENDENT OF SCHOOLS** shall be responsible to the superintendent and shall implement all necessary procedures, rules, and regulations to make effective the School Board policies relating to standards of student behavior in the schools and data collection regarding student behavior in the schools.

**PARENT(S) OR GUARDIAN(S)** have the legal responsibility for the behavior of their children as determined by law and community practice.

- Parent(s) or guardian(s) are expected to exercise required controls so that the student's behavior will be conducive to the development of self-discipline and will not be disruptive to the school's education program.
- Parent(s) or guardian(s) shall provide the school with information on how they may be contacted.
- Partnership between parent(s) or guardian(s) and school is essential in assisting students to work to the best of their ability and achieve a good school experience.



- Parent(s) or guardian(s) have a responsibility to help maintain communication with the school by participating in school community activities such as Parent-Teacher-Student Association (PTSA) meetings, attending scheduled individual conferences, and bringing matters of concern to the attention of the principal or faculty.
- Parent(s) or guardian(s) should report to school staff any information they have concerning illegal activities or any violations of school rules that threaten the health, safety, or property of others.

**THE SCHOOL PRINCIPAL** including both the principal and assistant principal(s) shall be responsible to the assistant superintendent of schools in implementing all necessary procedures, rules, and regulations to make effective the School Board policies relating to the standards of student behavior, and:

- Shall have the responsibility and the authority to formulate school expectations and regulations not in conflict with School Board policies relating to standards of student behavior and data collection regarding student behavior in the schools.
- Shall be responsible for disseminating the expectations and regulations currently in effect for the school to all faculty, students, parents / guardians, and interested community groups at the beginning of each school year, and to each new student upon registration.
- Has the authority to impose suspensions and/or recommend to the superintendent of schools the exclusion or expulsion of a student consistent with the guidelines of M.S. 121A.41, The Pupil Fair Dismissal Act, for violation of law or failure to comply with school regulations.

**THE TEACHING STAFF** has the responsibility/authority to:

- Make clear what standards of student behavior are required by the teacher. A copy of the teacher's expectations of acceptable behavior shall be posted in the teacher's classroom. These rules shall be consistent with district policy.
- Report any violations of the district and/or building discipline policy to the principal.
- Manage classroom privileges.
- Assign school classroom learning activities.
- Request a parent(s) or guardian(s) conference.
- Refer learning challenges to the building principal or for students with disabilities, to the Individual Education Plan (IEP) manager.
- Use reasonable measures as may be necessary to ensure an appropriate learning culture in the classroom, school, and on school grounds.
- Confront inappropriate behavior and respond pursuant to the ISD 709 Student Discipline Policy.

#### **OTHER SCHOOL DISTRICT PERSONNEL**

**STAFF** shall be responsible to the principal for implementing all necessary procedures, rules, and regulations to make effective the School Board policies relating to the standards of student behavior.

- When a staff member's efforts to solve a behavior problem are unsuccessful, the student shall be referred to the principal, who has the responsibility and authority to use such measures as may be necessary to maintain control within the classroom, school building, and on school property.
- All employees are expected to participate directly in the supervision and guidance of the behavior of all students within their scope of authority and responsibility. Principals will notify all personnel (including custodians, para-professionals, cafeteria personnel, and clerical staff) of their authority and responsibilities relating to student behavior.
- Staff is expected to deal with students in a fair, firm, and consistent fashion. It shall be the responsibility of the principal to assist all concerned parties with this task.

**MEMBERS OF THE COMMUNITY** are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

**ALL STUDENTS** shall be held individually responsible for their behavior and for knowing and obeying the district and building discipline policies.

**THE SCHOOL RESOURCE OFFICER (SRO)** is a police officer employed by the Duluth Police Department, not an employee of ISD 709. The officer is a resource to the school principal, staff, parent(s) or guardian(s), and students, and is available to talk to students about personal matters. When assisting the school in investigations initiated and conducted by the school district, the

resource officer may speak with students who are victims, witnesses, and suspects. In such cases, questioning should take place in the presence of the school principal or designee, and the school will attempt to notify the student's parent(s) or guardian(s) if the student's actions could result in criminal charges.

## Harassment, Violence, and Bullying Behavior

Independent School District 709 is committed to creating and maintaining a learning and working environment where all individuals are treated with respect and dignity. Every individual has the right to learn/work in an environment free of harassment, violence, and bullying behavior.

**PREVENTION** - Preventing harassment, violence, and bullying behavior before it happens is always best. Prevention keeps us from experiencing adverse experiences in the first place, helps us focus on teaching and learning, and is an efficient and effective use of resources.

Efforts to intentionally develop a positive school climate and create positive relationships will work to prevent harassment, violence and bullying behavior. Furthermore, academic success is directly related to school engagement and school engagement is associated with peer and adult support and relationships. Nothing has a more positive impact in the life of a child than positive relationships.

**PREPARATION** - Preparing students, staff, and families for adverse experiences is also an important part of creating safe and welcoming environments for everyone. We should know what to do and have a plan in place to do it well. Preparation includes teaching students about these behaviors, the roles that people fulfill in an incident, what to do, and how to report it. We won't be able to plan for every situation yet we can teach some basic techniques that will help in most situations.

**RESPONSE** - When harassment, violence, or bullying behavior is reported or witnessed, responses include telling the person to stop, creating separation and safety, investigating incidents, planning and implementing interventions, and informing others. Each situation is unique and may require different and unique interventions, including student conferencing, parent involvement, school discipline, connection to other resources, and restorative practices.

**RECOVERY** - Even when prevention is done well and we prepare and respond effectively, students may still benefit from support and assistance in recovering from incidents of harassment, violence, and bullying behavior. Helping students recover may look different from child to child and from school to school. Schools have resources available in a crisis and can help families connect to on-going supports in the community. Many schools have "co-located" mental health services as well. The focus of recovery is to return students back to regular school activity in a safe and welcoming environment.

**REPORTING HARASSMENT, VIOLENCE, AND BULLYING BEHAVIOR** - Harassment, violence, and bullying behavior is a concern across our nation and here in Duluth. Reducing this behavior is important to Duluth Public Schools – we take it seriously.

Any time you witness or are involved in a situation involving harassment, violence, or bullying behavior it is important to report it. Help is available. Speak with your teacher, school principal, or another trusted adult at school, home, or in your community.

1. If someone is hurting you, tell them to stop, then walk away and talk to an adult about it.
2. Report it right away. A prompt report increases safety, reduces response time, and improves the results of the investigation and the intervention. Reporting forms can be located at the back of this handbook or online at [www.isd709.org](http://www.isd709.org) (scroll down to "Quick Links", select "Safe and Welcoming Schools", select "Bullying and Harassment", and select the appropriate school listed under "Report Bullying and Harassment").
3. Be specific. Share who was with you or might have seen something, who said or did what, and when and where it happened. Keep text messages and social media posts that contain harassing, violent, or bullying behavior so you can show them to an adult at school.

**MINNESOTA LAW** - Minnesota has passed the Safe Schools Act. We are working to adjust policy to align with requirements of the act as well as with model policies as they become available.

## District Policies

**102 - Equal Educational Opportunity** - The focus of the School District is on the learner/student. His/her educational development is the central concern and purpose of the School Board's policies and regulations. Each young person shall be given equal opportunity such that his/her development to the fullest can be achieved. The School Board will attempt to erase any limitations of facilities that may stand in the way of serving all citizens of the School District.

**413 - Prohibiting Harassment, Violence, and Bullying/413R** – Independent School District 709 (ISD 709) is committed to creating and maintaining a learning and working environment where all individuals are treated with respect and dignity. Every individual has the right to learn/work in an environment free of harassment and violence.

**501 - School Weapons Policy** - The purpose of this policy is to assure a safe school environment for students, staff and the public.

**503 - Attendance** - The School Board believes that regular school attendance is directly related to success in academic work. Absences, whether excused or unexcused, are detrimental to the learning process. Work made up outside of class is not as effective as the actual classroom experience. Furthermore, excessive absences, as defined below, may result in loss of credit. Such experiences as class discussion and student-teacher interaction are difficult to replicate outside the classroom or at a later time. In addition, regular attendance develops habits of dependability important to the future of the student.

**503R - Attendance Regulation** - Administration and staff will inform parents of the options available to them to excuse their child from school when necessary.

**510 - School Activities** - School activities provide additional opportunities for students to pursue special interests that contribute to their physical, mental, and emotional well-being. They are of secondary importance in relationship to the formal instructional program; however, they complement the instructional program and are integral in providing students with additional opportunities for growth and development. Every effort should be made to encourage participation of all students.

**514 – Bullying Prohibition Policy** - The purpose of this policy is to prohibit bullying behavior and assist the Duluth School District in its goal of preventing and responding to acts of bullying, intimidation, violence, and other similar disruptive behavior.

**521 - Student Disability Non-discrimination** - The purpose of this policy is to protect disabled students from discrimination on the basis of disability and to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973, need special services, accommodations, or programs in order that such learners may receive a free, appropriate public education.

**533 - Wellness Policy** - This policy ensures a school environment that promotes and protects students' health, well-being, and ability to learn by supporting healthy eating and physical activity.

**1080 - Visits to Schools (and Sites)** - Members of the community and other interested persons are welcome and encouraged to visit the schools. Both visitors and school personnel will make every effort to ensure that school visits will enhance the effect of the educational program. All school visitors, community persons, and/or School District staff are expected to identify themselves at the principal's office before visiting elsewhere in the building. All community visitors will be accompanied by the principal or by the principal's designee. Neither teachers nor students will be interviewed, questioned, or solicited by visitors without the permission of the principal.

**1140 – Tobacco-Free School** - The School Board has a responsibility to promote a safe and healthy environment for students, staff, and community members. Tobacco use is identified as a major health risk for both the users and the non-users. It is the intention of the School Board to provide school district sites that are tobacco-free and consistent with the messages of health education programs. The School Board believes this policy decision regarding tobacco accommodates the concerns expressed by parents, students, and community officials.

For the purpose of this policy, the terms “tobacco” and “tobacco related devices” shall have the meanings given them in Section 609.685 of the Minnesota Statutes, and as state statutes, may be amended by legislative action. Tobacco related devices include electronic cigarettes, electronic cigars, electronic pipes, or any other like products. Electronic cigarettes are defined as any electronic smoking device that can be used to deliver nicotine or any other substance to the person inhaling from the device.

**Exception** - (MN Statute 144.4169) It shall not be a violation of this policy for an American Indian adult to light tobacco in a public school as part of a traditional Indian spiritual or cultural ceremony, or to carry loose tobacco in a tobacco pouch intended for spiritual or cultural ceremonial support. It shall not be a violation of this policy for an American Indian student to carry loose tobacco in a tobacco pouch intended for spiritual or cultural ceremonial support with the permission of the student's parent or guardian and with written or verbal notice to the site administrator or principal.

**1155 - Police Department Relationship** - The purpose of this policy is to clarify the responsibility of the principal when police officers want to interrogate a pupil in the course of their investigation of a violation of the law or want to take a pupil into custody.

**2035 - Police School Liaison (School Resource Officer SRO)** - For the positions of Police-School Officers, when mutually agreed upon by the School District and the City of Duluth, the candidates shall be selected by the Chief of Police, recommended by the Superintendent of Schools, and approved by the School Board. The principal of the school affected will consult with the Superintendent regarding the recommendation. It must be understood by all parties involved in the selection process of Police-School Liaison Officers that the candidate must have a particular interest in and aptitude for working with children.

The schools have an obligation to cooperate with police officers in law enforcement and crime prevention. A cooperative climate shall be maintained between School District officials and law enforcement agencies. The schools also have an obligation to protect the legal rights of children who are in their charge.

**3180 - Child Nutrition** - The School District's purpose in having a Child Nutrition program is to make it a consideration for all students to have a nutritionally adequate lunch and, in selected situations, breakfast. Breakfast programs will be provided at school sites where experimental programs sustained a participation of at least twenty-five (25) students.

**3187 - Use Policy for Internet Access/3187R** - This policy sets forth guidelines for access to, as well as for acceptable and safe use of the School District's electronic technologies, and access to state statutes.

**4040 - Safety of Students, Staff, and Public** - Every reasonable precaution must be taken to protect the safety of students, employees, and other citizens present on School District property or at school approved events. It is the basic responsibility of all supervisory personnel to assure that safe conditions exist and that those who they supervise use safe practices for the conduct of their work. In addition, all students and employees shall adhere to Occupational Safety and Health Act Rules, Right-to-Know laws and rules, and other such safety regulations as may be promulgated from time to time by the Superintendent. The rules and regulations are to be on file in the School District's Department of Human and Community Resources and Relations.

**5040 - Student Transfers/5040R** - The intent of the transfer policy is to minimize disruption of the education process for the student by maintaining continuous attendance in a school setting with his/her peers. Each school year requires extensive advance planning relative to projected enrollments, curriculum offerings, and staffing for each building. Approval of transfers from one building to another will be limited to reasonable requests following designated timelines.

**5060 - Collection, Maintenance, and Retention of Student Records and Information** - Schools maintain extensive and intimate information about students and their families for legitimate educational purposes, including instructional, guidance, evaluation, and research. The collection and maintenance of information about students or their families constitutes an intrusion into their privacy.

*\*Note: Additional to District Policy 5060 above: Students are able to request updates to their student records in our "student records system". Updates may include student name, gender, pronouns, email and/or household relationships. Requests are made through the use of the [Student Records Update Form \(Draft\)](#). This is not a legal name change and is not policy at this time.*

**5083 - 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.

**5085 - School Discipline** - The School Board believes that a self-disciplined citizenry is essential for the maintenance of a free society. The rights of individual students shall be protected and each student shall be expected to respect the person and rights of all other students, teachers, and other school personnel. Efficient administration of student records is a fundamental responsibility of the School District.

**5090 - Use of Cell Phones, Digital Imaging Devices, and Other Personal Electronics** - The Duluth Public Schools holds high expectations for student behavior, academic integrity, and responsible use of existing and emerging technologies. Students who possess cell

phones and other personal electronic devices at school or school-sponsored events shall demonstrate the greatest respect for the educational environment and for the rights and privacy of all individuals within the school community.

**5100 Student Dress (Grooming Code)** - The dress and grooming of students becomes the concern of the school if it causes disruption of the educational program or is offensive or inappropriate to others. Students should dress in a manner that takes into consideration the educational environment, safety, health and welfare of others.

**5150 -Chemical Use, Abuse, and Dependency** - The School Board recognizes the existence of conditions such as chemical use, abuse, and dependency which impede the educational process. Therefore, the School District shall assist in the prevention, identification, and response to chemical use problems in the early stages.

**5165 - Distribution of Non-School Sponsored Materials on School Premises by Students and Employees** - 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.

**6165 - Homework** - The School Board is supportive of homework being assigned to students by their teachers as long as it can be considered to be of benefit to the individual student.

