




Memorandum

April 8, 2011

TO: Mr. John Beckstrom
Mr. Bill Bresin
Mr. Joe Grafft
Ms. Sarina Hannon
Mr. Nick Jensen
Mr. Eric Jordahl
Dr. Ben Lewis
Ms. Kathy McMorrow
Ms. Karen Morehead
Dr. Janet Palmer
Ms. Deborah Wall

FROM: Donna M. Friedmann 
Director of Administration & Human Resources

SUBJ: POLICY COMMITTEE MEETING

The next meeting of the Policy Committee will be held promptly at 8:00 p.m. on Thursday, April 14, 2011, in the Board Room at the District Office. The agenda for this meeting is enclosed. Please contact me at 651/982-8123 if you are unable to attend this meeting.

DF/kk

cc: Linda Madsen, Superintendent
Kathy Bystrom, School Board
Dan Kieger, School Board
Rob Rapheal, School Board
Erin Turner, School Board
Press (3)

Inspire the learner; ignite the potential!

Forest Lake Area Schools • Independent School District 831 • Equal Opportunity Employer

INDEPENDENT SCHOOL DISTRICT NO. 831
Forest Lake, Minnesota 55025

Policy Committee Meeting
April 14, 2011 – 8:00 p.m. – District Office Board Room

AGENDA

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| <ol style="list-style-type: none">1. Out-of-State Travel by School Board Members Policy 103B – Sent Back to Policy Committee2. Discipline Policy 515 – Annual Review (Attached)3. Harassment & Violence Policy 425 – Annual Review (Attached)4. Wellness Policy 546 – Annual Review (Will be Distributed at Meeting)5. Student Retention Policy 520 – Per Donna Friedmann (Attached) |
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6. Transportation Employee Drug and Alcohol Policy 430 – Requested by Transp Supv – May 2011
 7. Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds Policy 544
- Per Deb Wall
 8. Consideration of Other Policies to be Scheduled for Review
 9. Other Matters
 10. Annual Policy Reviews
 - Family & Medical Leave Policy 428 (September 2011) – No legislative changes required in September 2010
 - Mandated Reporting of Maltreatment of Vulnerable Adults Policy 414 (October 2011)
 - Mandated Reporting of Child Neglect or Physical or Sexual Abuse Policy 522 (October 2011)
 - Technology Acceptable Use and Safety Policy 540 (November 2011)
 - Student Sex Nondiscrimination Policy 421 (November 2011)
 - Student Transportation Safety Policy 531 (November 2011)
 - Anti-Bullying Policy 541 (December 2011)
 - School Board Member Reimbursement Guidelines Policy 103A (December 2011)
 - Out-of-State Travel by School Board Members Policy 103B (December 2011)
 - Crisis Management Policy 538 (February 2012)
 - Discipline Policy 515 (April 2012)
 - Harassment and Violence Policy 425 (April 2012)
 - Wellness Policy 546 (May 2012)
 11. Future Policy Review
 - Naming of School Buildings or Portions Thereof Such as Naming a Gymnasium
 - Random Drug Testing
 - Policy on Superintendent Contract Renewals – See Minnesota Statute 123B.143 (Review 90 day suggestion)
 12. Policies at School Board for Action
 - Final Reading on 3/31/11:
 - Discontinue Student Pregnancies Policy 513
 - Student Parental, Family, and Marital Status Nondiscrimination Policy 530
 - Equal Educational Opportunity Policy 535
 - Crisis Management Policy 538
 - First Reading on 3/31/11:
 - School Board Member Code of Ethics Policy 114
 - Leave of Absence Policy 415
 - Use of Student Records Policy 505

DISCIPLINE POLICY

I. STATEMENT OF PHILOSOPHY

The School Board firmly believes that learning can best take place in an orderly environment and that students can best learn individual and collective responsibility and gain maturity if they are provided opportunities in which to exercise responsibility within the school setting. This School Discipline Policy is intended to communicate expectations regarding acceptable conduct in school in order to provide a positive learning environment for all students.

It is a responsibility of the School Board, administrators and teachers to safeguard the health and safety of each student. The School Board and district administrators will support district personnel who, in dealing with students on disciplinary matters, act in accordance with State Law, Department of Education Regulations and School District policies.

The School Board recognizes its responsibility to meet the educational needs of students who do not respond well to normal school programs. Such efforts may include utilizing special services personnel and outside referral agencies and/or adjusting normal school procedures. If a student does not respond to these efforts and consistently exerts a disruptive influence on the educational environment of a school, the needs of the other students and staff must become a major factor in planning alternatives.

With due consideration to these obligations, it is the responsibility of the School Board and administrators to make reasonable rules and regulations for the governing of student behavior and conduct. Building principals and appropriate staff will annually review this policy to assess its effectiveness. All rules and regulations regarding student behavior conduct and misconduct will be approved annually by the School Board. Discipline of students with individual education programs will be consistent with state and federal laws.

The District believes that positive, proactive behavior strategies are effective in minimizing disruptive behavior. The District implements programs and practices throughout the district that promote the use of positive behavior supports and interventions, including training on the communicative intent of behavior, relationship building and de-escalation strategies.

While the restrictive procedures of physical holding or seclusion may be used in emergencies (specifically, a situation where immediate intervention is needed to protect a child or other individual from physical injury or to prevent serious property damage), they are never used as a method of discipline or punishment. The district's policy regarding the use of restrictive procedures will be detailed in a separate district policy.

II. ELEMENTARY SCHOOL CODE OF CONDUCT

A. Elementary Student Code of Conduct

The Elementary School Student Code of Conduct is in effect from the time a student

arrives at the bus stop and boards the bus at the beginning of the day until the student gets off the bus and leaves the bus stop at the end of the day and at all times when students are participating in school-sponsored activities.

1. Parental/guardian involvement and cooperation is vital in the discipline process.
2. The elementary discipline procedures will apply and be consistently enforced at all elementary schools. At the same time, the School Board realizes the uniqueness of each building and recognizes that there may be individual building and classroom procedures to implement and supplement these District procedures.
3. All elementary staff and parents/guardians will work together to correct the misbehavior of the student and to maintain a written or electronic record of incidents of serious misbehavior.
4. Measures to correct misbehavior will depend upon the nature of the behavior, the frequency, and the willingness of the student to correct the undesirable behavior. The use of these measures is intended to encourage acceptable behavior. Corrective action will normally begin at a minimal level and proceed to more serious action.

B. Behavior Expectations

1. The following rules will apply at all elementary schools:
 - a. Students will show respect and courtesy to other people at all times.
 - b. Students will show respect for property inside and outside the buildings.
 - c. Students will behave in a manner that does not endanger themselves or others.
2. When unacceptable behavior cannot be readily corrected by the classroom teacher, the child's parents/guardians will be informed of the problem by the teacher or the principal and requested to participate in solving the problem.
3. If it is suspected that a student has a disability ~~is suspected~~, the teacher will ~~make the an~~ appropriate referral to begin interventions or to consider for or begin a special education evaluation.
4. If the problem is not resolved at the building level, the Principal may refer the student to the Superintendent or designee for further action.

C. Unacceptable Behavior

Disciplinary action may be taken as a result of any behavior which is disruptive or which violates the rights of others. The following acts are examples of unacceptable

behavior and subject to disciplinary action in District #831 elementary schools, at school bus stops, on the school buses and at school sponsored activities. School sponsored activities include, but are not limited to, co-curricular events, field trips, and club activities.

The listing of minimum actions does not imply or require that a “step-by-step” progression of increasing severity be employed by an administrator in dealing with a violation. However, there shall be a relationship between the severity of the offense and the administrative action.

1. Violation Against Persons

a. Fighting

Mutual combat in which all parties have contributed to the situation by verbal and/or physical action.

Minimum Action: Student conference and parent/guardian contact.

Maximum Action: Expulsion or exclusion.

b. Harassment

Participating in, or conspiring for others to engage in acts that injure, degrade, or disgrace other individuals.

Minimum Action: Student conference and parent/guardian contact.

Maximum Action: Expulsion or exclusion.

c. Sexual, Racial and Religious Harassment and Violence

Sexual, racial and religious harassment and violence as defined in School Board Policy 425 (available on the district’s website: www.forestlake.k12.mn.us).

Minimum Action: Student conference, parent/guardian contact, and referral to the School District’s Human Rights Officers.

Maximum Action: Expulsion or exclusion.

d. Bullying

“Bullying” means repeated behavior by an individual student, an individual student within a group of students, or group of students that is intended to cause the victim(s) to feel frightened, threatened, intimidated, humiliated, shamed, disgraced, ostracized, or physically abused. Bullying implies an imbalance in power or strength in which the student being bullied has difficulty defending him or herself. Bullying can take many forms, including physical, verbal, social/relational and/or cyberbullying. (Further clarification can be found in School Board Policy 541 which is available on the district’s website: www.forestlake.k12.mn.us.)

Minimum Action: Student conference and parent/guardian contact.

Maximum Action: Expulsion or exclusion.

e. Abusive/Inappropriate Language

(1) Disrespectful language to others.

(2) Threatening language to others.

Minimum Action: Student conference and parent/guardian contact.
Maximum Action: Expulsion or exclusion.

f. Interference/Obstruction

Any intentional action taken to attempt to prevent a staff member from exercising his/her lawfully assigned duties.

Minimum Action: Student conference and parent/guardian contact.
Maximum Action: Expulsion or exclusion.

g. Possession of a Firearm (See also School Board Policy #532)

Minimum Action: Immediate suspension, notification of law enforcement agency.

Maximum Action: Expulsion or exclusion.

h. Possession of a Weapon Other than a Firearm Which Could Cause Harm (See also School Board Policy #532)

Minimum Action: Student conference, parent/guardian contact and possible notification of police.

Maximum Action: Expulsion or exclusion.

i. Possession of a Weapon Facsimile (See also School Board Policy #532)

Minimum Action: Student conference, parent/guardian contact and possible notification of police.

Maximum Action: Expulsion or exclusion.

j. Assault

“Assault” is doing an act with intent to cause fear in another of immediate bodily harm or death or intentionally inflicting or attempting to inflict bodily harm upon another.

Minimum Action: Student conference, parent/guardian contact, and possible notification of police.

Maximum Action: Expulsion or exclusion.

k. Aggravated Assault

“Aggravated Assault” is committing an assault upon the person of another with a dangerous weapon or an assault which inflicts great bodily harm upon the person of another.

Minimum Action: Student conference, suspension, parent/guardian contact and notification of police.

Maximum Action: Expulsion or exclusion.

l. Hazing

“Hazing” means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm or embarrassment to a person, in order for the student to be initiated or affiliated with a student organization, or for any other purpose.

(Further clarification can be found in School Board Policy 431 which is available on the district’s website: www.forestlake.k12.mn.us.)

Minimum Action: Student Conference and Parent/Guardian Contact.
Maximum Action: Expulsion or exclusion.

2. Violation Against Property

a. Unauthorized Use of School Property

The unauthorized/illegal use of school property.

Minimum Action: Student conference, parent/guardian contact and notification of police or juvenile authorities.

Maximum Action: Expulsion or exclusion.

b. Willful Damage of School Property

Minimum Action: Student conference, parent/guardian contact and recommended restitution.

Maximum Action: Expulsion or exclusion.

c. Willful Damage to Property of Staff Members and Others

Minimum Action: Student conference, parent/guardian contact and recommended restitution.

Maximum Action: Expulsion or exclusion.

d. Theft

The unauthorized taking or possession of the property of another.

Minimum Action: Student conference, parent/guardian contact, and possible notification of police or juvenile authorities.

Maximum Action: Expulsion or exclusion.

e. Robbery/Extortion

The obtaining of property from another where his/her consent was induced by a use of force or a threat of force.

Minimum Action: Student conference, suspension, parent/guardian contact and immediate notification of police.

Maximum Action: Expulsion or exclusion.

f. Tampering with Food or Beverages

Adding or attempting to add foreign substances to food or beverages, including spitting into food or beverages or spitting on food trays.

Minimum Action: Student conference and parent/guardian contact.

Maximum Action: Expulsion or exclusion.

3. Violation Against School Administrative Procedures

a. Insubordination

Refusal to follow school rules and regulations as directed by staff.

Minimum Action: Student conference and parent/guardian contact.

Maximum Action: Expulsion or exclusion.

b. Disruptive Behavior

Actions which interfere with effective operations of the school.

Minimum Action: Student conference and parent/guardian contact.
Maximum Action: Expulsion or exclusion.

c. Record and Identification Falsification/Forgery

- (1) Falsifying signatures or data on official record.
- (2) Refusal to give correct identification or giving false identification when requested to do so by a staff member.

Minimum Action: Student conference and parent/guardian contact.
Maximum Action: Expulsion or exclusion.

d. Unauthorized Distribution

Unauthorized distribution of literature on or near school property of inflammatory, libelous or slanderous material.

Minimum Action: Student conference and parent/guardian contact.
Maximum Action: Expulsion or exclusion.

e. Leaving School Building or Grounds

Leaving school buildings or grounds during school hours without proper clearance.

Minimum Action: Student conference and parent/guardian contact.
Maximum Action: Expulsion or exclusion.

f. Chronic and Unexcused Absenteeism

Minimum Action: Student conference.
Maximum Action: Expulsion.

g. Truancy

Minimum Action: Student conference and parent/guardian contact.
Maximum Action: Expulsion.

h. Chronic and Unexcused Tardiness

Minimum Action: Student conference.
Maximum Action: Expulsion or exclusion.

i. Student Attire

Manner of dress or personal grooming which presents a clear danger to the student's health and safety, causes an interference with work, or creates classroom or school disorder.

(1) The wearing of headwear and coats and the wearing or display of confederate flag, swastika and KKK signs or symbols is not permitted on school property or at school sponsored events.

(2) Some school events and/or activities may permit the wearing of appropriate headwear when previously approved by the building principal.

(3) The wearing of any clothing that displays tobacco, alcohol, drug, or drug paraphernalia and offensive words, pictures or

symbols is not permitted on school property or at school sponsored events.

- (4) Clothing must cover back, shoulders, midriff and cover chest, buttocks and underclothing.
- (5) School property is defined as school buildings and grounds, including the parking lot and school buses.

Minimum Action: Student conference and parent/guardian contact.

Maximum Action: Expulsion or exclusion.

j. Trespassing

Physically present on a school campus or at a school activity after being requested to leave by school principal or other person lawfully responsible for the control of said premises.

Minimum Action: Student conference and possible referral to police or juvenile authorities.

Maximum Action: Expulsion or exclusion.

k. Student Cell Phone Use in School – The term “cell phone” includes all personal communication devices.