A full list of policies may be found at: [www.isd709.org](http://www.isd709.org). District policies and regulations are subject to revision throughout the school year. Please refer to [www.isd709.org](http://www.isd709.org) for the most up-to-date information.

- [5015 – Age of Compulsory Attendance](#)
- [5020 – Re-Admission of Students from Correctional Institutions](#)
- [5022 – Staff Notification of Violent Students](#)
- [5030 – Student Attendance Accounting](#)
- [5035 – Non-Resident Enrollees](#)
- [5042 – Open Enrollment](#)
- [5045 – Foreign Exchange Students](#)
- [5055 – Reporting to Parents](#)
- [5060R – Collection, Maintenance, and Dissemination of Student Records and Information](#)
- [5060.2R – Rights of Students and Parents or Guardians Regarding Data Collection](#)
- [5060.3R – Transfer of Records and Release of Information](#)
- [5060.4R – Electronic Access to Student Information Regulation](#)
- [5065 – Awards for Achievement](#)
- [5070 – Graduation, Diplomas, and Certificates](#)
- [5075 – Area Learning Center](#)
- [5080 – Student Expression of Opinion](#)
- [5095 – Students Driving and Parking Vehicles at School](#)
- [5105 – Student-Generated School Funds](#)
- [5110 – Married Students, Pregnant Students](#)
- [5115 – Elementary School Playgrounds](#)
- [5120 – Emergency Procedures for Bodily Injuries](#)
- [5123 – Crisis Management](#)
- [5125 – Reporting Suspected Sexual Abuse, Physical Abuse, and Neglect-Reporting Deprivation of Parental Rights](#)
- [5125R – Reporting Suspected Sexual Abuse, Physical Abuse, and Neglect-Reporting Deprivation of Parental Rights](#)
- [5130 – Communicable Diseases and Handling Body Fluids](#)
- [5135 – Physical Examinations](#)
- [5140 – Immunization Requirements](#)
- [5145 – Eye and Face Protection](#)
- [5155 – Special Education Services for Students with Disabilities](#)
- [5160 – Do Not Resuscitate/Do Not Intubate](#)
- [5165 – Distribution of Non-school Sponsored Materials on School Premises by Students and Employees](#)
- [513 – Student Promotion, Retention, and Program Design](#)
- [513R – Student Promotion, Retention, and Program Design](#)
- [532 – Use of Peace Officers and Crisis Teams to Remove Students from School Grounds](#)
- [532R – Regulations and Restrictive Procedures Plan](#)
- [534 – Unpaid Meal Charges](#)
- [535 – Counseling Regarding Pre-Career and Technical Programs](#)

## 503 STUDENT ATTENDANCE

### PURPOSE

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

### GENERAL STATEMENT OF POLICY

#### A. Responsibilities

##### 1. Student's Responsibility

- It is the student's right to be in school.
- It is 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.
- 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
- Inform the school in the event of a student absence
- 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.
- Be familiar with all procedures governing attendance and to apply these procedures uniformly.
- Provide any student who has been absent with any missed assignments upon request.
- 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.
- Be familiar with all procedures governing attendance and to apply these procedures uniformly to all students
- Maintain accurate records on student attendance
- Prepare a list of the previous day's absences stating the status of each
- Inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.

b. In accordance with the Minnesota Compulsory Instruction Law, Minn. Stat. § 120A.22, the students of the school district are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

## B. Attendance Procedures

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

### 1. Excused Absences

- a. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.
- b. The following reasons shall be sufficient to constitute excused absences:
  - (1) Absences where parent has notified school within 24 hours of absence.
  - (2) Illness.
  - (3) Serious illness in the student's immediate family.
  - (4) A death or funeral in the student's immediate family or of a close friend or relative.
  - (5) Medical, dental, orthodontic, mental health treatment.
  - (6) Court appearances occasioned by family or personal action.
  - (7) Religious instruction not to exceed three hours in any week.
  - (8) Physical emergency conditions such as fire, flood, storm, etc.
  - (9) Official school field trip or other school-sponsored outing.
  - (10) Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
  - (11) Family emergencies.
  - (12) Active duty in any military branch of the United States.
  - (13) A student's condition that requires ongoing treatment for a mental health diagnosis.
- c. Consequences of Excused Absences
  - (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.
  - (2) Student will be allowed 2 days to makeup work for every day absent upon return to school. Any work not completed within this period may result in "no credit" for the missed assignment. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

### 2. Unexcused Absences

- a. The following are examples of absences which will not be excused:
  - (1) Truancy. An absence by a student which was not approved by the parent and/or the school district.
  - (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedure including absences that are unreported.
  - (3) Work at home.
  - (4) Work at a business, except under a school-sponsored work release program.
  - (5) Absences resulting from cumulated unexcused tardies (3 tardies equal one unexcused absence).
  - (6) Any other absence not included under the attendance procedures set out in this policy.
- b. Consequences of Unexcused Absences
  - (1) Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.
  - (2) Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.
  - (3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.

C. Tardiness

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

3. Excused Tardiness

Valid excuses for tardiness are:

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

4. Unexcused Tardiness

- a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.

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

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

**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.

**REQUIRED REPORTING**

A. Continuing Truant

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

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

B. Reporting Responsibility



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

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

C. Habitual Truant

1. A habitual truant is a child under the age of 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school, junior high school, or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year and who has not lawfully withdrawn from school.
2. A school district attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minn. Stat. Ch. 260A.

Legal References: Minn. Stat. § 120A.05 (Definitions); Minn. Stat. § 120A.22 (Compulsory Instruction); Minn. Stat. § 120A.24 (Reporting); Minn. Stat. § 120A.26 (Enforcement and Prosecution); Minn. Stat. § 120A.34 (Violations; Penalties)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act); Minn. Stat. § 260A.02 (Definitions)  
Minn. Stat. § 260A.03 (Notice to Parent or Guardian When Child is a Continuing Truant)  
Minn. Stat. § 260C.007, Subd. 19 (Habitual Truant Defined)  
Minn. Stat. § 260C.201 (Dispositions; Children in Need of Protection or Services or Neglected and in Foster Care)  
Goss v. Lopez, 419 U.S. 565, 95 S.Ct. 729 (1975); Slocum v. Holton Board of Education, 429 N.W.2d 607 (Mich. App. Ct. 1988)  
Campbell v. Board of Education of New Milford, 475 A.2d 289 (Conn. 1984)  
Hamer v. Board of Education of Township High School District No. 113, 66 Ill. App.3d 7, 383 N.E.2d 231 (1978)  
Gutierrez v. School District R-1, 585 P.2d 935 (Co. Ct. App. 1978); Knight v. Board of Education, 38 Ill. App. 3d 603, 348 N.E.2d 299 (1976)  
Dorsey v. Bale, 521 S.W.2d 76 (Ky. 1975)  
Cross References: MSBA/MASA Model Policy 506 (Student Discipline)

Replacing: Policy 5025  
First Reading: 03-22-2016  
Adopted: 04-19-2016 ISD 709

## 503R STUDENT ATTENDANCE REGULATION

### I. OFFICIAL RECORDS

The official attendance record will be kept by the attendance office.

### II. SUPPLEMENTARY BUILDING REGULATIONS

Any individual building regulations developed by schools must be submitted to the Superintendent annually.

### III. ATTENDANCE PROCEDURES AND PARENT NOTIFICATION

#### A. Elementary (K-5)

1. Any time a student is absent without prior notification, parents will receive a phone call from the school indicating the child has been absent.
2. After three (3) unexcused absences parents will receive a letter informing them of absences and possible consequences for continuation of unexcused absences.
3. After seven (7) unexcused absences, a student is deemed in educational neglect and the school attendance officer or other designated school officials will take appropriate action which may include a request to county social services.
4. After eleven (11) excused and unexcused absences, the students and family may be required to attend a meeting with administration, develop an attendance contract and/or be required to submit medical documentation for future absences in order to be excused.

#### Elementary School Tardiness

A student is considered tardy up to fifteen (15) minutes late for the morning or afternoon section. If a student arrives to either section more than fifteen (15) minutes late, the student is considered absent for the section.

#### B. Middle School (6-8)

1. Any time a student is absent without prior notification parents will receive a phone call from the school indicating the child has been absent.
2. After three (3) unexcused absences the parent/guardian will receive a letter informing them of absences and possible consequences for continuation of unexcused absences.
3. After seven (7) unexcused absences the student is deemed truant, the parent/guardian will receive a letter informing them of the absences, the student will be referred to the Truancy Action Project (TAP) advocate.
4. After fifteen (15) unexcused absences a student, the school attendance office or other designated school officials will take appropriate action which may include:
  - Student attendance contract
  - Mediation Contract through St Louis County court
  - Truancy referral to the Student Attendance Review Board (SARB)
  - Truancy court ticket issued by St Louis County Court.

#### Middle School Tardiness

A student is considered tardy up to 10 minutes late for a class. After 10 minutes a student is considered absent. When a student has accumulated three (3) unexcused tardies per course, disciplinary action may occur.

#### C. High School (9-12)

1. Any time a student is absent without prior notification, parents will receive a phone call from the school indicating the child has been absent.
2. After three (3) unexcused absences parents will receive a letter informing them of absences and possible consequences for continuation of unexcused absences.

3. After (5) unexcused absences a student will be placed on an attendance contract, student may receive an Incomplete for the course.
4. After seven (7) unexcused absences, a student is deemed truant and the school attendance officer or other designated school officials will take appropriate action which may include a request to county attorney (503-4) to file a petition with the juvenile court, pursuant to Minnesota statutes.
5. After a student accumulates nine (9) unexcused absences in a course, a student will lose credit for the course.

#### High School Tardiness

A student is considered tardy up to 10 minutes late for a class. After 10 minutes it is considered absence. Three (3) unexcused tardies will equal one (1) unexcused absence.

Replacing: Regulation 5025R  
Accepted: 03-22-2016 ISD 709

## 5060 – COLLECTION, MAINTENANCE, DISSEMINATION, AND RETENTION OF STUDENT RECORDS POLICY

Schools maintain extensive and intimate information about students and their families for legitimate educational purposes, including instructional, guidance, evaluation, and research. The collection and maintenance of information about students or their families constitutes an intrusion into their privacy. Therefore, efficient administration of student records is a fundamental responsibility of the School District.

The Internet and secure web access have altered the ways that confidential information may be accessed, communicated, and transferred by members of society. Those changes are influencing instruction and student learning. The School Board supports access by students, parents/guardians, teachers, and administrators to informational resources that will improve participation in a child's education and improve communication between students, parents/ guardians, and the students' teachers.

The Duluth Public Schools manages student information electronically and will make the education records available for viewing only to authorized parents/guardians and students with a secure connection over the internet. All parents/guardians and students will comply with Internet use regulations and technology regulations/procedures, as well as any other District policies that may apply.

The purpose of a Records Retention policy is to provide a plan for managing student records by giving continuing authority to dispose of records under Minn. Statute 138.17. The responsible authority for the maintenance and security of student records shall be the Superintendent of Schools.

Previously, the School District adopted the Student Records section of the School District General Records Retention Schedule as developed and published by the Minnesota Department of Administration (School Board Resolution B-7-99-1913 dated July 20, 1999). The district will comply with all minimum standards set out in the Retention Schedule. Although the district reserves the right to retain certain records for a period longer than the State proposes, it will not shorten any retention period to less than what is recommended by the Department of Administration.

### **Special Education Records**

All records of students receiving special education services will be retained for at least seven years following the last date of eligibility for services to the student. The "last date of eligibility for services" means either the student's graduation or the last day on which the student was eligible for services from the district, whichever is later.

As long as a student is eligible by residence and age to receive special education services, the district will maintain educational data necessary to provide educational services to the student. The district will notify the parents/guardians of a student receiving special education services upon its determination that personally identifiable information about the student is no longer needed to provide educational services.

Reference: MN Data Practices Act, Chap 13

Adopted: 6-9-70 ISD 709

Revised: 5-11-76

5-9-89

5-17-05

6-20-9

9-21-10

6-16-14

## 5165 - DISTRIBUTION OF NON-SCHOOL 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, non-school 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 non-school sponsored material on school property and at school activities.

### III. DEFINITIONS

- A. "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.
- 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, as well as tangible objects.
- C. "Obscene to minors" means:
  - 1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested.
  - 2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, and lewd exhibition of the genitals.
  - 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 that 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 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, non-school sponsored material.

- B. Requests for distribution of non-school sponsored material, other than union materials distributed by the Duluth Federation of Teachers, will be reviewed by the administration on a case-by-case basis. However, distribution of the materials listed below is always prohibited. Prohibited material includes that which:
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. Is likely to disrupt the proper and orderly operation of the school or school activities.
  8. Causes the commission of unlawful acts or violates lawful school regulations.
- C. To the extent that the Duluth Federation of Teachers' Union distributes any political materials, the materials will be prepared in such a way that no political material is visible from the outside page(s) of any publication. The Union shall seal, fold, or staple the materials so political information may not be seen. Alternatively, political material may be included on an internal page so that it is not visible. Political material shall be defined consistent with the provisions of Minnesota Statute 211B.01, subd. 2, which defines campaign material as "any literature, publication, or material tending to influence voting at a primary or other election..."

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

- A. No non-school 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 non-school 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. All employees and students shall comply with the provisions of Minnesota Law regarding distribution of political materials in a polling place on Election Day.
- E. The district will allow the Duluth Federation of Teacher's Union access to teacher mailboxes as a mechanism to communicate with its members. All distribution of material through the mailboxes will be done by Union members.
- F. For all employees including non-teacher members of the Duluth Federation of Teachers, any distribution of materials will be done outside of the normal paid workday. For teacher members, distribution may be done during non-assigned work time (e.g., lunch or preparation time) so long as any time spent is minimal. If the district has any concerns about the abuse of time by teacher members of the Duluth Federation of Teachers, it will notify the Union.

#### VI. PROCEDURES

- A. Any student or employee wishing to distribute non-school sponsored material, other than union materials distributed by the Duluth Federation of Teachers, must first submit for approval a copy of the material to the principal at least 24 hours in advance of desired distribution time, together with the following information:
  1. Name and phone number of the person submitting the request and, if a student, the room number of his or her first period class.
  2. Date(s) and time(s) of day intended for display or distribution.
  3. Location where material will be displayed or distributed.
  4. If intended for students, the grade(s) of students for whom the display or distribution is intended.
- B. Within one school day, the principal will review the request and render a decision. In the event that permission to distribute the material is denied or limited, the person submitting the request should be informed in writing of the reasons for the denial or limitation.
- C. If the person submitting the request does not receive a response within one school day, the person shall contact the office to verify that the lack of response was not due to an inability to locate the person.

- D. If the person is dissatisfied with the decision of the principal, the person may submit a written request for appeal to the superintendent. If the person does not receive a response within three (3) school days (not counting Saturdays, Sundays and holidays) of submitting the appeal, the person shall contact the office of the Superintendent to verify that the lack of response is not due to an inability to locate the person.
- E. Permission or denial of permission to distribute material does not imply approval or disapproval of its contents by either the school, the administration of the school, the School Board, or the individual reviewing the material submitted.