The following rules are intended to outline minimal expectations regarding cell phone use in school. Principals can enforce rules that are more strict.

- (1) Cell phones must be turned off in classrooms and stored in a purse, briefcase, backpack, pocket, etc.
- (2) Cell phones must be turned off in locker rooms and bathrooms and stored in a purse, briefcase, backpack, pocket, etc.
- (3) Cell phones that are stored in lockers must be turned off.
- (4) Failure to follow these directives may result in the loss of all cell phone privileges at school and may result in other disciplinary actions including suspension and/or expulsion.
Minimum Action: Student conference.
Maximum Action: Expulsion or exclusion.

l. Student Camera Use in School

The use of cameras (all devices used to record still and/or motion pictures) in school by students is generally prohibited because of the disruption that can occur. However, in some very restricted instances, camera use by students is permitted.

- (1) Cameras cannot be used in locker rooms or bathrooms.

- (2) Failure to follow this directive may result in the loss of all camera privileges at school and may result in other disciplinary actions including suspension and/or expulsion.
- (3) These rules are intended to outline minimal expectations regarding camera use in school. Principals can enforce rules that are more strict.
Minimum Action: Student conference.
Maximum Action: Expulsion or exclusion.

D. Conduct on School Buses and Consequences for Misbehavior (See also School Board Policy #531)

- 1. Riding the school bus is a privilege, not a right. Students are expected to follow the same behavioral standards while riding school buses as are expected on school property or at school activities, functions or events. All school rules are in effect while a student is riding the bus or at the bus stop.
- 2. Consequences for school bus/bus stop misconduct will be imposed by the Building Principal or the Principal's designee. In addition, all school bus/bus stop misconduct will be reported to the District's Transportation Safety Director. Serious misconduct may be reported to local law enforcement.

a. School Bus and Bus Stop Rules.

The School District school bus safety rules are to be posted on every bus. If these rules are broken, the School District's discipline procedures are to be followed. Consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the School District's Transportation Office/School Office.

b. Rules at the Bus Stop.

- (1) Get to your bus stop 5 minutes before your scheduled pick up time. The school bus driver will stop, but not wait for late students.
- (2) Respect the property of others while waiting at your bus stop.
- (3) Keep your arms, legs and belongings to yourself.
- (4) Use appropriate language.
- (5) Stay away from the street, road or highway when waiting for the bus. Wait until the bus stops before approaching the bus.
- (6) After getting off the bus, move away from the bus.
- (7) If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
- (8) No fighting, harassment, intimidation or horseplay.
- (9) No use of alcohol, tobacco or drugs.

c. Rules on the Bus.

- (1) Immediately follow the directions of the driver.
- (2) Sit in your 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 object.
- (8) Do not eat or drink on the school bus on regular school bus routes to and from school. Exceptions will be made for medical reasons.
- (9) No use of alcohol, tobacco or drugs.
- (10) Do not bring any weapon or dangerous objects on the school bus.
- (11) Do not damage the school bus.

d. Consequences.

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

(a) Elementary (K-6) per school year.

1st offense – warning

2nd offense – warning or 1-3 school day suspension from riding the bus

3rd offense – 5 school day suspension from riding the bus

4th offense – 10 school day suspension from riding the bus and meeting with parent or guardian

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

(b) Other Discipline.

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

On a take home route, a school bus driver shall have the authority to remove a student from the bus for one day for misbehavior considered to be causing an immediate and substantial danger to self or surrounding persons or

property, provided the driver follows the administrative regulations addressing these suspensions, as outlined in the Driver's Handbook.

(c) Records.

Records of school bus/bus stop misconduct will be forwarded to the individual school building and will be retained in the same manner as other student discipline records. Records may also be maintained in the transportation office.

(d) Vandalism/Bus Damage.

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

(e) Notice.

Students will be given a copy of school bus and bus stop rules during school bus safety training. Rules are to be posted on each bus and both rules and consequences will be periodically reviewed with students by the driver.

(f) Criminal Conduct.

In cases involving criminal conduct the Superintendent, local law enforcement officials and the Department of Public Safety will be informed.

(2) Parent/Guardian Involvement

(a) Parent/Guardian Responsibilities For Transportation Safety.

- (i) Become familiar with District rules and policies, regulations and principles of school bus safety.
- (ii) Assist students in understanding safety rules and encourage them to abide by them.
- (iii) Recognize their responsibilities for the actions of their children.
- (iv) Support safe riding practices and reasonable discipline efforts.
- (v) When appropriate, assist students in safely crossing local streets before boarding and after leaving the bus.
- (vi) Support procedures for emergency evacuation, and procedures in emergencies as set up by the School District.
- (vii) Respect the rights and privileges of others.

- (viii) Communicate safety concerns to school administrators.
- (ix) Monitor bus stops, if possible.
- (x) Support all efforts to improve school bus safety.

(b) Parent/Guardian Notification.

A copy of the School District school bus and bus stop rules will be provided to each family at the beginning of the school year or when a child enrolls, if this occurs during the school year. Parents/guardians are urged to review the rules with their children.

E. Other Violations

1. Gambling

The playing of a game of chance for stakes.

Minimum Action: Student conference and parent/guardian contact.

Maximum Action: Expulsion or exclusion.

2. Disorderly Conduct

Engaging in offensive, obscene, or abusive language or in boisterous and noisy conduct.

Minimum Action: Student conference and parent/guardian contact.

Maximum Action: Expulsion or exclusion.

3. Use or Possession of Tobacco and/or Tobacco Products

Use of and/or possession of any type of tobacco product by any student, regardless of age, will be governed by Minnesota Statute and School District rules.

Minimum Action: Student conference and parent/guardian contact.

Maximum Action: Expulsion or exclusion.

4. Use, Possession, Distribution or Sale of Illegal Drugs, Alcohol, Narcotics, Drug Paraphernalia, or Simulated Drugs

Students who violate the rules concerning the use of alcohol and drugs will be subject to one or more of the following procedures:

- a. Parent/guardian conference.
- b. Notification of local law enforcement agency or other appropriate agencies.
- c. Referral to the school's Chemical Dependency Coordinator.
- d. Referral via petition to Chisago, Washington, or Anoka County Court Services.
- e. In-school restriction.
- f. Dismissal from school (Suspension or Expulsion/Exclusion).

5. Fire Alarms/911

The sounding of false fire alarms or false 911 calls.

Minimum Action: Student conference, parent/guardian contact, and notification of appropriate Police and Fire Department officials.

Maximum Action: Expulsion or exclusion.

6. Terroristic Threats (a bomb threat is an example)

The making of bomb threats or other terroristic threats either verbally, by telephone, by letter or through any other means of communication.

Minimum Action: Immediate suspension, notification of law enforcement agency.

Maximum Action: Expulsion or exclusion.

7. Inappropriate Use of Technology (See also School Board Policy 540)

Technology instruction includes computers, televisions, video or audio recorders and players, and other related technological equipment. Students must follow all appropriate use of technology procedures as established by the School District.

Technology misuse includes, but is not limited to:

- a. Using unauthorized programs, software, videos, CDs or audiotapes.
- b. Attempting to bypass or alter computer security.
- c. Unauthorized modification of computer configuration (desktop pattern, sounds, etc.).
- d. Attempting to access, add, delete or alter information or files of another person or organization without permission.
- e. Using technology to access, transfer, copy or store inappropriate materials or messages.
- f. Use technology resources for commercial, personal profit or illegal enterprises.