**VII. DISCIPLINARY ACTION**

- A. Distribution by any student of non-school 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 #5085
- B. Distribution by any employee of non-school sponsored material prohibited herein or in violation of the provisions of time, place and manner of distribution as described above will be halted and appropriate disciplinary action will be taken, in accordance with any individual contract, collective bargaining agreement, School District policies and procedures, and/or governing statute.
- C. Any other party violating this policy will be requested to leave the school property immediately and, if necessary, the police will be called.

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

A copy of this policy will be published in student handbooks in the fall of each school year 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.

References : MSBA/MASA Model Policy 505 - Distribution of Nonschool-Sponsored Materials on School Premises By Students and Employees Settlement Agreement dated December 8, 1999 between ISD 709 and the Duluth Federation of Teachers, Local 692

Adopted: 2-15-2000 ISD 709

## 5083 – 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 with students serving as its primary members or participants. This includes grade levels, classes, teams, activities, and particular school events. A student organization does not have to be an official school organization to fall within the terms of this definition.

### IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate school district official designated by this policy.
- B. The building principal is the person responsible for receiving reports of hazing at the building level. Any person may report hazing directly to a school district human rights officer or to the Superintendent.
- C. Teachers, administrators, volunteers, contractors, and other employees of the school district shall be particularly alert for situations, circumstances, or events which might include hazing. Any such person who receives a report of, observes, or has other knowledge or belief of conduct which may constitute hazing shall inform the building principal immediately.



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

V. **SCHOOL DISTRICT ACTION**

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

VI. **REPRISAL**

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

VII. **DISSEMINATION OF POLICY**

This policy shall appear in each school's student handbook and in each school's Building and Staff handbooks.

Legal References: Minn. Stat. § 121A.69 (Hazing Policy)  
Minn. Stat. § 121A.40 to 121A.56 (Pupil Fair Dismissal Act)

Adopted: 7-18-2000

## 413 PROHIBITING HARASSMENT AND VIOLENCE

### GENERAL STATEMENT OF POLICY

Independent School District 709 (ISD 709) is committed to creating and maintaining a learning and working environment where all individuals are treated with respect and dignity. Every individual has the right to learn/work in an environment free of harassment and violence.

In this school district, harassment and violence, whether verbal, physical, or cyber, which creates a hostile climate, is unacceptable and will not be tolerated. Harassment and violence are unlawful, hurt all people, and have no legitimate educational purpose. Any employee or student who engages in such conduct shall be disciplined as provided by law, District policies, and applicable labor agreements.

Therefore, it is the policy of ISD 709 to maintain a work and learning environment that is free of harassment and violence based on: Race, Color, Creed, Religion, National Origin, Sex, Marital Status, Disability, Status with Regard to Public Assistance, Sexual Orientation, Age, Gender Identity, Gender Expression, and Any or All Other Protected Groups as identified by state and/or federal statute as well as other forms of harassment as defined in this policy.

Harassment based on: Race, Color, Creed, Religion, National Origin, Sex, Marital Status, Disability, Status with Regard to Public Assistance, Sexual Orientation, Age, Gender Identity, Gender Expression, and Any or All Other Protected Groups as identified by state and/or federal statute are also forms of discrimination which violate either Section 703 of Title VII of the Civil Rights Act of 1965, as amended, 42 U.S.C. Section 2000e, et seq. and or the Minnesota Human Rights Act, Minnesota Statute Sections 363.01 – 363.20, and may represent a criminal law violation.

Violence based on: Race, Color, Creed, Religion, National Origin, Sex, Marital Status, Disability, Status with Regard to Public Assistance, Sexual Orientation, Age, Gender Identity, Gender Expression, and Any or All Other Protected Groups as identified by state and/or federal statute is a physical act of aggression, intimidation, and/or degradation directed toward a person or group of persons because of their membership or perceived membership in a protected group.

It shall be a violation of this policy for any student or school personnel of ISD 709 to harass a pupil or other school personnel through conduct or communication of a sexual nature or regarding: Race, Color, Creed, Religion, National Origin, Sex, Marital Status, Disability, Status with Regard to Public Assistance, Sexual Orientation, Age, Gender Identity, Gender Expression, and Any or All Other Protected Groups as identified by state and/or federal statute as well as other forms of harassment as defined by this Policy and Regulation 413R. (For purposes of this policy, school personnel include: School Board members, administrators, teachers, all other school employees, agents, volunteers, contractors, or other persons subject to the supervision and control of ISD 709.)

It shall be a violation of this policy for any student or school personnel of ISD 709 to inflict, threaten to inflict, or attempt to inflict violence relating to: Race, Color, Creed, Religion, National Origin, Sex, Marital Status, Disability, Status with Regard to Public Assistance, Sexual Orientation, Age, Gender Identity, Gender Expression, and Any or All Other Protected Groups as identified by state and/or federal statute as well as any other forms of violence as defined by this policy upon any pupil or school personnel.

ISD 709 will act with reasonable diligence to take action to investigate, respond, remediate and discipline all complaints, either formal or informal, oral or written, of improper actions or statements which may constitute harassment and violence as defined in this policy and Regulation 413R. Furthermore, ISD 709 intends to provide support for students identified as the victims of these acts in compliance with Minn. Statute Sections 121A.0695.

A report will be given to the School Board at the regular meeting in June, a summary of the number of harassment complaints, types of complaints and the action taken to resolve the complaint. This will be done without releasing any case specifics, information or personnel data.

For more detailed information on this policy, including definitions for terms used in this policy and the reporting procedures for this policy, please see Regulation 4015R.

Cross References: Resolution 413R (Prohibiting Harassment and Violence)  
Resolution 413.1R (Harassment Complaint Form)

Replacing: Policy 4015  
First Reading: 05-19-2015  
Adopted: 06-16-2015  
**04-19-2016 ISD 709 (Renumbering only)**

## 413R PROHIBITING HARASSMENT AND VIOLENCE

### I. HARASSMENT AND VIOLENCE DEFINED

#### A. Sexual Harassment

**Definition.** Sexual harassment consists of unwelcome sexual attention, unwelcome requests for sexual favors, unwelcome sexually motivated physical conduct, or other unwelcome verbal or physical conduct or communication of a sexual or gender biased nature when:

1. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or of obtaining an education, or of transacting business with ISD 709; or
2. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment, education, or business with ISD 709; or
3. That conduct or communication has the purpose or effect of substantially interfering with an individual's employment, education, business with ISD 709, or creating an intimidating, hostile, or offensive employment, educational, or business environment.

This policy pertains to students and school personnel. It equally protects students and personnel of all genders from harassment.

Sexual harassment may include but is not limited to the following behaviors:

1. Unwelcome verbal statements of a sexual nature;
2. Intimidation by words or actions of a sexual nature;
3. Unwelcome pressure for sexual activity;
4. Unwelcome sexually motivated or inappropriate touching, patting, pinching, or other physical contact that does not meet the definition of sexual assault; other than necessary restraint of pupil(s) by school personnel to avoid physical harm to persons or property; or
5. Unwelcome sexual behavior or words, including requests for sexual favors, accompanied by implied or overt threats concerning an individual's employment, business, or educational status; or
6. Unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment, business, or educational status; or
7. Distribution or display of pornographic or other inappropriate written materials, pictures, graffiti, or other graphics of a sexual or gender-based nature; or
8. Unwelcome behavior or words directed at an individual because of gender, gender identity, or gender expression; or
9. Unwelcome behavior or words directed at an individual because of sexual experiences or perceived sexual experiences.

#### B. Protected Groups Harassment

**Protected Groups:** Race, Color, Creed, Religion, National Origin, Sex, Marital Status, Disability, Status with Regard to Public Assistance, Sexual Orientation, Age, Gender Identity, Gender Expression, and Any and All Other Protected Groups as identified by state and/or federal statute.

**Definition.** Harassment consists of physical or verbal conduct relating to an individual's membership or perceived membership in a protected group when the conduct:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive work, business, or academic environment;
2. Has the purpose or effect of substantially interfering with an individual's work, business, or academic performance; or

#### C. General Harassment

**Definition.** General harassment is defined as unwelcome repeated conduct or communication directed towards an individual which:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive work, business, or academic environment;
2. Has the purpose or effect of substantially interfering with an individual's work, business, or academic performance.

The District reserves the right to investigate any complaint filed under this section on a case-by-case basis.

#### **D. Sexual Violence**

**Definition.** Sexual violence is any sexual contact without consent. Sexual contact includes, but is not limited to, touching of either party's primary genital area, groin, inner thigh, buttocks, or breast, including the clothing covering these areas, as well as, anal, vaginal, or oral penetration, with a body part or an object. Sexual violence includes contact between individuals of all genders.

Consent is verbal active permission from both parties to engage in a particular sexual act without the presence of coercion, intimidation, physical force, or trickery. Consent is only applicable when there is a balance of power. Consent is not affected by a prior social relationship, nor is denial of consent contingent upon physical resistance to the act.

#### **E. Protected Groups Violence**

**Protected Groups:** Race, Color, Creed, Religion, National Origin, Sex, Marital Status, Disability, Status with Regard to Public Assistance, Sexual Orientation, Age, Gender Identity, Gender Expression, and Any and All Other Protected Groups as identified by state and/or federal statute.

**Definition.** Violence is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, his/her membership or perceived membership in a protected group.

#### **F. Assault**

**Definition.** Assault is:

1. An act done with intent to cause fear in another of immediate bodily harm or death;
2. The intentional infliction of or attempt to inflict bodily harm upon another; or
3. The threat to do bodily harm to another with present ability to carry out the threat.

### **II. RETALIATION**

Retaliatory or intimidating conduct against any individual who has made a harassment or violence complaint or who has testified or assisted in any manner in an investigation is specifically prohibited. ISD 709 will investigate and, if appropriate, discipline or take appropriate action against any students or school personnel who retaliates against any person because the person:

1. Reports sexual, sexual orientation, gender identity, gender expression, racial/ethnic, religious, or disability harassment or violence;
2. Testifies, assists, or participates in an investigation or in a proceeding or hearing relating to harassment or violence;
3. Opposes a practice prohibited by this policy; or
4. Associates with people who are specifically protected by this policy. (Based on sex, sexual orientation, gender identity, gender expression, race/ethnicity, religion, or religious practices, disability.)

Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

### **III. CONFIDENTIALITY**

ISD 709 will respect the confidentiality of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with ISD 709's legal obligations to investigate, to take appropriate disciplinary action, and to comply with any discovery or disclosure obligations, including valid requests for data under the Minnesota Government Data Practices Act.

### **IV. INDIVIDUALS COVERED BY THIS POLICY**

All teachers, teaching assistants, coaches, administrators, School Board members, contract employees, guest speakers, volunteers, janitorial or cafeteria staff, independent contractors, community members participating in school activities, or any other school personnel, as well as current students are bound by this policy. This policy equally protects male and female students/employees from harassment or violence - including when males harass males or when females harass females.

**V. FORMAL COMPLAINT PROCEDURES** (In cases of sexual harassment/violence, and sexual orientation harassment/violence, please utilize specific protocol.)

Any person who believes they have been the victim of sexual, sexual orientation, ethnic/racial, religious, and/or disability harassment or violence by a pupil or other school personnel of ISD 709, or any person with knowledge or belief of conduct which may constitute sexual, sexual orientation, ethnic/racial, religious, or disability harassment or violence toward a pupil or school personnel should report the alleged acts immediately to an appropriate ISD 709 official designated by this policy. Such persons are also encouraged to seek corrective action by telling the individual instigating the harassment to stop. Any third person with knowledge or belief of conduct, which may constitute sexual, sexual orientation, ethnic/racial, religious, or disability harassment or violence should report the alleged acts to an appropriate ISD 709 official as designated by this policy. ISD 709 encourages the reporting party or complainant to use the report form available from the principal of each building or available from the ISD 709 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 the Senior Human Resources Manager or to the Superintendent.

**A. Form of Complaint.** Complaints of harassment will be accepted verbally or in writing. Anonymous complaints will be accepted and investigated to the extent possible. Complaint forms are available in the ISD 709 office, and in each school's principals' and counselors' office. A copy of the form can also be found in the student handbook. A report need not be made on an official form in order for the administration to accept it.

**B. Reporting the Complaint.**

1. A student, who believes they have been a victim of harassment or violence by any individual covered by this policy, may report the alleged harassing behavior to any school personnel.
2. Any person who believes he or she has been the victim of sexual, sexual orientation, gender identity, gender expression, ethnic/racial, or religious harassment or violence by a pupil or school personnel of ISD 709 should report the alleged acts immediately to an appropriate ISD 709 official designated by this policy.
3. ISD 709 encourages the reporting party or complainant:
  - a. Whenever it is a safe or reasonable alternative, to first seek corrective action by telling the individual initiating the harassment to stop.
  - b. To use the report form available from the principal of each building or available from the ISD 709 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 the Senior Human Resources Manager or to the Superintendent.
4. The building principal is the person responsible for receiving oral or written reports of harassment or violence under this policy at the building level.
5. Any person with knowledge or belief of conduct which may constitute harassment or violence as defined in this policy should report the alleged acts immediately to an appropriate school district official designated by this policy.
6. Any ISD 709 personnel who receive a report of harassment or violence under this policy is obligated to report the incident in writing to the building principal immediately.
7. If a complainant is uncomfortable bringing the report to the building principal, he or she may report directly to the Senior Human Resources Manager or to the Superintendent.
8. Upon receipt of a complaint involving an ISD 709 personnel, the building principal must notify the Senior Human Resources Manager immediately. The principal may request, but may not insist upon a written complaint. A written statement of the alleged facts will be forwarded as soon as possible by the principal to the Senior Human Resources Manager. If the complaint was given verbally, the principal shall personally reduce the report to written form and file it with the Senior Human Resources Manager within 24 hours. Failure of the principal or other adult ISD 709 personnel to forward any harassment or violence report or complaint as provided herein may result in investigation and disciplinary action as appropriate.
9. If the report involves the building principal, it should be made or filed directly with the Superintendent or the Senior Human Resources Manager.
10. Failure to act on a report involving ISD 709 personnel will result in an investigation and disciplinary action as appropriate.

C. **Content of the Report.** A report of harassment or violence in violation of this policy shall include the following information, if known:

1. The name of the complainant;
2. A brief description of the offending behavior - including times, places, and names;
3. The name of or identifying information about the alleged perpetrator; and
4. The names or descriptions of any witnesses to the harassment or violence.

D. **Processing of Complaints.** The designated investigator for each report, whether a member of building administration, a third party, the Senior Human Resources Manager or the Superintendent, is responsible for overseeing the processing of the harassment or violence complaint. The investigator shall conduct an investigation of the charges and attempt to resolve the matter in a timely fashion.