Minimum Action: Student conference.

Maximum Action: Expulsion or exclusion.

8. Academic Dishonesty

It is expected that students pursue their academic studies in an honest manner and with integrity. Work that is turned in for credit needs to result from the student's own efforts. Academic dishonesty includes but is not limited to two major areas: cheating and plagiarism. Cheating is a deceptive act in which a student attempts to show knowledge which is not theirs. Plagiarism is presenting information from someone else, as though the ideas, words, or facts are the student's own.

Minimum Action: Student conference, parent/guardian contact.

Maximum Action: Expulsion or exclusion.

F. Corrective Measures

Discipline should not be confused with punishment. The goal of discipline is a self-regulated individual with mature attitudes and socially-acceptable standards of conduct.

Corrective measures used will depend upon the nature of the behavior, the frequency, and the degree to which the student is willing to try to correct undesirable behavior.

With the exception of serious violations of the Student Conduct Code, corrective measures will normally begin at a minimal level and then proceed to more serious levels. These procedures may include but are not limited to: conferences with teacher, counselor, or principal; detention; loss of school privileges; parent/guardian conference with school staff; modified school program; school transfer; dismissal for one day; suspension; referral to District Administration; expulsion; police referral; court referral and home instruction.

1. Student Conference

Conferences will be conducted with students regarding disciplinary matters to insure due process. (Conferences by school administrators are not required for discipline action under Article III G. Removal of Student From Class by the Teacher.) Each student facing the imposition of disciplinary action under this code of conduct must be informed, orally or in writing, of the facts and the nature of the conduct which has been challenged and be given an opportunity to explain his or her version of the facts or conduct which has been challenged prior to the imposition of discipline.

2. Parent/Guardian Contact

Depending on the violation and the seriousness of the action, a student's parent/guardian may be contacted by telephone or mail in addition to a student conference. The intent of the contact is to inform the parent/guardian of the violation and the student's attitude during the conference and to elicit parent/guardian support for correcting the unacceptable behavior.

3. Parent/Guardian Conference

The principal, assistant principal, counselor, or teacher may request a parent/guardian conference, with or without the student present, to insure parent/guardian understanding of the student's academic and/or behavior problem and to mobilize a cooperative effort to correct the difficulty.

4. Referral to Community Services Agencies

Referral to Community Services agencies is to be by school authorities. The parents/guardians will be consulted when appropriate if any community service is to be used for a student or if a student will be referred to a community resource.

5. Suspension (M.S. 121A.41 Subd. 10)

“Suspension” means an action taken by the school administration prohibiting a student from attending school for a period of not more than ten consecutive school days. The suspension period may be extended an additional five days when it is determined that the student will create an immediate and substantial danger to persons or property around him/her. The purpose of suspension is to remove the student from the school environment and to provide time for the professional staff, parent/guardian and student to discuss the matter and bring about an agreement on future conduct.

6. Alternative Program

“Alternative Program” means educational opportunities made available within the School District, but which may be at a site different from a student’s originally assigned school or schedule. After a student returns from an alternative program, in-school monitoring may be used to assist the student in his/her adjustment to the school rules and environment.

7. Expulsion or Exclusion

“Expulsion” means an action taken by the School Board to prohibit an enrolled student from further attendance for a period that shall not extend beyond an amount of time equal to one school year from the date a student is expelled. (M.S. 121A.41, Subd. 5). “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 (M.S. 121A.41, Subd. 4).

8. Referral to Police or Juvenile Authorities

When a student’s misbehavior is so extreme that it may involve the violation of a law, police or juvenile authorities will be contacted by the Principal or a designated representative. Every reasonable attempt shall be made to notify parents/guardians at the same time juvenile authorities are called. If the officer indicates that he/she is arresting the student, with or without a warrant, that officer shall have complete jurisdiction and responsibility in the matter and the Principal shall not interfere with the student’s removal from the building. It is expected that the contact with the student shall be arranged in a manner to make it as unobtrusive as possible.

9. In-School Suspension

In-School Suspension (ISS) may be required of a student for one or more breaches of the Code of Conduct. Students placed in ISS are required to remain in one room for a designated period of time. Students in ISS are under the supervision of school staff and are given ISS and/or homework assignments which must be completed.

10. Students with Disabilities

~~Students with disabilities who violate the Student Code of Conduct will receive corrective measures in accordance with applicable state and federal law.~~

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

Before initiating an expulsion or exclusion of a student with a disability, relevant members of the child's IEP or 504 team and the child's parent shall, consistent with federal law, conduct a manifestation determination and determine whether the child's behavior was (i) caused by or had a direct and substantial relationship to the child's disability and (ii) whether the child's conduct was a direct result of a failure to implement the child's IEP or 504 plan. If the student's educational program is appropriate and the behavior is not a manifestation of the student's disability, the school district will proceed with discipline – up to and including expulsion – as if the student did not have a disability, unless the student's educational program provides otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team shall conduct a functional behavioral assessment and implement a behavioral intervention plan for such student provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that resulted in a change of placement. Where a behavioral intervention plan previously has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior.

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

G. Removal of Student From Class

1. Rules Governing Student Conduct:

The rules governing student conduct are included in this Elementary School Code of Conduct. Students will be informed of these rules by their classroom teacher during the first week of each school year. Students enrolling after the school year starts will be informed of these rules by a designated staff member.

2. Grounds for Removal From Class:

The grounds for removal are as follows:

- a. Willful conduct which materially and substantially disrupts the rights of others to an education;
- b. Willful conduct which endangers School District employees, the student or other students, or the property of the school;

- c. Willful violation of any rule of conduct established in the discipline policy.

3. Authority to Remove Students:

The teacher or supervisor in immediate charge of the class from which the student is being removed; or the building Principal or lead teacher; may remove a student from that specific class as specified under M.S. 121A.61. A student may be removed from class when in the judgment of the teacher, supervisor or administrator authorized to remove said student, the student has violated one or more of the grounds listed for removal from class.

4. The Procedure for Removal:

- a. The student will be informed of the reason for removal.
- b. The student will be given an opportunity to respond.
- c. The principal/designee will be informed of the removal.
- d. The classroom teacher will be informed.
- e. The student will report to the area designated by the teacher or supervisor. If, in the judgment of the teacher or supervisor, allowing the student to move unescorted may endanger the student, other individuals, or School District property, the teacher or supervisor should escort the student or request assistance from the office in escorting the student.
- f. The student will be provided and expected to complete the assignments missed due to being removed from the class.

5. Length of Time of Removal:

Any removal which is longer than the activity being participated in or 45 minutes will come under the jurisdiction of this policy. The removal shall not exceed one hour per day for three consecutive days or three consecutive hours in a day unless by administrative action.

6. Responsibility For and Custody of a Student Removed From Class:

The Principal or designee will make the necessary arrangements.

7. Procedures for Returning the Student to Class:

The Principal or designee will return the student to the classroom.

8. Notifying Parents/Guardians:

The school employee removing the student will communicate with the parent/guardian.

9. Procedures Determined Appropriate for Encouraging Early Involvement of Parents/Guardians:

Teachers will attempt to discuss behavior problems with parents/guardians prior to invoking the removal procedures.

10. Students with reoccurring behavior problems will be referred to the school's problem-solving team.

11. In the case of a student with a disability, the student's individual education program team shall meet immediately but not more than ten (10) school days after the date on which the decision to remove the student from the student's current education placement is made. The individual education program team must review all relevant information in the student's file to determine if the conduct in question was (i) caused by, or had a direct and substantial relationship to, the child's disability, or (ii) the direct result of the school's failure to implement the individual education program. This is referred to as a "manifestation determination meeting."