1. **Early Resolution.** Early Resolution allows the parties (complainant and respondent) an opportunity to resolve the complaint with a third party mediator. If both parties are willing to try this approach, and it is determined that early resolution is appropriate, mediation will be conducted. The scope and intent of mediation is to get the parties to understand each other, clarify the matter between them, and put an end to the alleged offensive behavior. It is not the mediator's role to determine fault or discipline, or damages.

The third party mediator will be agreed upon by both parties and is most often the Building Principal, Human Resources Manager, Climate Coordinator, or Designee with mediation training. Agreements to resolve the complaint must be agreed upon and signed by all at the conclusion of the mediation meeting. A summary will be written by the mediator, shared with both parties, and kept with the documented complaint in Human Resources separate from Duluth School District Employment Personnel Records.

It is within the mandate of the Mediator to receive and examine harassment complaints, to assist disputing parties in coming to resolution, and advise on actions needed to settle the complaint. Any alternative mediator or mediation process will be determined on a case by case basis and is subject to agreement by all parties including the Building Principal and/or Human Resources Manager, Climate Coordinator, or Designee.

If, after having contacted the third party, either party decides not to proceed with the early resolution approach, his/her wishes will be respected. If no agreements are reached, or either party opts out of the mediation prior to agreements being made, the complaint will be processed subject to formal complaint procedures listed below.

2. **Formal Process.**

- a. **Timing.** The investigator should make a decision about whether the harassment or violence reported can be substantiated as soon as possible. If the investigation exceeds 30 calendar days, the investigator must report the reason that the investigation has exceeded 30 days to the Senior Human Resources Manager, and the Administrator may take over the investigation. If the Senior Human Resources Manager was the initial investigator, the Senior Human Resources Manager must report the reason that the investigation has exceeded 30 days to the Superintendent, and the Superintendent may take over the investigation. An impartial third party may also be appointed to complete the investigation if the 30 day limit is exceeded.
- b. **Standard of Proof.** In determining whether the alleged conduct can be substantiated, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred will be investigated. Allegations of the harassment and violence will be evaluated using a preponderance of the evidence standard - meaning that prior to imposing any sanctions the investigator must conclude that it is more likely than not that the harassment or violence occurred.
- c. **School District Action.** If warranted, based on results of the investigation, ISD 709 will take appropriate action. Such action will be taken in accordance with the Pupil Fair Dismissal Act, ISD 709 policies, any applicable Collective Bargaining Agreements, and other Minnesota and federal laws. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge.
- d. **Release of Data to the Complainant.** Consistent with the requirements of the Minnesota Government Data Practices Act, Minnesota Statute Section 13.01 et seq., the results of the School District's investigation will be made available to the complainant. The information provided to the complainant and the timing of the dissemination of information may be significantly limited by the requirements of the Minnesota Government Data Practices Act, and in certain circumstances, by the attorney-client privilege and/or the attorney-work product doctrine.

- e. Release of Data to the Subject of the Investigation and Others. The release of data regarding a harassment or violence complaint, including data regarding the resultant investigation and ISD 709 action, shall be governed by the requirements of the Minnesota Government Data Practices Act. In certain circumstances, the Government Data Practices Act may require the classification of the data as private and/or confidential. In certain circumstances, data may also be protected by the attorney-client privilege and/or may constitute attorney-work product. When allegations of harassment are made against an employee, the employee does not have access to data that would identify the complainant or their witnesses if ISD 709 determines that the employee's access to the data would:
  - 1) Threaten the personal safety of the complainant or witness; or
  - 2) Subject the complainant or witness to harassment.
 If the disciplinary proceeding is initiated against the employee, data on the complainant or witness shall be available to the employee as may be necessary to prepare for the proceeding.
- f. Appeals. Either party involved in the report who is dissatisfied with the investigation or resolution of an allegation of harassment or violence may appeal in writing to the Senior Human Resources Manager or the Superintendent within ten (10) days of receiving written notice of the outcome of the investigation.
- g. Submission of a Complaint or Report. Submission of a good faith complaint or report of sexual, sexual orientation, gender identity, gender expression, racial/ethnic, religious, or disability harassment or violence by a student or school personnel will not affect the complainant or reporter's future employment, grades, access to educational or school activities or work assignments. ISD 709 does not tolerate retaliation as a result of the submission of a complaint or report.

## **VI. NON EXCLUSIVITY**

The internal procedures and remedies outlined in this policy are not the only options available to a complainant. Participation in the school's procedure is not a prerequisite to pursuing other legal or governmental remedies. In other words, a complainant may use the school's grievance procedure and then, whether they obtain a satisfactory finding or not, may file a suit in court under any applicable federal, state, or local law. He or she also may forego the internal procedure and directly pursue legal or administrative remedies, or may pursue both internal and external remedies simultaneously. External avenues of recourse may include filing charges with the Minnesota Department of Human Rights, the Equal Employment Opportunity Commission, initiating civil action or seeking redress under state criminal statutes and/or federal law.

## **VII. INTENT**

The fact that someone did not intend to harass or commit an act of violence against an individual is generally not considered a defense to a complaint of harassment or violence. In most cases, the effects and characteristics of the behavior determine if that behavior constitutes harassment or violence.

## **VIII. HARASSMENT VIOLENCE AS ABUSE**

Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, ISD 709 shall comply with mandatory reporting requirements under Minnesota Statute Section 626.556, Reporting of Maltreatment of Minors and Minn. Statute Sections 121A.0695, Prohibiting Intimidation and Bullying. The statutes can be found on the Internet at <http://www.leg.state.mn.us/>.

Nothing in this policy will prohibit ISD 709 from taking immediate action to protect victims of alleged sexual, sexual orientation, gender identity, gender expression, racial/ethnic, religion or religious practices, or disability harassment, violence as abuse.

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

This policy will be distributed to all students and volunteers and to all employees, administrators, and independent contractors at the time of entering into the person's employment contract.

- A. This policy, or a summary of this policy, shall be conspicuously posted throughout each school building in areas accessible to pupils and staff members. ISD 709 shall conspicuously post the name of the Senior Human Resources Manager and Climate Coordinator contact information, including mailing address and telephone number in each ISD 709 school building.
- B. This policy shall be made available in each principal's office and in the ISD 709 Office.
- C. This policy shall appear in the student handbook.

- D. All ISD 709 employees and students who subsequently become part of the educational community shall be informed of this policy during their orientation. All non-student recipients of this policy, now or in the future, shall be required to sign an acknowledgment form indicating that they have read this policy, understand it, and agree to abide by it.
- E. Each administrator shall be responsible for promoting understanding and acceptance, monitoring of, and compliance with state and federal laws, board policies, and procedures governing harassment and violence in his or her building.
- F. ISD 709 will provide policy training, including discussions of this policy with students and school personnel.
- G. This policy shall be reviewed at least annually for compliance with state and federal law.

Cross References: Policy 413 (Prohibiting Harassment and Violence)  
Resolution 413.1R (Harassment Complaint Form)

Replacing: Regulation 4015R  
Accepted: 05-19-2015  
04-19-206 ISD 709 (Renumbered only)



## 514 – BULLYING PROHIBITION POLICY

### I. PURPOSE

The purpose of this policy is to prohibit bullying behavior and assist the Duluth School District in its goal of preventing and responding to acts of bullying, intimidation, violence, and other similar disruptive behavior.

The Duluth School District strives to provide safe, secure and respectful learning environments for all students in school buildings, on school grounds, school buses and at school-sponsored activities. A safe and civil environment is needed for students to learn and attain high academic standards and to promote healthy human relationships.

This policy protects all students against bullying behavior including bullying behavior on the basis of actual or perceived race, ethnicity, color, creed, 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, status with regard to public assistance, age, military status, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic defined in Minnesota Human Rights Act (Chapter 363A).

### II. DEFINITIONS

"Bullying" means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:

- A. there is an actual or perceived imbalance of power between the student engaging in prohibited conduct and the target of the conduct and the conduct is repeated or forms a pattern; or
- B. 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.

"Cyber bullying" 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.

Intimidating, threatening, abusive, or harming conduct" means; but is not limited to, conduct that does the following:

- A. 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;
- B. 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
- C. 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 as defined in the MHRA. However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.

"Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of the student who is the target of the prohibited conduct. Remedial response also means a measure to stop and correct retaliation for asserting, alleging, reporting or providing information about prohibited conduct (retaliation) or knowingly making a false report about prohibited conduct (false report), prevent retaliation or false reports from recurring and protect, support and intervene on behalf of the student who is the target of the prohibited conduct.

"Prohibited conduct" means bullying or cyberbullying as defined in this policy or retaliation for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying.

“Immediately” means as soon as possible but in no event longer than one school day.

“District employee” includes School Board members, administrators, educators, aides, school counselors, social workers, psychologists, other school mental health professionals, nurses and other school-based/linked medical providers/health professionals, cafeteria workers, custodians, bus drivers, athletic coaches, extracurricular activities advisors, paraprofessionals, school employees, agents, or persons subject to the supervision and control of the district and its students.

“On Duluth School District property or at school-related functions” means all Duluth 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 Duluth 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. Duluth School District property also may mean a student’s walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the Duluth School District does not represent that it will provide supervision or assume liability at these locations and events.

“Building Report Taker” is language from the Safe and Supportive Schools legislation and in the Duluth School District means the Building Principal or Designee. This policy will refer to the “Building Report Taker” as “Principal or Designee” throughout the document.

### III. STATEMENT OF PROHIBITION

An act of bullying, by either an individual student or a group of students, is expressly prohibited on Duluth School District property or at school-related functions. 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.

Apparent permission or consent by a student being bullied does not lessen the prohibitions contained in this policy.

Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.

False accusations or reports of bullying against another student are also prohibited.

No District employee, volunteer, or contractor shall permit, condone, or tolerate bullying.

### IV. REPORTING PROCEDURE

It is everyone’s responsibility to report bullying behavior, not just the person targeted. Any student who believes he or she has been the victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct shall report the alleged acts immediately to the Building Principal or designee, either verbally or in writing.

A person may make an initial report to any District Employee and may report bullying anonymously. However, the Duluth School District’s ability to take action against an alleged perpetrator based solely on an anonymous report may be limited.

The Duluth School District has made available to the reporting party or complainant the use of a report form. See the Parent & Student Handbook, contact the Principal, District Climate Coordinator, or visit [www.isd709.org](http://www.isd709.org) to access a [“Bullying Report Form”](#).

The building principal or designee is the person responsible for receiving reports of bullying at the building level. If the complaint involves the principal or designee, the complaint shall be made directly with the Assistant Superintendent or Superintendent of the Duluth School District. Please see our Parent & Student Handbook or Duluth School District Website at [www.isd709.org](http://www.isd709.org) for Principal and Duluth School District contact information.

The principal or designee 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 principal or designee or a third party designated by the school

district shall be responsible for the investigation. The principal or designee 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.

A District employee, volunteer, or contractor shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who receives a report of, observes, or has other knowledge or belief of conduct that may constitute bullying shall make reasonable efforts to address and resolve the prohibited conduct and inform the principal or designee immediately. District employees who fail to inform the principal or designee of conduct that may constitute bullying in a timely manner may be subject to disciplinary action.

Reports of bullying 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 Duluth 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 Duluth School District's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

Submission of a good faith complaint or report of bullying will not affect the complainant's or reporter's future employment, grades, or work assignments, or educational or work environment.

## V. PREVENTION, INVESTIGATION, AND RESPONSE

Many student conflicts can be resolved immediately and do not require reporting or creation of an incident report or office discipline referral. Schools must respond to bullying in a manner tailored to the individual incident, considering the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance.

It is the Duluth School District's responsibility to prevent bullying and to take action to investigate, respond, remediate, and discipline those involved in acts of bullying which have not been successfully prevented - to the extent possible given that such conduct affects the educational environment of Duluth Schools and the rights and welfare of its students, and is within the control of Duluth School District in its normal operations.

Prevention - Each school will utilize research-based developmentally appropriate best practice prevention strategies. These prevention strategies may include but are not limited to: teaching respect and acceptance of difference between people, positive behavior interventions and supports, social emotional learning, intentionally creating positive student and staff relationships, and preparing students for when bullying behavior does occur.

Investigation - Investigation of a bullying incident shall be initiated as soon as possible but no later than three school days of receipt of a report. The Duluth School District may take immediate steps, at its discretion, to protect the target or victim of bullying or other prohibited conduct, the complainant, reporter, students, or others pending completion of an investigation of bullying, consistent with applicable law. When investigating a complaint, the principal or designee may take into account following factors:

- The developmental ages and maturity levels of the parties involved.
- The potential for culturally misinterpreting behavior.
- The levels of harm, surrounding circumstances, and nature of the behavior.
- Past incidences or past or continuing patterns of behavior.
- The relationship between the parties involved.
- The context in which the alleged incidents occurred.

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.

Remedial Response - Upon completion of the investigation, the Duluth School District will take appropriate action with the student harmed and with the student who violated the prohibited conduct policy.

- For the student harmed: Protect, support, and intervene on behalf of the student who is the target of the prohibited conduct. Support may include: safety planning, student conference(s), referral to student support staff for one-to-one support or social skills training; check-in and/or

check-out with a trusted adult in the school; and choice to participate in a restorative process - facilitated by a trained facilitator. When an incident includes documentation through an office discipline referral, information regarding the student harmed will be included on the referral.

- For the student who violated the prohibited conduct policy: Schools may use multi-tiered levels of response that are individualized, consistent, reasonable, fair, and age-appropriate and should match the severity of the student's behavior and their developmental age. The response must be a natural and logical match to the prohibited behavior; consequences must be paired with meaningful instruction and guidance; and must be carefully planned with well-defined outcomes. Responses may include but are not limited to:
  - Safety planning
  - Student conference(s)
  - Working with parents of involved students
  - Teaching/reteaching of desired skills or behavior
  - Reinforcing desired skills or behaviors
  - School disciplinary action (detention, suspension, etc.)
  - Connecting students/families to school, district, community resources
  - Consideration of a restorative process if all parties are prepared and willing

Duluth 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; Duluth School District policies; and regulations.

School officials will notify the parent(s) or guardian(s) of students involved in a bullying incident and the remedial action taken, to the extent permitted by law, based on a confirmed report. The Duluth 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 Duluth School District.

In order to prevent or respond to bullying or other prohibited conduct committed by or directed against a child with a disability, the 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.

Appeal - Any party who is not satisfied with the outcome of the investigation may appeal to the district's Office of the Assistant Superintendent within 10 school days of notification of the principal or designee's decision. The Assistant Superintendent or designee will conduct a review of the appeal and, within 10 school days of receipt of the appeal, will affirm, reverse or modify the findings of the report. The Assistant Superintendent or designee shall notify the party requesting the appeal and the principal that its decision is final and shall document that notification with the appeal.

District Employees - When it is determined that a district employee was aware prohibited conduct was taking place but failed to report it, the employee will be considered to have violated this policy. The employee's supervisor shall consider employee discipline for such violations, making reference to any applicable collective bargaining agreement. Remedies for offending contractors should be imposed according to their Duluth School District contracts.

## VI. REPRISAL

The Duluth School District will take appropriate action against any student or District employee who retaliates against any person who testifies or participates in an investigation, or against any person who testifies, assists, or participates in a proceeding or hearing relating to such bullying. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment.

## VII. RECORDS

Information gained when investigating and remediating reports of bullying will be recorded and kept by the Building Principal or designee. Information regarding the number of reports of bullying and the action taken to resolve the reports will be provided to Duluth School District Climate Coordinator by the Building Principal or designee annually.

Affected students and their parents may have rights under state and federal data practices laws to obtain access to data related to an incident and to contest the accuracy or completeness of the data.

## VIII. PROFESSIONAL DEVELOPMENT AND EDUCATION

The District shall discuss this Policy with District employees, volunteers, and contractors, and provide appropriate training and professional development to district employees regarding this Policy.

Staff - Professional development will:

- A. Be required on a three year cycle for all school personnel to prevent, identify, and respond to bullying behavior. Newly employed district employees must receive the training within the first year of their employment with the district or school. A district or school administrator may accelerate the training cycle or provide additional training based on particular needs or circumstances.
- B. Require ongoing professional development, consistent with Minnesota Statutes Section 122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. The content of such professional development shall include, but not be limited to:
  1. Developmentally appropriate strategies to prevent incidents of bullying and to intervene immediately and effectively to stop them in a manner that does not stigmatize the victim.
  2. Information about the complex interaction and power differential that can take place between and among an actor, target and witness to the bullying.
  3. Research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk and any specific interventions that may be particularly effective for addressing bullying behavior related to bias.
  4. Recognizing, responding to and reporting bullying.
  5. Information about the incidence and nature of cyber bullying.
  6. Information about Internet safety issues as they relate to cyber bullying.
  7. Student staff relationships and initial responses to students making a report.
  8. A review of the district's reporting requirements related to bullying and cyber bullying.

Student Education - Each school shall incorporate into the school curriculum developmentally appropriate programmatic instruction to help students identify, prevent and reduce bullying and create a safe learning environment.

The Duluth School District will work with the Minnesota Department of Education Technical Assistance Center and provide resources for instruction and topics including but not limited to: evidence-based social-emotional learning to prevent and reduce discrimination and other improper conduct to engage all students in creating a safe and supportive school environment.

## IX. NOTICE

The Duluth School District will give annual notice of this policy to students, parents or guardians, and staff through the following practices:

- A. A script, orally or in writing, using age appropriate language, will be shared with all students during the fall of each school year.
- B. This policy shall fully appear in the Parent/Student Handbook with notice of the policy in the Employee Handbook.
- C. This policy shall be given to each district employee and independent contractor at the time of entering into the person's employment contract.
- D. Information regarding this policy will be included in information communicated to volunteers at time of entering into volunteer agreement.
- E. A report will be provided annually to the School Board at the July Education Committee Meeting, including a summary of the number of bullying reports submitted and the action taken to resolve reports. This will be done without releasing any case specific information or personnel data.
- F. This policy must be available to all parents and other school community members in an electronic format in the languages appearing on the district or school Web site, consistent with the district policies and practices.

*Legal References:* Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 121A.03 (Sexual, Religious and Racial Harassment and Violence)  
Minn. Stat. § 121A.0695 (School Board Policy; Prohibiting Intimidation and Bullying)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.69 (Hazing Policy)

Minn. Stat. § 121A.031 (Student Bullying Policy)

*Cross References:* MDE Model Policy, November 2014 (Model Student Bullying Prohibition Policy)  
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)

Adopted: 08-19-2014 ISD 709

Revised: 06-16-2015 ISD 709

Revised: 08-22-2017 ISD 709

## 521 STUDENT DISABILITY NONDISCRIMINATION

### I. PURPOSE

The purpose of this policy is to protect students with disabilities from discrimination on the basis of disability and to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973 (Section 504), need services, accommodations, or programs in order that such learners may receive a free appropriate public education.

### II. GENERAL STATEMENT OF POLICY

- A. Students with disabilities who meet the criteria of Paragraph C. below are protected from discrimination on the basis of a disability.
- B. The responsibility of the school district is to identify and evaluate learners who, within the intent of Section 504, need services, accommodations, or programs in order that such learners may receive a free appropriate public education.
- C. For this policy, a learner who is protected under Section 504 is one who:
  - 1. has a physical or mental impairment that substantially limits one or more of such person's major life activities; or
  - 2. has a record of such an impairment; or
  - 3. is regarded as having such an impairment.
- D. Learners may be protected from disability discrimination and be eligible for services, accommodations, or programs under the provisions of Section 504 even though they are not eligible for special education pursuant to the Individuals with Disabilities Education Act.

### III. COORDINATOR

Persons who have questions or comments should contact the Office of the Assistant Superintendent, 215 N. 1<sup>st</sup> Ave E, Duluth, MN 55802, (218)336-8739. The Assistant Superintendent is the school district's Americans with Disabilities Act/Section 504 coordinator. Persons who wish to make a complaint regarding a disability discrimination matter may use the accompanying Student Disability Discrimination Grievance Report Form. The form should be given to the ADA/Section 504 coordinator.

*Legal References:* Pub. L. 110-325, 122 Stat. 3553 (ADA Amendments Act of 2008, § 7)  
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)  
34 C.F.R. Part 104 (Section 504 Implementing Regulations)

*Cross References:* MSBA/MASA Model Policy 402 (Disability Nondiscrimination)

Replacing: Policy 5154  
Adopted: 12/20/2016

## 5040 – TRANSFERS WITHIN THE SCHOOL DISTRICT

The intent of the transfer policy is to minimize disruption of the education process for the student by maintaining continuous attendance in a school setting with his/her peers.

The transfer of a student from one school attendance area to another within the school district may be initiated by the student (18 years of age), by either a parent or guardian, by a School's Supportive Services Team (SST), by the Special Education Child Study Team (C.S.T), or by the principal.

The Assistant Superintendent, guided by School Board Policy, District regulations, and building populations will make the final decision in each case of a requested transfer. Transfers not approved by the Assistant Superintendent may be appealed to the transfer appeal board.

Each school year requires extensive advance planning relative to projected enrollments, curriculum offerings, and staffing for each building. Approval of transfers from one building to another will be limited to reasonable requests following designated timelines.

The student may complete the grades contained in the school to which he/she has transferred. To continue attendance with peers in a new school setting (i.e. middle school to high school) requires completion of a new transfer request.

Adopted: 9-08-81 ISD709

Revised: 2-21-95; 6-20-95; 3-19-05; 5-17-05; 2-12-08

## 5040R – STUDENT TRANSFERS

### Process and Procedure

1. Initiation and Decision-Making on Transfer Requests

Parents or guardians desiring to transfer their child from their home residential attendance area to another attendance area in the School District must complete a Request for Student Transfer form and submit it to the Assistant Superintendent.

2. Transfer Guidelines and Consideration

The Assistant Superintendent will take into consideration teacher/student ratio, class size, and classroom space when making transfer decision. For the purpose of transfer consideration, the following class size guideline will be used when determining transfer requests:

Kindergarten: (24)

Kindergarten Immersion (24)

Grade 1 (26)

Grade 1-2 (26)

Grade 2 (26)

Grade 2-3 (26)

Grade 3 (28)

Grade 3-4 (28)

Grade 4 (28)

Grade 4-5 (28)

Grade 5 (28)

Middle and High School: Teacher/Student ratios, class size, and classroom space will also be considered when making transfer decisions for middle and high school students.

3. Transfer Appeal Board

The Assistant Superintendent will convene the Transfer Appeal Board upon the request of the applicant for applications submitted by the due dates stated in the Timelines for Transfer Request. Requests submitted after the due date will not be considered until the following semester. The Transfer Appeal Board will be made up of one School Board member, a district administrator other than the Assistant



Superintendent, and two community members, keeping in mind the need to maintain a balance of representation across the district. Unique circumstances may require exceptions to these timelines.

The priority of teacher/student ratio, class size and classroom space are of utmost importance and the Transfer Appeal Board will work to uphold these standards. The principal will be consulted by the Transfer Appeal Board to best understand the details of these circumstances before an approval. Criteria that may be considered include previous attended school, staff request, sibling attendance and student eligible for federal lunch subsidy.

4. Moving to a New Attendance Area

Parents and guardians who move from one attendance area to another within the School District are requested to notify the principals involved two (2) weeks prior to the actual move. The former school is responsible for forwarding all appropriate records.

When a student begins an educational program in a school and his/her parent(s) or guardian(s) move to another attendance area, the student may continue to attend the school in which he/she began. It is the responsibility of the parent to transport the student to and from the requested school or to and from the established bus stop serving the requested school.

Only homeless students\* will receive School District transportation to the school outside of their attendance area.

5. Eligibility for Co-curricular Activities Competition

Athletic ability and the preference to participate on another school's athletic team will not be considered as a valid reason for requesting a transfer of schools. To be eligible to represent a school as a member of an athletic or academic team, a student must reside with his/her parent(s) or legal guardian(s) within the boundaries of the attendance area of that school or be attending that school with a valid transfer. All participation must be consistent with MSHSL rules.

The Term "Homeless Children and Youth"

Means individuals who lack a fixed, regular, and adequate nighttime residence; and Includes – children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency shelters; are abandoned in hospitals; or are awaiting foster care placement.

Adopted: 09-08-1981 ISD 709

Revised: 02-21-1995  
06-20-1995  
03-19-2002  
11-19-2002  
05-18-2004  
04-19-2005  
01-15-2008  
03-17-2009  
04-23-2009  
05-19-2009  
07-21-2010  
07-09-2013  
11-18-2014

## **5090 – USE OF CELL PHONES, DIGITAL IMAGING DEVICES, AND OTHER PERSONAL ELECTRONIC DEVICES**

### **Purpose**

The purpose of this policy is to set forth expectations for appropriate use of existing and emerging technologies which students may possess, including but not limited to cell phones, digital picture/video cameras and or camera phones, personal digital assistants, iPods, MP3s, pagers and other personal electronic devices.

### **General Statement of Policy**

The Duluth Public Schools holds high expectations for student behavior, academic integrity and responsible use of existing and emerging technologies. Students who possess devices at school or school sponsored events shall demonstrate the greatest respect for the educational environment and the rights and privacy of all individuals within the school community.

### **Standards for Responsible Use at School, on Buses, or at School Activities**

- A. Respect for the educational environment
  - 1. Students shall not use any electronic device that in any way disrupts or detracts from the educational environment.
  - 2. Cellular phones or other personal electronic devices should be silent and kept out of sight in classrooms and during the school day in Media Centers, testing centers, and during fine arts performances.
  - 3. Students will not be allowed to leave class in response to electronic devices.
  - 4. In secondary schools only, cellular phones and other devices may be used appropriately and respectfully before and after classes and during lunch, in common areas-such as near lockers or the cafeteria-or outside on school grounds.
  - 5. Teachers may permit the purposeful use of personal electronic devices in support of curricular objectives and student supports.
- B. Respect for Privacy Rights
  - 1. Students shall not photograph or videotape other individuals at school or at school activities without their knowledge and consent, except for activities considered to be in the public arena such as sporting events or public performances.
  - 2. Students shall not e-mail, post to the internet, or otherwise electronically transmit images of other individuals taken at school without their expressed written consent.
  - 3. State law strictly prohibits the use of cellular phones or other personal electronic devices in locker rooms and restrooms.
- C. Ensuring Academic Integrity

Students shall not use cellular phones or other electronic devices in any way that may cause a teacher or staff member to question whether the student may be cheating on tests or academic work or violating copyright policy.
- D. Compliance with Other District Policies

Use of cellular phones or other personal electronic devices must not violate any other District Policy including those regarding student privacy, copyright, cheating, plagiarism, civility, student behavior, or harassment. If a violation occurs involving more than one district policy, consequences for each may apply.

### **Violations of this Policy**

- A. Inappropriate use of cellular phone or other electronic device - An employee shall direct the student to turn off the device and to store it appropriately.
- B. Repeated infractions - Repeated infractions will be considered disruptive, disorderly, or insubordinate behaviors. Consequences of inappropriate use of cellular phones or other electronic devices that are in violation of other district policies can be referenced in the student discipline policy.
- C. Severe or illegal infractions shall result in student referral to the office. Administration may confiscate the device, notify parents and/or police when appropriate. If cellular phones or other electronic devices are suspected to be used in the violation of other district policies or used in the process of illegal activity, the contents may be considered evidence and reviewed by school administration. Confiscated devices will be returned to a parent/guardian after the school day unless legal implications require otherwise.

Adopted: 07-19-2011 ISD 709  
Revised: 07-21-2015 ISD 709

## Dress Code Regulation

The staff, students, parents, and the Duluth Public Schools community recognize the importance and necessity for students' attire to be respectful and appropriate for school. ~~Students are expected to dress in a manner that is appropriate for the educational setting and does not pose a health/safety issue or disrupt the learning process. Therefore, the expectations for student dress are as follows:~~ This student dress code supports equitable educational access and is written in a manner that does not reinforce stereotypes. To ensure effective and equitable enforcement of this dress code, school staff shall enforce the dress code consistently and in a manner that does not reinforce or increase marginalization or oppression of any group based on race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income or body type/size.

Our values are:

- All students should be able to dress comfortably for school and engage in the educational environment without fear of or actual unnecessary discipline or body shaming.
- All students and staff should understand that they are responsible for managing their own personal "distractions" without regulating individual students' clothing/self-expression.
- Student dress code enforcement should not result in unnecessary barriers to school attendance.
- Dress code violations should be addressed using student/body-positive language to explain the code.
- Teachers should focus on teaching and students focus on learning without the distraction and often uncomfortable burden of addressing dress code violations.
- Reasons for conflict and inconsistent and/or inequitable discipline should be minimized whenever possible.

Our student dress code is designed to accomplish several goals:

- Maintain a safe learning environment in classes where protective or supportive clothing is needed, such as chemistry/biology (eye or body protection), dance (bare feet, tights/leotards), or PE (athletic attire/shoes).
- Allow students to wear clothing of their choice that is comfortable.
- Allow students to wear clothing that expresses their self-identified gender.
- Allow students to wear religious attire without fear of discipline or discrimination.
- Prevent students from wearing clothing or accessories with offensive images or language, including profanity, hate speech, weapons and pornography.
- Prevent students from wearing clothing or accessories that denote, suggest, display or reference alcohol, drugs or related paraphernalia or other illegal conduct or activities.
- Prevent students from wearing clothing or accessories that will interfere with the operation of the school, disrupt the educational process, invade the rights of others, or create a reasonably foreseeable risk of such interference or invasion of rights.
- Prevent students from wearing clothing or accessories that reasonably can be construed as being or including content that is racist, lewd, vulgar or obscene, or that reasonably can be construed as containing fighting words, speech that incites others to imminent lawless action, defamatory speech, or threats to others.
- Ensure that all students are treated equitably regardless of race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income or body type/size.