H. Procedures for Notification of Students and Parents or Guardians of Violation of the Rules of Conduct and of Resulting Disciplinary Actions:

1. Violations of Elementary Student Code of Conduct: Students and parents or guardians will be notified of violations and disciplinary actions taken as listed in the Elementary Code of Conduct.

2. Annual Report: The building Principal or his/her designee shall prepare a yearly report consistent with State statute or Minnesota Department of Education rules.

I. Student Searches

1. Locker Searches

School lockers are the property of the School District. At no time does the School District relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school authorities for any reason at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a school locker may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of the law or school rules. As soon as practicable after the search of a student's locker, school authorities must provide notice of the search to students and the student's parents whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials.

2. Personal Possession Searches

The personal possessions of students whether on their person, in desks, in backpacks or purses, in cell phones or other recording devices, lockers or cars parked in the school parking lot may be subject to a reasonable search when the School District has a reasonable, individualized suspicion that evidence will be produced showing that the student violated the law or school rules.

3. School officials may seek assistance from law enforcement if deemed necessary. As soon as practicable after the search of a student's personal possessions, school authorities must provide notice of the search to students and the student's parents whose personal possessions were searched unless disclosure would impede an ongoing investigation by police or school officials. Students who refuse to comply or impede an investigation will be in violation of policy and subject to further disciplinary action.

III. SECONDARY SCHOOL CODE OF CONDUCT

The Secondary School Student Code of Conduct is in effect from the time a student arrives at the bus stop and boards the bus at the beginning of the day until the student gets off the bus and leaves the bus stop at the end of the day and at all times when students are participating in school-sponsored activities.

A. School Bus Application of the Student Code of Conduct

Bus drivers are responsible for the conduct of pupils while they are on the school bus and may remove any student for up to one day who participated in unacceptable behavior as listed under Section II of this Student Code of Conduct.

Minimum Action: Parent/guardian contact by bus driver.

Alternate Action: Review by a Principal or Assistant Principal to determine whether a suspension of more than one day is appropriate.

Maximum Action: Expulsion or exclusion.

B. Rules Governing Eligibility for Co-Curricular Activities

The Minnesota State High School League controls inter-scholastic competitive teams with regard to eligibility and has promulgated minimum standards. The School District may adopt amendments to the Minnesota State High School League rules if those amendments do not lower the minimum standards.

1. The Minnesota State High School League rules governing Category I activities and any additional amendments approved by the School Board shall apply to all co-curricular activities under the control of the Minnesota State High School League and to all junior high school athletic activities.
2. The Minnesota State High School League rules governing Category I activities and any additional amendments approved by the School Board shall apply to all co-curricular activities not under the control of the Minnesota State High

School League but these rules shall only apply when the students are under the supervision of the School District.

3. Good sportsmanship is the goal for all at Forest Lake Area Schools' events. Promotion of good sportsmanship shall include a demonstration of respect for opponents and officials. Rules of the event shall be understood and skill and performance shall be recognized regardless of the team affiliation. Good sportsmanship is the cornerstone of a quality activities program at Forest Lake Area Schools.
Minimum Action: Student conference and parent contact.
Maximum Action: Exclusion from attending contests up to possible suspension and expulsion.

C. Rules Governing School-Sponsored Activities and Clubs

The use or possession of tobacco products or the use, possession, or being under the influence of any type of mood altering substances during a school-sponsored activity is strictly forbidden. Students using any of the above substances during a school-sponsored activity will be removed from the activity for the remainder of the year. All other rules as specified in the Secondary School Code of Conduct will also apply to school-sponsored activities and clubs.

D. Safety

The School District is concerned about the safety of all students. Accordingly, this Code of Conduct applies to any actions which create an unsafe condition for students and/or staff.

Minimum Action: Student conference.
Maximum Action: Expulsion.

E. Unacceptable Behavior

Disciplinary action may be taken as a result of any behavior which is disruptive of good order or which violates the rights of others. The following acts are examples of unacceptable behavior and subject to disciplinary action in District #831 secondary schools, on the school buses and at school sponsored activities. School sponsored activities include, but are not limited to, co-curricular events, field trips, and club activities.

The listing of minimum actions does not imply or require that a "step-by-step" progression of increasing severity be employed by an administrator in dealing with a violation. However, there shall be a relationship between the severity of the offense and the administrative action.

1. Violation Against Persons

a. Fighting

Mutual combat in which all parties have contributed to the situation by verbal and/or physical action.

Minimum Action: Student conference and parent/guardian contact.
Maximum Action: Expulsion or exclusion.

b. Harassment

Participating in, or conspiring for others to engage in acts that injure, degrade, or disgrace other individuals.

Minimum Action: Student conference and parent/guardian contact.
Maximum Action: Expulsion or exclusion.

c. Sexual, Racial and Religious Harassment and Violence

Sexual, racial and religious harassment and violence as defined in School Board Policy 425 (available on the district's website: www.forestlake.k12.mn.us).

Minimum Action: Student conference, parent/guardian contact, and referral to the School District's Human Rights Officers.
Maximum Action: Expulsion or exclusion.

d. Bullying

"Bullying" means repeated behavior by an individual student, an individual student within a group of students, or group of students that is intended to cause the victim(s) to feel frightened, threatened, intimidated, humiliated, shamed, disgraced, ostracized, or physically abused. Bullying implies an imbalance in power or strength in which the student being bullied has difficulty defending him or herself. Bullying can take many forms, including physical, verbal, social/relational and/or cyberbullying. (Further clarification can be found in School Board Policy 541 which is available on the district's website: www.forestlake.k12.mn.us.)

Minimum Action: Student conference and parent/guardian contact.
Maximum Action: Expulsion or exclusion.

e. Abusive/Inappropriate Language

- (1) Disrespectful language to others.
- (2) Threatening language to others.

Minimum Action: Student conference and parent/guardian contact.
Maximum Action: Expulsion or exclusion.

f. Interference/Obstruction

Any intentional action taken to attempt to prevent a staff member from exercising his/her lawfully assigned duties.

Minimum Action: Student conference and parent/guardian contact.
Maximum Action: Expulsion or exclusion.

g. Possession of a Firearm (See also School Board Policy #532)

Minimum Action: Immediate suspension, notification of law enforcement agency.
Maximum Action: Expulsion or exclusion.

h. Possession of a Weapon Other than a Firearm Which Could Cause Harm (See also School Board Policy #532)

Minimum Action: Student conference, parent/guardian contact and possible notification of police.

Maximum Action: Expulsion or exclusion.

i. Possession of a Weapon Facsimile (See also School Board Policy #532)

Minimum Action: Student conference, parent/guardian contact and possible notification of police.

Maximum Action: Expulsion or exclusion.

j. Assault

“Assault” is doing an act with intent to cause fear in another of immediate bodily harm or death or intentionally inflicting or attempting to inflict bodily harm upon another.

Minimum Action: Student conference, parent/guardian contact, and possible notification of police.

Maximum Action: Expulsion or exclusion.

k. Aggravated Assault

“Aggravated Assault” is committing an assault upon the person of another with a dangerous weapon or an assault which inflicts great bodily harm upon the person of another.

Minimum Action: Student conference, suspension, parent/guardian contact and notification of police.