Duluth Public Schools expects that all students will dress in a way that is appropriate for the school day or for any school sponsored event. Student dress choices should respect the District's intent to sustain a community that is inclusive of a diverse range of identities. The primary responsibility for a student's attire resides with the student and their parent(s) or guardian(s). The school district is responsible for seeing that student attire does not interfere with the health or safety of any student; that student attire does not contribute to a hostile or intimidating atmosphere for any student, and that dress code enforcement does not reinforce or increase marginalization or oppression of any group based on race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural

observance, household income, or body type/size. Any restrictions to the way a student dresses must be necessary to support the overall educational goals of the school and must be explained within this dress code.

1. **Basic Principle:** Certain body parts must be covered for all students at all times. Clothes must be worn in a way such that genitals, buttocks, breasts, and nipples are fully covered with opaque fabric.

All items listed in the “must wear” and “may wear” categories below must meet this basic principle.

2. **Students Must Wear\***, while following the basic principle of Section 1 above:

- A Shirt (with fabric in the front, back, and on the sides under the arms), AND
- Pants/jeans or the equivalent (for example, a skirt, sweatpants, leggings, a dress or shorts) AND
- Weather appropriate shoes.

\*Courses that include attire as part of the curriculum (for example, professionalism, public speaking, and job readiness) may include assignment-specific dress, but should not focus on covering bodies in a particular way or promoting culturally-specific attire. Activity-specific shoes requirements are permitted (for example, athletic shoes for PE).

3. **Students May Wear**, as long as these items do not violate Section 1 above:

- Religious headwear
- Fitted pants, including opaque leggings, yoga pants and “skinny jeans”
- Ripped jeans, as long as underwear and buttocks are not exposed.
- Tank tops, including spaghetti straps; halter tops
- Athletic attire
- Visible waistbands on undergarments or visible straps on undergarments worn under other clothing (as long as this is done in a way that does not violate Section 1 above).

4. **Students Cannot Wear:**

- Any clothing that reveals visible undergarments (visible waistbands and visible straps are allowed).
- Swimsuits (except as required in class or athletic practice).
- Accessories that could be considered dangerous or could be used as a weapon.
- Any item that obscures the face or ears (except as a religious observance).
- All jackets/coats intended for outerwear (for example: starter, letter, leather, trench coats, windbreakers, etc.) must be kept in the student's locker during regular school hours. Fleece vests are not considered outerwear.
- **Hats, caps, hoods, do-rags, and bandannas**, not including religious headwear, must be stored in student's locker.
- Skirts, shorts, and dresses, (including slits), must extend to mid-thigh.
- Students must wear shoes appropriate to the educational and weather setting. Flip flops are not allowed in the winter months.
- Tank tops (not undershirts) are permitted as long as the straps are at least three (3) fingers wide, no cleavage/chest (male and female) is showing, no midriff (short top that reveals the stomach and/or belly button, no backs (mid to lower) are exposed. Material should not be see-through.
- All undergarments must be covered. Wearing boxer shorts or other undergarments as outer garments is considered inappropriate wear.
- Clothing that includes works or pictures that are obscene, vulgar, sexually explicit, convey sexual innuendo, abuse or discrimination, or which promote or advertise alcohol, chemicals, tobacco or any other product that is illegal for use by minors and illegal on school property, will not be allowed.
- Objectionable emblems, badges, symbols (including confederate flags & swastika's), derogatory mascots, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to any group,

evidences of gang membership or affiliation, or approves, advances, or provokes any form of religious, racial, or sexual harassment and/or violence against other individuals is not allowed.

- Students are not allowed to wear identity-obscuring masks, face paint, sunglasses, or costumes.
- Clothing or other items or grooming in a manner that represents and/or promotes threat/hate groups or gangs will not be allowed.
- Metal chains and spiked jewelry or accessories that are considered to be a safety concern cannot be brought or worn to school.
- Clothing should be hygienically clean.

Students who are in violation of the dress code will be asked to change clothes, cover up existing clothing if possible or go home and change so that they meet dress code. In the event a student must go home and change, the parent will be contacted. The student must sign in and out at the Attendance Office. ~~At the secondary level, students who violate the policy three (3) times may receive a detention. In/Out of School Suspension (ISS/OSS) may be assigned for continued violations of dress code policy.~~

## Standards of Conduct

Standards of conduct are developed to ensure the district's aim for high achievement and for safe and welcoming environments. Disciplinary policies within the elementary and secondary schools shall be enforced within the general guidelines as set forth in the grid below and are designed to prevent student's inappropriate behavior from recurring. These guidelines clearly describe the various administrative actions that may be taken for violations of the law and the school district standards of behavior. Behavioral incidents requiring Office Intervention will be documented as an "office discipline referral" in Infinite Campus under the student behavior tab.

The listing of minimum guidelines does not require that a "step-by-step" progression of increasing severity be employed by an administrator in dealing with a violation. However, there should be a logical relationship between the severity of the offense and the administrative action. The intent of this section is to list the guidelines for minimum disciplinary actions for each violation.

Out of school suspension is used for the purpose of creating separation and safety during investigation and intervention planning in response to a behavioral incident. At all age levels, use of out-of-school suspension should be paired with environmental, instructional, and/or restorative intervention.

The Assistant Superintendent will be consulted if any site desires to implement policy which exceeds the disciplinary action for violations. For students with a history of violent behavior, staff will be notified per Policy 5022.

The following grid represents the majority of violations that occur in the schools, but other violations may occur which will warrant disciplinary action. The Principal's discretion regarding the enforcement of policy will be used when age, culture, and development/ability are factors in behavioral issues.

ACADEMIC DISHONESTY		A student shall not cheat in any form on school grounds or in any school-related activity. This includes plagiarizing (copying from print, the Internet, or other electronic resources, purchasing or copying another person's work, and paraphrasing without citing the source).	
Grades	First Offense	Second Offense	Third Offense
K-2	*Notification of parent(s) or guardian(s)		*Referral to building resources
3-5	*Notification of parent(s) or guardian(s)	*Referral to building resources	1-2 day(s) suspension
6-12	Teacher conference with student; teacher discretion for consequences	Notification of parent(s) or guardian(s) and/or conference; teacher discretion for consequences	Administrative conference; consideration for loss of credit; consideration for 1-3 day(s) suspension
ALCOHOL		A student shall not possess, use, transmit, or be under the influence of alcoholic beverages of any kind: <ul style="list-style-type: none"> <li>• On school grounds immediately before, during, or after school hours.</li> <li>• On school grounds at any time when the school is being used by any school group.</li> <li>• Off school grounds at a school activity, function, or event.</li> <li>• On any district-provided transportation.</li> <li>• In a school zone as defined by Minnesota Statutes.</li> </ul>	
Grades	First Offense	Second Offense	Third Offense
K-2	*IIU Report; referral to building resources		
3-5	*IIU Report; referral to building resources	Referral to building resources; notification of police	1 day out-of-school school suspension
6-12	Notification of parent(s) or guardian(s); notification of police or probation officer; 1 day suspension with consideration of 2-3 days suspension	1-3 day(s) out-of-school suspension	3-5 days out-of-school suspension; consideration for expulsion (fourth offense)

<b>ARSON</b>		<ol style="list-style-type: none"> <li>1. "Arson" is the intent or intentional destruction of or damage to any school building, school or personal property, injury to persons by means of fire or explosives. This includes all behaviors within the 'school zone' on school-sponsored/supervised activities.</li> <li>2. Failure to exercise ordinary caution resulting in fire within any area identified in #1 above, damage to school or personal property, or injury to person(s).</li> <li>3. False alarm or tampering with any part of a fire suppression system (including, but not limited to sprinklers, fire alarms, smoke detectors, fire extinguishers, or any other part of the fire suppression system). Giving a false alarm (police, fire, ambulance, 911) or tampering or interfering with any fire alarm system.</li> <li>4. Matches, lighters, and other fire starting materials are not allowed on school premises.</li> </ol>	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	*Notification of parent(s) or guardian(s); IIU Report; referral to building resources	*1 day suspension	*3 days out-of-school suspension
3-5	*Notification of parent(s) or guardian(s); IIU Report; referral to building resources	*1 day suspension	*3 days out-of-school suspension
6-12	Mandatory notification of police and Fire Marshall, referral for F.I.R.S.T. Program attendance, notification of parent(s) or guardian(s), restitution if damage occurred; confiscation of materials; 3 days out-of-school suspension; consideration for expulsion	3-5 days out-of-school suspension; consideration for expulsion	
<b>ASSAULT</b>		"Assault" is acting to cause fear in another of immediate bodily harm or death or intentionally inflicting or attempting to inflict bodily harm upon another.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	*Notification of parent(s) or guardian(s); 1-2 day(s) suspension	*1 day out-of-school suspension	*1 day out-of-school suspension; referral to building resources
3-5	*Notification of parent(s) or guardian(s); 1-2 day(s) suspension	*1 day out-of-school suspension	1 day out-of-school suspension; referral to building resources
6-12	Notification of parent(s) or guardian(s) and police or probation officer; 1-3 day(s) suspension	Notification of parent(s) or guardian(s) and police or probation officer, if applicable; 3-5 days suspension	Notification of parent(s) or guardian(s) and police or probation officer, if applicable; 3-5 days suspension; consideration for expulsion
<b>ASSAULT (AGGRAVATED)</b>		"Aggravated assault" is committing an assault upon another person with a dangerous weapon or an assault that inflicts great bodily harm upon another person. (In cases involving harassment, as defined in the Harassment Policy, a district specialist will be consulted.)	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	*Notification of parent(s) or guardian(s)	* Referral to building resources	
3-5	*Notification of parent(s) or guardian(s)	* Referral to building resources	1-2 day(s) suspension
6-12	Notification of parent(s) or guardian(s); police or probation officer; 3-5 days suspension; consideration for expulsion depending on the severity of assault and past infractions		
<b>ASSAULT (CRIMINAL SEXUAL)</b>		"Criminal Sexual Assault" is defined by M.S. 609.341. (Refer to Sexual Harassment/Assault Response Protocol.)	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	* Notification of parent(s) or guardian(s)		* Referral to building resources
3-5	* Notification of parent(s) or guardian(s)	* Referral to building resources	Consideration for 1-2 day(s) suspension
6-12	Notification of parent(s) or guardian(s) and police or probation officer; 3-5 days suspension	Consideration for expulsion	

<b>ATTIRE</b>		Attire or personal grooming that presents a risk to health, safety, property, interferes with education, or violates Policy 4015 and Regulation 4015R Prohibiting Harassment and Violence is prohibited. Please see entire ISD 709 Dress Code Regulation.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-5</b>	Notification of parent(s) or guardian(s)	Notification of parent(s) or guardian(s); Administration discretion for consequences	Notification of parent(s) or guardian(s); Administration discretion for consequences
<b>6-12</b>	Student conference; Notification of parent(s) or guardian(s)	Notification of parent(s) or guardian(s)	Consideration for detention; Further offenses will result in consideration for suspension
<b>BOMB</b>		A student shall not possess or commit crimes of violence using explosive devices including, but not limited to, bombs, grenades, rockets and mines. This also means devices that produce a chemical reaction that result in destruction.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-2</b>	Notification of parent(s) or guardian(s)	* Referral to building resources	1-2 day(s) suspension
<b>3-5</b>	Notification of parent(s) or guardian(s)	* Referral to building resources	1-2 day(s) suspension
<b>6-12</b>	Notification of parent(s) or guardian(s); up to 5 day out-of-school suspension; consideration for expulsion; mandatory notification of police or probation officer, if applicable	Consideration for expulsion	
<b>BOMB THREAT</b>		A student shall not threaten directly or indirectly, to commit any crime of violence with purpose to cause an emergency response of a school building or grounds or a school-related activity.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-2</b>	Notification of parent(s) or guardian(s); referral to building resources	1 day suspension	Notification of police; 1-3 day s suspension; referral to building resources
<b>3-5</b>	Notification of parent(s) or guardian(s); referral to building resources; 1 day suspension	1-3 day(s) suspension; referral to building resources	Police notification; 3-5 days suspension
<b>6-12</b>	Notification of parent(s) or guardians(s); 3-5 day out-of-school suspension; consideration for expulsion; mandatory notification of police <b>Note:</b> A plan for readmission must be developed, which may include a risk assessment if the student is to return to school.		
<b>BULLYING</b>		<p>Bullying means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:</p> <ul style="list-style-type: none"> <li>• There is an actual or perceived imbalance of power between the student engaging in prohibited conduct and the target of the behavior and</li> <li>• The conduct is repeated or forms a pattern; or</li> <li>• The conduct materially and substantially interferes with a student's educational opportunities, performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.</li> </ul> <p><b>Note:</b> Bullying and conflicts are different. Conflicts are to disagree, argue, or fight. Conflicts have an increased balance of power, are usually spontaneous, and mutual. See the <a href="#">Bullying Prohibition Policy 514</a> for further information.</p>	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-2</b>	*Notification of parent(s) or guardian(s)		
<b>3-5</b>	*Notification of parent(s) or guardian(s)	1 day suspension; referral to building resources	1-3 day(s) suspension
<b>6-12</b>	Student conference; notification of parent(s) or guardian(s); consideration for 1 day suspension; conference with parent(s) or guardian(s) if suspended	1-3 day(s) suspension	3-5 days suspension; consideration for expulsion



<b>CELL PHONES OR ELECTRONIC MOBILE DEVICES</b>		Students may not use cell phones or personal electronic mobile devices during class time unless it is determined by the teacher that it is required for curriculum/course content. School will not be responsible for lost, damaged or stolen devices. School administration will not spend time investigating any lost or stolen electronic devices.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	Notification to parent(s) or guardian(s)	Notification to parent(s) or guardian(s); Administration discretion for consequences	Notification to parent(s) or guardian(s); Administration discretion for consequences
6-12	Student conference; Notification of parent(s) or guardian(s)	Notification to parent(s) or guardian(s); Administration discretion for consequences	Consideration for 1 day(s) suspension
<b>COMPUTER</b>		Data tampering, unauthorized use of data, violations of Policy 3187-Use Policy for Internet Access and Regulation 3187R - Internet Use Regulations (e.g. software modification or copyright violation, any attempt to install or use software that has not been approved by the district, violation of district network security, hardware damage/vandalism, etc.) is prohibited.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	*Notification of parent(s) or guardian(s)		*Referral to building resource; loss or restriction of technology use
3-5	*Notification of parent(s) or guardian(s)	*Loss or restriction of technology use	Loss or restriction of technology use; consideration for 1 day suspension
6-12	Student conference; loss or restriction of technology use; notification of parent(s) or guardian(s) and police or probation officer, if applicable; required restitution by parent(s) or guardian(s) and student; consideration for suspension	Loss or restriction of technology use; consideration for suspension; required restitution by parent(s) or guardian(s) and student	Consideration for expulsion
<b>CONTROLLED SUBSTANCE (Prescription)</b>		A student shall not possess, use, transmit or be under the influence of a controlled substance that is not prescribed to the student by a licensed health care professional: <ul style="list-style-type: none"> <li>• In a school zone as defined by Minnesota Statutes immediately before, during, or after school hours.</li> <li>• On school grounds at any time when the school is being used by any school group.</li> <li>• Off school grounds at a school activity, function, or event.</li> <li>• On any district-provided transportation.</li> </ul> Refer to Regulation 6180R – Procedures of Administration of Medication During the School Day.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	Notification of parent(s) or guardian(s); County IIU Referral		
3-5	Notification of parent(s) or guardian(s); County IIU Referral	*Referral to building resources; 1 day suspension	1-3 day(s) suspension
6-12	Notification of parent(s) or guardian(s); 1-3 day(s) suspension; referral to building resources; mandatory notification of police; consideration for expulsion <b>NOTE:</b> Students who sell or deal controlled substances on school premises may be subject to expulsion on the first offense.	3 days out-of-school suspension; referral to building resources; consideration for expulsion	5 days out-of-school suspension; consideration for expulsion
<b>CYBER BULLYING</b>		Cyber Bullying 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, website, or forum – that is transmitted through a computer, cell phone, or other electronic device. See “Bullying” violation or for bullying definition the <a href="#">Bullying Prohibition Policy 514</a> for further information.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	*Notification of parent(s) or guardian(s)		
3-5	*Notification of parent(s) or guardian(s)	1 day suspension; referral to building resources	1-3 day(s) suspension
6-12	Student conference; notification of parent(s) or guardian(s); consideration for	1-3 day(s) suspension	5 days suspension; consideration for expulsion

	1 day suspension		
<b>DISRUPTIVE/DISORDERLY CONDUCT AND INSUBORDINATION</b>		<p>A student shall not participate in actions, <b>on or off campus</b>, that interfere with the rights of others to an education, instruction, and/or with the effective operations of the school. Such actions include <del>off-campus behavior that negatively impacts effective school operations or the rights of others to an education or instruction including but are</del> not limited to:  <del>Refusal to follow school rules and regulations, refusal to follow directions given by a staff member, loud/boisterous behavior, inappropriate language, indecent or lewd conduct including consensual intimate sexual behaviors, rude gestures, defiance, lying, throwing objects, running, leaving school grounds without proper authorization, and distributing unauthorized materials on school property.</del></p> <p><b>Disruption:</b> Any behavior that significantly interrupts the education, instruction or effective operations of the school and or classroom (and is not better coded as another behavior).</p> <p><b>Some examples of disruptive behavior include:</b> Offensive language or gestures, profanity, explosive outbursts or rage. Leaving the classroom without permission or school grounds without proper authorization. Consensual intimate sexual behaviors. Distributing unauthorized materials on school property. Play-fighting, which can appear real and/or alarm students and staff and/or lead to real conflicts or injuries.</p> <p><b>Insubordination:</b> Persistent refusal to follow school rules or regulations, persistent refusal to follow directions given by a staff member or persistent confrontational and aggressive arguing with a staff member.</p>	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-2</b>	*Notification of parent(s) or guardian(s)		*Referral to building resources
<b>3-5</b>	*Notification of parent(s) or guardian(s)	*Referral to building resources	1-2 day(s) suspension
<b>6-12</b>	Student conference; consideration for notification of parent(s) or guardian(s); consideration for 1-3 day(s) suspension.	Student conference; consideration for notification of parent(s) or guardian(s); consideration for 3-5 days suspension.	Student conference; consideration for notification of parent(s) or guardian(s); consideration for 5 days suspension.
<b>EXTORTION</b>		A student shall not obtain property from another by verbal intimidation.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-2</b>	*Notification of parent(s) or guardian(s)		*Referral to building resources
<b>3-5</b>	*Notification of parent(s) or guardian(s)	Consideration for 1-2 day(s) suspension; referral to building resources	1-3 day(s) suspension
<b>6-12</b>	Notification of parent(s) or guardian(s) and police or probation officer, if applicable; consideration for 1-3 day(s) suspension	Consideration for 3-5 days suspension	Consideration for 3-5 days suspension; consideration for expulsion
<b>FIGHTING</b>		"Fighting" is mutual combat in which both parties have contributed to the situation by verbal and/or physical action.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-2</b>	*Notification of parent(s) or guardian(s); 1-2 day(s) suspension	*1-3 day(s) suspension	*Referral to social worker; 1-3 day(s) suspensions
<b>3-5</b>	*Notification of parent(s) or guardian(s); 1-2 day(s) suspension	*1-3 day(s) suspension	
<b>6-12</b>	Notification of parent(s) or guardian(s) and police or probation officer, if applicable; 1-3 day(s) suspension	3-5 days suspension	3-5 days out-of school suspension; consideration for expulsion
<b>GAMBLING</b>		A student shall not gamble in any form on school grounds or at any school-related activity.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-2</b>	*Notification of parent(s) or guardian(s)		*Referral to building resources
<b>3-5</b>	*Notification of parent(s) or guardian(s)	*Referral to building resources	1-2 day(s) suspension
<b>6-12</b>	Student conference; consideration for	Notification of parents; consideration for 1-3 day(s)	Consideration for 3-5 days suspension

	notification of parent(s) or guardian(s).	suspension; consideration for notification of police or probation officer	
<b>GANG ACTIVITY</b>		Gang activity is strictly prohibited. A “gang” is herein identified as any group that participates in disruptive, intimidating, illegal, and/or violent activities as defined in this policy. This includes gang symbols, gestures, and attire.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-2</b>	*Notification of parent(s) or guardian(s)		*Referral to social worker
<b>3-5</b>	*Notification of parent(s) or guardian(s)		
<b>6-12</b>	Student conference; notification of parent(s) or guardian(s) and police or probation officer; consideration for 1-3 day(s) suspension	1-3 day(s) suspension	3 days suspension <b>NOTE:</b> Repeated offenses involving assault, intimidation, or other illegal activity may result in recommendation for expulsion.
<b>HARASSMENT</b>		<p>Sexual harassment, sexual orientation harassment, religious harassment, ethnic/ racial harassment (racial slurs, displays, emblems, graffiti, etc.), and disability harassment, as defined in Policy 4015 and Regulation 4015R Prohibiting Harassment and Violence (these actions may also constitute harassment as defined in Policy 4015 and Regulation 4015R Prohibiting Harassment and Violence).</p> <p>Physical or verbal conduct that: Has the purpose or effect of creating an intimidating, hostile, or offensive work, business, or academic environment. Or, has the purpose or effect of substantially interfering with an individual's work, business, or academic performance.</p> <p>Harassment may be sexual, related to “protected groups” (Race, Color, Creed, Religion, National Origin, Sex, Marital Status, Disability, Status with Regard to Public Assistance, Sexual Orientation, Age, Gender Identity, Gender Expression, and Any and All Other Protected Groups as identified by state and/or federal statute) or general.</p> <p>See policy <a href="#">Policy 413</a> and <a href="#">Regulation 413R</a> Prohibiting Harassment and Violence for further information.</p>	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-2</b>	*Notification of parent(s) or guardian(s)	*Consideration for 1-2 day(s) suspension; referral to social worker	1-3 day(s) suspension
<b>3-5</b>	*Notification of parent(s) or guardian(s)	*Consideration for 1-2 day(s) suspension; referral to social school worker	1-3 day(s) suspension
<b>6-12</b>	Student conference; notification of parent(s) or guardian(s); consideration for 1 day suspension; consideration for filing a complaint with ISD 709 Human Resources	Consideration for 1-3 day(s) suspension; mandatory filing of a complaint with ISD 709 Human Resources	Consideration for 3-5 days suspension
<b>HAZING</b>		“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. “Student organization” means a group, club, or organization having students as its primary members or participants. Hazing may be reported to any staff member or administrator. Refer to Policy 5083 Hazing Prohibition.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-2</b>	*Notification of parent(s) or guardian(s)	*Referral to building resources	
<b>3-5</b>	*Notification of parent(s) or guardian(s)	*Referral to building resources	
<b>6-12</b>	Student conference; notification of parent(s) or guardian(s); consideration for 1-3 day(s) suspension	Consideration for 3-5 days suspension	Consideration for 5 days suspension
<b>HOMICIDE</b>		A student shall not commit homicide, which means the killing of one human being by the act, procurement, or omission of another.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-2</b>	Mandatory notification of police; move for expulsion		
<b>3-5</b>	Mandatory notification of police; move for expulsion		
<b>6-12</b>	Mandatory notification of police; move for expulsion		

<b>ILLEGAL DRUG</b>		<p>A student shall not possess, use, transmit, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, intoxicants of any kind, look-alike drugs, or substances that may have the appearance of an illegal substance, such as catnip, oregano, flour, saccharin, or other items or paraphernalia:</p> <ul style="list-style-type: none"> <li>• On school grounds immediately before, during, or after school hours.</li> <li>• On school grounds at any time when the school is being used by any school group.</li> <li>• Off school grounds at a school activity, function, or event.</li> <li>• On any district-provided transportation.</li> <li>• In a school zone as defined by Minnesota Statutes.</li> </ul>	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-2</b>	*Notification of parent(s) or guardian(s); referral to building resources	* Referral to building resources	
<b>3-5</b>	*Notification of parent(s) or guardian(s); referral to building resources	*Referral to building resources	1-2 day suspension
<b>6-12</b>	Notification of parent(s) or guardian(s); consideration for 1-3 day(s) suspension; referral to building resources; notification of police. <b>NOTE:</b> Students who sell or deal controlled substances on school premises may be subject to expulsion on the first offense.	1-3 day(s) suspension; referral to building resources	3-5 days suspension; consideration for expulsion
<b>MOTOR VEHICLE INFRACTIONS</b>		<ol style="list-style-type: none"> <li>1. Parking - A student shall not park in an unauthorized area on school property or park on school property without a valid school permit, or violate any school district policy with his/her vehicle.</li> <li>2. Reckless or Careless Driving - A student shall not drive on or near school property in such a manner as to endanger persons or property.</li> <li>3. Student vehicles may not display or promote illegal activities or substances. This includes any symbols or graphics that are affiliated with hate groups (Example: confederate flag or swastika).</li> </ol>	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>9-12</b>	Parking ticket; consideration for loss of parking privileges and towing at owner's expense; consideration for suspension; consideration for notification of police and parent(s) or guardian(s)		
<b>OVER THE COUNTER MEDICATIONS AGAINST SCHOOL POLICY</b>		Refer to Regulation 6180R – Procedures of Administration of Medication During the School Day.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-2</b>	*Notification of parent(s) or guardian(s)	* Referral to building resources	
<b>3-5</b>	*Notification of parent(s) or guardian(s)	*Referral to building resources	1-2 day(s) suspension
<b>6-12</b>	Student conference; notification of parent(s) or guardian(s); consideration for 1-3 day(s) suspension <b>Note:</b> The school may revoke a student's privilege to possess and use non-prescription pain relievers if the school determines that the student is abusing the privilege	3-5 days suspension; consideration for expulsion	

<b>PHOTOGRAPHIC OR RECORDING DEVICE MISUSE</b>		Use of any photographic or recording device, film camera, digital camera, cell phone camera and video camera that impinges upon the rights of others is prohibited. Use of device that incites or encourages violence is prohibited. This prohibition includes the distribution of a picture(s)/recording that impinges upon the personal privacy of another. Also included is the creation, possession, or dissemination of sexually explicit images, videos, text messages or emails, usually by digital medium. Receipt of inappropriate data should be reported to Administration immediately. Use of any device in a school locker room, school bathroom or elsewhere in a way that violates the personal privacy of the individual may result in the immediate initiation of the expulsion process dependent upon severity of violation. Upon investigation by administration evidence may be reported to law enforcement and/or St. Louis County Initial Intervention Unit (IIU).	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-5	*Notification of parent(s) or guardian(s)	Consideration for 1 day suspension	Consideration for 1-3 day(s) suspension
6-8	Notification of parent(s) or guardian(s) and/or consideration for 1 day suspension	Consideration for 1-3 day(s) suspension	Consideration for 3-5 day(s) suspension; Consideration for expulsion
9-12	Notification of parent(s) or guardian(s) and/or consideration for 1 day suspension	Consideration for 3-5 day(s) suspension	Consideration for 5 day suspension; Consideration for expulsion
<b>PYROTECHNICS</b>		A student shall not possess or detonate fireworks.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	*Notification of parent(s) or guardian(s)	*Referral to building resources	1-2 day(s) suspension
3-5	*Notification of parent(s) or guardian(s)	*Referral to building resources	1-2 day(s) suspension
6-12	Notification of parent(s) or guardian(s); consideration for 1-3 day(s) suspension	1-3 day(s) suspension; consideration for expulsion	3-5 days suspension; consideration for expulsion
<b>RECORD AND IDENTIFICATION FALSIFICATION</b>		A student shall not falsify signatures or data, refuse to give proper identification, give false identification when requested to do so by a staff member, or give a false name or date of birth to police.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	*Notification of parent(s) or guardian(s)		*Referral to building resources
3-5	*Notification of parent(s) or guardian(s)	*Referral to building resources	1-2 day(s) suspension
6-12	Student conference; notification of parent(s) or guardian(s); consideration for notification of police; detention/Saturday School, or other school consequence		
<b>ROBBERY</b>		A student shall not obtain property from another by use of force or threat of force.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	*Notification of parent(s) or guardian(s)		*Referral to building resources
3-5	*Notification of parent(s) or guardian(s)	*Referral to building resources; 1-2 day(s) suspension	1-3 day(s) suspension
6-12	Notification of parent(s) or guardian(s) and police or probation officer, if applicable; consideration for 1-3 day(s) suspension, required restitution by parent	3-5 days suspension	Consideration for expulsion
<b>TERRORISTIC THREATS</b>		A student shall not threaten to commit any crime of violence with the purpose to terrorize another person(s).	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
K-2	*Notification of parent(s) or guardian(s)	*Referral to building resources	*1-2 day(s) suspension
3-5	*Notification of parent(s) or guardian(s)	*Referral to building resources; 1-2 day(s) suspension	1-3 day(s) suspension
6-12	Notification of parent(s) or guardians(s) and police; 3-5 days suspension; consideration for expulsion <b>Note:</b> A plan for readmission must be developed, which may include a risk assessment if the student is to return to school.		