Maximum Action: Expulsion or exclusion.

l. Hazing

“Hazing” means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm or embarrassment to a person, in order for the student to be initiated or affiliated with a student organization, or for any other purpose.

(Further clarification can be found in School Board Policy 431 which is available on the district’s website: www.forestlake.k12.mn.us.)

Minimum Action: Student Conference and Parent/Guardian Contact.

Maximum Action: Expulsion or exclusion.

2. Violation Against Property

a. Unauthorized Use of School Property

The unauthorized/illegal use of school property.

Minimum Action: Student conference, parent/guardian contact and notification of police or juvenile authorities.

Maximum Action: Expulsion or exclusion.

b. Willful Damage of School Property

Minimum Action: Student conference, parent/guardian contact and recommended restitution.

Maximum Action: Expulsion or exclusion.

c. Willful Damage to Property of Staff Members and Others

Minimum Action: Student conference, parent/guardian contact and

recommended restitution.
Maximum Action: Expulsion or exclusion.

d. Theft

The unauthorized taking or possession of the property of another.
Minimum Action: Student conference, parent/guardian contact, and possible notification of police or juvenile authorities.
Maximum Action: Expulsion or exclusion.

e. Robbery/Extortion

The obtaining of property from another where his/her consent was induced by a use of force or a threat of force.
Minimum Action: Student conference, suspension, parent/guardian contact and immediate notification of police.
Maximum Action: Expulsion or exclusion.

f. Tampering with Food or Beverages

Adding or attempting to add foreign substances to food or beverages, including spitting into food or beverages or spitting on food trays.
Minimum Action: Student conference and parent/guardian contact.
Maximum Action: Expulsion or exclusion.

3. Violation Against Traffic Regulations

a. Parking

Parking in an unauthorized area of school property.
Minimum Action: Student conference and possible loss of parking privileges.
Maximum Action: Expulsion or exclusion.

b. Reckless or Careless Driving

Driving on school property in such a manner as to endanger persons or property.
Minimum Action: Student conference and possible loss of parking privileges.
Maximum Action: Expulsion or exclusion.

c. Fraudulent Use of a Parking Permit

Using a stolen, forged, or outdated parking permit.
Minimum Action: Student conference and possible loss of parking privileges.
Maximum Action: Expulsion or exclusion.

d. Parking Without a Permit

Minimum Action: Student conference, possible loss of parking privilege.
Maximum Action: Expulsion or exclusion.

4. Violation Against School Administrative Procedures

- a. Insubordination
Refusal to follow school rules and regulations as directed by staff.
Minimum Action: Student conference and parent/guardian contact.
Maximum Action: Expulsion or exclusion.
- b. Disruptive Behavior
Actions which interfere with effective operations of the school.
Minimum Action: Student conference and parent/guardian contact.
Maximum Action: Expulsion or exclusion.
- c. Record and Identification Falsification/Forgery
 - (1) Falsifying signatures or data on official record.
 - (2) Refusal to give correct identification or giving false identification when requested to do so by a staff member.Minimum Action: Student conference and parent/guardian contact.
Maximum Action: Expulsion or exclusion.
- d. Unauthorized Distribution
Unauthorized distribution of literature on or near school property of inflammatory, libelous or slanderous material.
Minimum Action: Student conference and parent/guardian contact.
Maximum Action: Expulsion or exclusion.
- e. Leaving School Building or Grounds
Leaving school buildings or grounds during school hours without proper clearance.
Minimum Action: Student conference and parent/guardian contact.
Maximum Action: Expulsion or exclusion.
- f. Chronic and Unexcused Absenteeism
Minimum Action: Student conference.
Maximum Action: Expulsion.
- g. Truancy
Minimum Action: Student conference and parent/guardian contact.
Maximum Action: Expulsion.
- h. Chronic and Unexcused Tardiness
Minimum Action: Student conference.
Maximum Action: Expulsion or exclusion.
- i. Student Attire
Manner of dress or personal grooming which presents a clear danger to the student's health and safety, causes an interference with work, or creates classroom or school disorder.
 - (1) The wearing of headwear and coats and the wearing or display of confederate flag, swastika and KKK signs or symbols is not permitted on school property or at school sponsored events.

- (2) Some school events and/or activities may permit the wearing of appropriate headwear when previously approved by the building principal.
- (3) The wearing of any clothing that displays tobacco, alcohol, drug, or drug paraphernalia and offensive words, pictures or symbols is not permitted on school property or at school sponsored events.
- (4) Clothing must cover back, shoulders, midriff and cover chest, buttocks and underclothing.
- (5) School property is defined as school buildings and grounds, including the parking lot and school buses.

Minimum Action: Student conference and parent/guardian contact.

Maximum Action: Expulsion or exclusion.

j. Trespassing

Physically present on a school campus or at a school activity after being requested to leave by school principal or other person lawfully responsible for the control of said premises.

Minimum Action: Student conference and possible referral to police or juvenile authorities.

Maximum Action: Expulsion or exclusion.

k. Student Cell Phone Use in School – The term “cell phone” includes all personal communication devices.

The following rules are intended to outline minimal expectations regarding cell phone use in school. Principals can enforce rules that are more strict.

- (1) Cell phones must be turned off in classrooms and stored in a purse, briefcase, backpack, pocket, etc.
- (2) Cell phones must be turned off in locker rooms and bathrooms and stored in a purse, briefcase, backpack, pocket, etc.
- (3) Cell phones that are stored in lockers must be turned off.
- (4) Failure to follow these directives may result in the loss of all cell phone privileges at school and may result in other disciplinary actions including suspension and/or expulsion.

Minimum Action: Student conference.

Maximum Action: Expulsion or exclusion.

l. Student Camera Use in School

The use of cameras (all devices used to record still and/or motion pictures) in school by students is generally prohibited because of the

disruption that can occur. However, in some very restricted instances, camera use by students is permitted.

- (1) Cameras cannot be used in locker rooms or bathrooms.
- (2) Failure to follow this directive may result in the loss of all camera privileges at school and may result in other disciplinary actions including suspension and/or expulsion.
- (3) These rules are intended to outline minimal expectations regarding camera use in school. Principals can enforce rules that are more strict.
Minimum Action: Student conference.
Maximum Action: Expulsion or exclusion.

5. Conduct on School Buses and Consequences for Misbehavior (See also School Board Policy #531)

- a. Riding the school bus is a privilege, not a right. Students are expected to follow the same behavioral standards while riding school buses as are expected on school property or at school activities, functions or events. All school rules are in effect while a student is riding the bus or at the bus stop.
- b. Consequences for school bus/bus stop misconduct will be imposed by the Building Principal or the Principal's designee. In addition, all school bus/bus stop misconduct will be reported to the District's Transportation Safety Director. Serious misconduct will be reported to the Department of Public Safety and may be reported to local law enforcement.

(1) School Bus and Bus Stop Rules.

The School District school bus safety rules are to be posted on every bus. If these rules are broken, the School District's discipline procedures are to be followed. Consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the School District's Transportation Office/School Office.

(2) Rules at the Bus Stop.

- (a) Get to your bus stop 5 minutes before your scheduled pick up time. The school bus driver will stop, but not wait for late students.
- (b) Respect the property of others while waiting at your bus stop.
- (c) Keep your arms, legs and belongings to yourself.
- (d) Use appropriate language.