<b>THEFT</b>		A student shall not intentionally take, use, transfer, conceal, or retain possession of personal property of another without the other's consent and with intent to deprive the owner permanently of possession of the personal property.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-2</b>	*Notification of parent(s) or guardian(s)		*Referral to building resources
<b>3-5</b>	*Notification of parent(s) or guardian(s)	*Referral to building resources; 1-2 day(s) suspension	1-3 day(s) suspension
<b>6-12</b>	Notification of parent(s) or guardian(s) and police, or probation officer, if applicable; required restitution by parent(s) or guardian(s) and student; consideration for 1-3 day(s) suspension. <b>Note:</b> Simple Theft: Items valued at less than \$20; notification of parent(s) or guardian(s)	3 days suspension; required restitution by parent(s) or guardian(s) and student; consideration for expulsion	3-5 days suspension; required restitution by parent(s) or guardian(s) and student; consideration for expulsion
<b>THREAT/INTIMIDATION</b>		A student shall not use words or gestures to intimidate or incite fear in another person.  <b>Note:</b> Differentiate from harassment with consideration of any sexual comments or behavior and/or inclusion or perceived inclusion in any "protected group".  <b>Note:</b> As with all investigations regarding student behavior, include contextual factors and cultural considerations in the investigation, determination and resolution of any potential threat or act of intimidation.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-2</b>	*Notification of parent(s) or guardian(s)		*Referral to building resources
<b>3-5</b>	*Notification of parent(s) or guardian(s)	*Referral to building resources same/next day dismissal	1-3 day(s) suspension
<b>6-12</b>	Notification of parent(s) or guardian(s), notification of police or probation officer; consideration for 1-3 day(s) suspension	3 days out-of-school suspension	5 days out-of-school suspension; consideration for expulsion
<b>TOBACCO</b>		Smoking and the use of tobacco products or tobacco related devices including electronic cigarettes shall be prohibited on school district facilities. School district facilities include school buildings, school grounds, school owned and leased vehicles, and sites leased by the school district. No one will use tobacco products or tobacco related devices while in or on school district facilities. In addition, it is prohibited to have tobacco products or tobacco related devices in public sight while in or on school district facilities.  <b>Exception</b> - (MN Statute 144.4169) It shall not be a violation of this policy for an American Indian adult to light tobacco in a public school as part of a traditional Indian spiritual or cultural ceremony, or to carry loose tobacco in a tobacco pouch intended for spiritual or cultural ceremonial support.  It shall not be a violation of this policy for an American Indian student to carry loose tobacco in a tobacco pouch intended for spiritual or cultural ceremonial support with the permission of the student's parent or guardian and with written or verbal notice to the site administrator or principal.	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-2</b>	*Notification of parent(s) or guardian(s)		*Referral to building resources
<b>3-5</b>	*Notification of parent(s) or guardian(s)	1-2 day(s) suspension	1-3 day(s) suspension; notification of police
<b>6-12</b>	Mandatory notification of police; student conference; notification of parent(s) or guardian(s); tobacco ticket	1 day suspension	1-3 day(s) suspension

<b>TRANSPORTATION/BUS ISSUES</b>			Consequences for school bus/bus stop misconduct apply to all routes. Decisions regarding a student's ability to ride the bus in connection with co-curricular and extra-curricular events (i.e., field trips or competitions) will be the sole discretion of the School District. Parents or guardians will be notified of any suspension of bus privileges. This is a general guideline and based on the severity of the offense may further restrict student's privilege of riding the bus. Assigned seating may be used at the full discretion of the driver or school administration. Refusal to comply with assigned seating may result in immediate loss of riding privileges. Depending on severity, a student not receiving a bus referral for 3+ months will start over with offenses. See Policy 3160-Student Transportation.		
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>	<b>Fourth Offense</b>	<b>Further Offenses</b>
<b>K-12</b>	Verbal warning to student by the driver	Written warning to student and parent/guardian from the driver and building administration; may include meeting with student, driver, parent and administration	Possible but not limited to: - Lunch or after school detention - <u>Up to 5 days</u> suspension from the bus; suspension from riding the bus may require a parent/student meeting to return to full bus privileges	Possible: - Lunch or after school detention - In-school-suspension/Out of school suspension - Up to 10 day suspension from the bus; parent/student meeting required to reinstate bus privileges	Individually considered. Students may be suspended for longer periods of time, up to and including the remainder of the school year. Serious misconduct may result in police action.
<b>TRESPASSING</b>			A student shall not be physically present in a school building without permission, after being requested to leave by a school official, or after suspension or expulsion.		
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>		
<b>K-2</b>	*Notification of parent(s) or guardian(s)			*Referral to building resources	
<b>3-5</b>	*Notification of parent(s) or guardian(s)	*Referral to building resources		1-2 day(s) suspension	
<b>6-12</b>	Student conference; notification of parent(s) or guardian(s) and police; consideration for 1-2 day(s) suspension	Consideration for 1-3 day(s) suspension		Consideration for 3-5 days suspension	
<b>VANDALISM/PROPERTY RELATED</b>			<ol style="list-style-type: none"> <li>1. A student shall not willfully cut, deface, or otherwise damage in any way any property, real or personal. This includes school busses.</li> <li>2. A fee will be charged for lost or destroyed textbooks, workbooks, library books or other school property.</li> </ol>		
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>		
<b>K-2</b>	*Notification of parent(s) or guardian(s); restitution required			*Referral to building resources	
<b>3-5</b>	*Notification of parent(s) or guardian(s)	*Referral to building resources; 1-2 day(s) suspension		1-3 day(s) suspension	
<b>6-12</b>	Required restitution by parent(s) or guardian(s) and student for damages and related fees; consideration of notification of police; 1-3 day(s) suspension	Required restitution by parent(s) or guardian(s) and student for damages and related fees; consideration of notification of police; 3-5 days suspension		Required restitution by parent(s) or guardian(s) and student for damages and related fees; consideration of notification of police; 5 days suspension	

<b>VERBAL ABUSE</b>		A student shall not engage in <b>name calling, insults, or otherwise</b> obscene or <b>abusive harmful</b> language/comments <b>directed at someone or a group of people.</b>	
		<b>Note: Need to differentiate from threats, bullying, harassment, and disruption/insubordination.</b>	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-2</b>	*Notification of parent(s) or guardian(s)		
<b>3-5</b>	*Notification of parent(s) or guardian(s)	Referral to building resources; 1-2 day(s) suspension	1-3 day(s) suspension
<b>6-12</b>	Parent(s) or guardian(s) conference; consideration for one (1) day suspension <b>Note:</b> Engaging in obscene or abusive language directed towards a staff member will result in automatic mandatory suspension	2 days suspension	3 days suspension
<b>WEAPON</b>		<p>“Dangerous weapon” means any firearm, whether loaded or unloaded, knives, stun guns, martial arts instruments, mace, any device designed as a weapon, or any other device or instrument which in the manner it is used or intended to be used is likely to produce death or great bodily harm. This includes any look-alike object that may have the appearance of a weapon or dangerous instrument. A student shall not knowingly possess, store, handle, transmit, use, or encourage or aid any other student to possess, store, handle, or transmit these weapons in:</p> <ul style="list-style-type: none"> <li>• Any school building.</li> <li>• On any school premises.</li> <li>• On any school-provided transportation.</li> <li>• Off the school grounds at any school-related activity, event, or function.</li> <li>• In a school zone as defined by Minnesota Statutes.</li> </ul>	
<b>Grades</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>K-12</b>	Mandatory notification of police or probation officer, if applicable; notification of parent(s) or guardian(s); consideration for 1-5 day suspension; confiscation of weapon by building administration; consideration for expulsion. <b>Note:</b> A School Board must expel for a period of at least one school year a student who is determined to have brought a firearm to school. For the purpose of this section, firearm is defined in United States Code, Title 18, Section 921.		

\*Indicates Disciplinary action assigned by building administrator.



## Definitions of Disciplinary Actions

**DETENTION** - A student may be asked to come before school, stay in during lunch/recess, or remain after school by a teacher or principal for the purpose of correcting a violation. Any student who is instructed to report before or after school but is unable must obtain permission from the teacher or principal. Reasonable attempts will be made to contact parent(s) or guardian(s) prior to implementation.

**EXPULSION OR EXCLUSION** - "Expulsion" means a School Board action to prohibit an enrolled student from further attendance for up to twelve months from the date the student is expelled. "Exclusion" means an action taken by the School Board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. Expulsion and exclusion proceedings shall be in accordance with M.S. 121A.41, The Pupil Fair Dismissal Act. A School Board may expel for a period of at least one year a student who is determined to have brought a firearm to school. For the purposes of this section, a firearm is as defined in United States Code, Title 18, Section 921. In accordance with M.S. 121A.41, The Pupil Fair Dismissal Act, a student and his/her parent(s) or guardian(s) shall be served personally or by mail with notice of the expulsion hearing. The hearing will be held within ten days of service of the written note, unless continued pursuant to the statute. The recommendation of the hearing officer shall be made to the School Board within two days of the end of the hearing. The decision of the School Board shall be rendered at a special meeting within five days after receipt of the recommendation of the hearing officer. The student shall receive due process as set forth in M.S. 121A.41, The Pupil Fair Dismissal Act.

**OFFICE INTERVENTION** - Any disciplinary intervention resulting from a violation of district standards of conduct applied by building administration.

**PARENT(S) OR GUARDIAN(S) CONFERENCE** - A parent(s) or guardian(s) conference is required if a student has committed a serious rule violation or has been suspended out of school. If a parent or guardian is unable to be present, the principal shall contact the parent(s) or guardian(s).

**REFERRAL TO JUVENILE AUTHORITIES** - If a student's behavior may be a violation of law, the principal or designated representative may contact juvenile authorities or police. If the officer indicates that he/she is arresting the student, with or without a warrant, he/she shall have complete jurisdiction and responsibility in the matter and the principal shall not interfere with the student's removal from the building. The student will, in all cases, be accorded the rights of due process.

**RISK SCREENING & REFERRAL FOR ASSESSMENT** - Students deemed to be a threat to themselves and/or others may be asked to undergo a risk screening and/or formal risk assessment by a district approved mental health professional before being readmitted to school.

**REFERRAL TO BUILDING AND DISTRICT RESOURCES** - Referral to building and district resources is to be made by school personnel, parent(s) or guardian(s), or community agencies. The parent(s) or guardian(s) shall be consulted if any special services are to be made available to a student. Reasonable attempts will be made to contact parent(s) or guardian(s) regarding referrals to building and district resources.

**REMOVAL FROM CLASS** - All students have the right to learn and teachers the right to teach. Disruption to the learning process may result in the loss of privilege to remain in the class. This removal is limited to a reasonable time-frame to be reinstated upon an agreed solution with the instructor and principal as necessary. Students shall be allowed the privilege of making up daily work, including tests and final exams, upon their return to class. Removal from class or dismissal for the day of students with disabilities is also governed by the Individuals with Disabilities Education Act, M.S. 125A.03, and Minnesota Rules. See the section of this policy entitled "Students with Disabilities."

**INFORMATION AND REVIEW PROCESS** - Students, parent(s) or guardian(s) who wish to discuss concerns or review disciplinary actions, except for expulsion or suspension, may request a conference with school personnel. It is recommended that conferences occur between personnel closest to the concern and be solution-based toward district aims and vision.

**SCHOOL ZONE** - Students are subject to all school disciplinary actions or violations while in a school zone. A school zone is defined as an area that begins at the boundaries of the school property and extends three hundred feet from that point, or one city block, whichever is greater. This zone includes school bus stops and the area within a school bus being used to transport one or more elementary or secondary school students. This zone also includes district contract parking.

**STUDENT CONFERENCE** - Depending on the violation and the seriousness of the action, a student may meet with the principal and/or a teacher to discuss the incident. During this conference, students may be asked to formulate a plan which addresses their behavior and a commitment to solutions for improvement.

## District Forms

### Bullying Report Form

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, interferes with students' ability to learn and teachers' ability to educate students in a safe and welcoming environment.

Any time you witness or are involved in a situation involving harassment, violence, or bullying behavior it is important to report it. Help is available; speak with your Teacher, School Principal, or another trusted adult at school, home, or in your community.

To the extent such conduct affects the educational environment of the Duluth School District and the rights and welfare of its students and is within the control of the Duluth School District in its normal operations, it is the Duluth School District's intent to prevent bullying and to take action to investigate, respond, remediate, and discipline those acts of bullying which have not been successfully prevented.

**Please type or print. Attach additional pages or information if necessary.**

Name of person(s) making report: \_\_\_\_\_ School: \_\_\_\_\_

Name of student(s) you are reporting: \_\_\_\_\_

When did the bullying behavior occur: \_\_\_\_\_

Where did the bullying behavior occur: \_\_\_\_\_

What happened (be specific and describe what was said or done): \_\_\_\_\_

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List any witnesses who may have seen or heard what happened: \_\_\_\_\_

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By signing below, I acknowledge this report is made in good faith and is correct to the best of my knowledge. I understand that Duluth Public Schools does not permit reprisal or retaliation and will work to investigate and remediate this situation.

\_\_\_\_\_

Signature of Reporter(s)      Date

\_\_\_\_\_

Signature of Receiver                      Date

**Submit to Building Principal or Designee at your School**

Name of Person Filing Complaint (Complainant): \_\_\_\_\_

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

Telephone: \_\_\_\_\_ (Home) \_\_\_\_\_ (School/Work Location)

Status of Person Filing the Complaint:  Student  Employee  Parent  Other \_\_\_\_\_ (Specify)

Type of Complaint:  Sexual  General  Protected Group (select group from list below)

Protected Group:  Race  Color  Creed  Religion  National Origin  Sex  Age  Marital Status  
 Disability  Public Assistance  Sexual Orientation  Gender Identity/Expression  Other Protected Group

Name of Person You Are Reporting (Respondent): \_\_\_\_\_

Status of Person You Are Reporting:  Student  Employee  Parent  Other \_\_\_\_\_ (Specify)

Statement of Complaint (Include type of harassment/violence, who was involved in the specific incidents in which it occurred, names of witnesses, etc.): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Continue on reverse side or attach pages as needed.)

**I UNDERSTAND THAT IN ACCORDANCE WITH DISTRICT POLICY #413, INDEPENDENT SCHOOL DISTRICT 709 WILL ADDRESS THIS COMPLAINT.**

Signature of Complainant: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Person Receiving The Complaint: \_\_\_\_\_ Date Received: \_\_\_\_\_

Printed Name of Person Receiving The Complaint: \_\_\_\_\_

Name of Building Administrator (if different from person receiving initial complaint): \_\_\_\_\_

Original to Human Resources Date Distributed: \_\_\_\_\_  
(Human Resources will distribute a copy to the District's Climate Coordinator)

Copies Distributed To:  Building Administrator Date Distributed: \_\_\_\_\_

**(To be completed by Human Resources)**  
REPORT NUMBER: Year: \_\_\_\_\_ Building Code: \_\_\_\_\_ Number In Sequence By Year: \_\_\_\_\_

**215 North First Avenue East, Duluth, MN 55802  
(218) 336-8718, Ext. 1058 (218) 336-8785 Fax**

## 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.

<b>Minnesota Comprehensive Assessments (MCA) and Minnesota Test of Academic Skills (MTAS)</b>	<b>ACCESS and Alternate ACCESS for English Learners</b>
<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 5, 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>	<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>

### 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 > 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