- (e) Stay away from the street, road or highway when waiting for the bus. Wait until the bus stops before approaching the bus.
- (f) After getting off the bus, move away from the bus.
- (g) If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
- (h) No fighting, harassment, intimidation or horseplay.
- (i) No use of alcohol, tobacco or drugs.

(3) Rules on the Bus.

- (a) Immediately follow the directions of the driver.
- (b) Sit in your seat facing forward.
- (c) Talk quietly and use appropriate language.
- (d) Keep all parts of your body inside the bus.
- (e) Keep your arms, legs and belongings to yourself.
- (f) No fighting, harassment, intimidation or horseplay.
- (g) Do not throw any object.
- (h) No use of alcohol, tobacco or drugs.
- (i) Do not bring any weapon or dangerous objects on the school bus.
- (j) Do not damage the school bus.
- (k) No eating or drinking on the school bus on regular school bus routes to and from school. Exceptions will be made for medical reasons.

(4) Consequences.

- (a) Consequences for school bus/bus stop misconduct will apply to all regular and late routes. Decisions regarding a student's ability to ride the bus in connection with co-curricular and extra-curricular events (for example, field trips or competitions) will be at the sole discretion of the School District. Parents/guardians will be notified of any offenses and/or suspension of bus privileges.
 - (i) Secondary (7-12) per school year.
 - 1st offense -- warning
 - 2nd offense -- 3-5 day suspension from riding the bus
 - 3rd offense -- 10 day suspension from riding the bus
 - 4th offense -- 20 day suspension from riding the bus/meeting with parent/guardian
 - 5th offense -- suspended from riding the bus for the remainder of the school year

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

On a take home route, a school bus driver shall have the authority to remove a student from the bus for one day for misbehavior considered to be causing an immediate and substantial danger to self or surrounding persons or property, provided the driver follows the administrative regulations addressing these suspensions, as outlined in the Driver's Handbook.
- (iii) Referrals.
Referrals of school bus/bus stop misconduct will be forwarded to the individual school building and will be retained in the same manner as other student discipline referrals. Referrals may also be maintained in the transportation office.
- (iv) Vandalism/Bus Damage.
Students damaging school buses will be responsible for the damages. Failure to pay such damages (or make arrangements to pay) within two weeks may result in the loss of bus privileges until damages are paid.
- (v) Notice.
Students will be given a copy of school bus and bus stop rules during school bus safety training. Rules are to be posted on each bus and both rules and consequences will be periodically reviewed with students by the driver.
- (vi) Criminal Conduct.
In cases involving criminal conduct the Superintendent, local law enforcement officials and the Department of Public Safety will be informed.

6. Parent/Guardian Involvement

- a. Parent/Guardian Responsibilities For Transportation Safety.

- (1) Become familiar with District rules and policies, regulations and principles of school bus safety.
- (2) Assist students in understanding safety rules and encourage them to abide by them.
- (3) Recognize their responsibilities for the actions of their students.
- (4) Support safe riding practices and reasonable discipline efforts.
- (5) When appropriate, assist students in safely crossing local streets before boarding and after leaving the bus.
- (6) Support procedures for emergency evacuation, and procedures in emergencies as set up by the School District.
- (7) Respect the rights and privileges of others.
- (8) Communicate safety concerns to school administrators.
- (9) Monitor bus stops, if possible.
- (10) Support all efforts to improve school bus safety.

b. Parent/Guardian Notification.

A copy of the School District school bus and bus stop rules will be provided to each family at the beginning of the school year or when a child enrolls, if this occurs during the school year. Parents/guardians are asked to review the rules with their students.

7. Other Violations

a. Gambling

The playing of a game of chance for stakes.

Minimum Action: Student conference and parent/guardian contact.

Maximum Action: Expulsion or exclusion.

b. Disorderly Conduct

Engaging in offensive, obscene, or abusive language or in boisterous and noisy conduct.

Minimum Action: Student conference and parent/guardian contact.

Maximum Action: Expulsion or exclusion.

c. Use or Possession of Tobacco and/or Tobacco Products

Use of and/or possession of any type of tobacco product by any student, regardless of age, will be governed by Minnesota Statute and School District rules.

Minimum Action: Student conference and parent/guardian contact.

Maximum Action: Expulsion or exclusion.

d. Use, Possession, Distribution or Sale of Illegal Drugs, Alcohol, Narcotics, Drug Paraphernalia, or Simulated Drugs

Students who violate the rules concerning the use of alcohol and drugs will be subject to one or more of the following procedures:

- (1) Parent/guardian conference.

- (2) Notification of local law enforcement agency or other appropriate agencies.
- (3) Referral to the school's Chemical Dependency Coordinator.
- (4) Referral via petition to Chisago, Washington, or Anoka County Court Services.
- (5) In-school restriction.
- (6) Dismissal from school (Suspension or Expulsion/Exclusion).

e. Fire Alarms/911

The sounding of false fire alarms or false 911 calls.

Minimum Action: Student conference, parent/guardian contact, and notification of appropriate Police and Fire Department officials.

Maximum Action: Expulsion or exclusion.

f. Terroristic Threats (a bomb threat is an example)

The making of bomb threats or other terroristic threats either verbally, by telephone, by letter or through any other means of communication.

Minimum Action: Immediate suspension, notification of law enforcement agency.

Maximum Action: Expulsion or exclusion.

g. Inappropriate Use of Technology (See also School Board Policy 540)

Technology instruction includes computers, televisions, video or audio recorders and players, and other related technological equipment.

Students must follow all appropriate use of technology procedures as established by the School District.

Technology misuse includes, but is not limited to:

- (1) Using unauthorized programs, software, videos, CDs or audiotapes.
- (2) Attempting to bypass or alter computer security.
- (3) Unauthorized modification of computer configuration (desktop pattern, sounds, etc.).
- (4) Attempting to access, add, delete or alter information or files of another person or organization without permission.
- (5) Using technology to access, transfer, copy or store inappropriate materials or messages.
- (6) Use technology resources for commercial, personal profit or illegal enterprises.
Minimum Action: Student conference.
Maximum Action: Expulsion or exclusion.

h. Academic Dishonesty

It is expected that students pursue their academic studies in an honest

manner and with integrity. Work that is turned in for credit needs to result from the student's own efforts. Academic dishonesty includes but is not limited to two major areas: cheating and plagiarism. Cheating is a deceptive act in which a student attempts to show knowledge which is not theirs. Plagiarism is presenting information from someone else, as though the ideas, words, or facts are the student's own.

Minimum Action: Student conference, parent/guardian contact.

Maximum Action: Expulsion or exclusion.

F. Corrective Measures

Discipline should not be confused with punishment. The goal of discipline is a self-regulated individual with mature attitudes and socially-acceptable standards of conduct.

Corrective measures used will depend upon the nature of the behavior, the frequency, and the degree to which the student is willing to try to correct undesirable behavior.

With the exception of serious violations of the Student Conduct Code, corrective measures will normally begin at a minimal level and then proceed to more serious levels. These procedures may include but are not limited to: conferences with teacher, counselor, or principal; detention; loss of school privileges; parent/guardian conference with school staff; modified school program; school transfer; dismissal for one day; suspension; referral to Superintendent or designee; expulsion; police referral; court referral and home instruction.

1. Student Conference

Conferences will be conducted with students regarding disciplinary matters to insure due process. (Conferences by school administrators are not required for discipline action under Article III G. Removal of Student From Class by the Teacher.) Each student facing the imposition of disciplinary action under this code of conduct must be informed, orally or in writing, of the facts and the nature of the conduct which has been challenged and be given an opportunity to explain his or her version of the facts or conduct which has been challenged prior to the imposition of discipline.

2. Parent/Guardian Contact

Depending on the violation and the seriousness of the action, a student's parent/guardian may be contacted by telephone or mail in addition to a student conference. The intent of the contact is to inform the parent/guardian of the violation and the student's attitude during the conference and to elicit parent/guardian support for correcting the unacceptable behavior.

3. Parent/Guardian Conference

The principal, assistant principal, counselor, or teacher may request a

parent/guardian conference, with or without the student present, to insure parent/guardian understanding of the student's academic and/or behavior problem and to mobilize a cooperative effort to correct the difficulty.

4. Detention

Detention may be required of a student for one or more breaches of the code of conduct. Student failure to serve detention on the assigned date(s) will result in either an increased term of detention, assignment to an alternative program, in-school restriction or suspension. Every effort will be made to insure that students will be doing school work during this time.

a. Teacher's Detention

A teacher may detain a student after school to correct a student's unacceptable behavior. Parents/Guardians are to be informed of a student detention and teachers will document notice to parents/guardians that detention has been scheduled.

b. Administrative Detention

Students may be detained by the Administration for the following reasons:

- (1) Excessive tardiness to school or class.
- (2) Unexcused absence from school or class.
- (3) Deliberate disrespect and/or insubordination.
- (4) Disciplinary reasons in the school or classroom.

Parents/Guardians are to be informed of a student detention and principals will document notice to parents/guardians that detention has been scheduled.

5. In-School Monitoring

Students may be required to have an hourly report signed by their teachers verifying their movement in the building during the day. The report will be picked up daily from a designated person and returned to a designated person at the end of the day for verification of the student's movements. Parents/Guardians are often notified of this arrangement.

6. Referral to Community Services Agencies

When necessary school authorities will refer students to Community Services agencies including mental health agencies consistent with Minnesota statutes. The parents/guardians will be consulted when appropriate if any community service is to be used for a student or if a student will be referred to a community resource.

7. Suspension (M.S. 121A.41 Subd. 10)

“Suspension” means an action taken by the school administration prohibiting a student from attending school for a period of not more than ten consecutive school days. The suspension period may be extended an additional five days when it is determined that the student will create an immediate and substantial danger to persons or property around him/her. The purpose of suspension is to remove the student from the school environment and to provide time for the professional staff, parent/guardian and student to discuss the matter and bring about an agreement on future conduct.

8. Alternative Program

“Alternative Program” means educational opportunities made available within the School District, but which may be at a site different from a student’s originally assigned school or schedule. In-school restriction is an example of an alternative program. After a student returns from an alternative program, in-school monitoring may be used as a sincere attempt to assist the student in his/her adjustment to the school rules and environment.

9. Administrative Transfer

A principal may recommend an administrative transfer of a student to another Forest Lake Public School by a direct request to the Superintendent.

10. Expulsion or Exclusion

“Expulsion” means an action taken by the School Board to prohibit an enrolled student from further attendance for a period that shall not extend beyond an amount of time equal to one school year from the date a student is expelled. (M.S. 121A.41, Subd. 5). “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 (M.S. 121A.41, Subd. 4).

11. Referral to Police or Juvenile Authorities

When a student’s misbehavior is so extreme that it may involve the violation of a law, police or juvenile authorities will be contacted by the Principal or a designated representative. Every reasonable attempt shall be made to notify parents/guardians at the same time juvenile authorities are called. If the officer indicates that he/she is arresting the student, with or without a warrant, that officer shall have complete jurisdiction and responsibility in the matter and the Principal shall not interfere with the student’s removal from the building. It is expected that the contact with the student shall be arranged in a manner to make it as unobtrusive as possible.

12. In-School Restriction

In-School Restriction (ISR) may be required of a student for one or more

breaches of the Code of Conduct. Students placed in ISR are required to remain in one room for a designated period of time. Students in ISR are under the supervision of school staff and are given ISR and/or homework assignments which must be completed.

13. Students with Disabilities

~~Students with disabilities who violate the Student Code of Conduct will receive corrective measures in accordance with applicable state and federal law.~~

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

Before initiating an expulsion or exclusion of a student with a disability, relevant members of the child's IEP or 504 team and the child's parent shall, consistent with federal law, conduct a manifestation determination and determine whether the child's behavior was (i) caused by or had a direct and substantial relationship to the child's disability and (ii) whether the child's conduct was a direct result of a failure to implement the child's IEP or 504 plan. If the student's educational program is appropriate and the behavior is not a manifestation of the student's disability, the school district will proceed with discipline – up to and including expulsion – as if the student did not have a disability, unless the student's educational program provides otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team shall conduct a functional behavioral assessment and implement a behavioral intervention plan for such student provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that resulted in a change of placement. Where a behavioral intervention plan previously has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior.

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

G. Removal of Student from Class

1. Definitions:

- a. Removal from Class: "Removal from class" and "removal" means any actions taken by a teacher, principal, or other School District employee to prohibit a student from attending class for a period of time not to exceed three class or activity periods, pursuant to procedures established in the School District Discipline Policy adopted by the School Board pursuant to M.S. 121A.61.

- b. Class Period: “Class period” or “activity period” means in secondary grades, instruction for a given course of study.
2. Rules Governing Student Conduct:
- a. Student Code of Conduct: The rules governing student conduct are contained in the Secondary School Code of Conduct as adopted by the School Board.
 - b. Notice to Student: Copies of the Secondary Student Code of Conduct are distributed to all students each school year.
3. Grounds for Removal from Class:
- a. Disrupting the Rights of Others: A student may be removed from class for willful conduct which materially and substantially disrupts the rights of others to an education.
 - b. Dangerous Conduct: A student may be removed from class for willful conduct which endangers School District employees, the student or other students, or the property of the school.
 - c. Violation of Secondary School Code of Conduct: A student may be removed from class for willful violation of any rule of conduct specified in the discipline policy (Secondary School Code of Conduct) as adopted by the School Board.
4. Authority to Remove Students:
- a. Who May Remove a Student: The teacher or supervisor in immediate charge of the class from which the student is to be removed, or the building Principal, Assistant Principal, or administrative designee may remove a student from that specific class as specified under M.S. 121A.61.
 - b. When May a Student Be Removed: A student may be removed from class when in the judgment of the teacher, supervisor, or administrator authorized to remove said student, the student has violated one or more of the grounds listed for removal from class.
5. Procedures for Removing Students, Parent/Guardian Notification, Responsibility for Students Removed and Period of Time of Removal:
- a. Procedure for Removal from Class: When a teacher or supervisor authorized to remove a student from a class determines that a student has violated one of the grounds for removal from class, that individual will advise the student of the reason for removal from class, give the student an opportunity to respond, and give the student a removal from class notice. The student will be instructed to report directly to the Principal’s/Assistant Principal’s/Dean’s office with that notice. If, in

the judgment of the teacher or supervisor, allowing the student to report to the office unescorted may endanger the student, other individuals, or School District property, the teacher or supervisor should escort the student to the office or request assistance from the office in escorting the student to the office.

- b. Parent/Guardian Notification: Teachers or supervisors removing students from class are strongly encouraged to notify parents/guardians by telephone of the removal.
- c. Responsibility for Students Removed: Once a student arrives in the Principal's/Assistant Principal's/Dean's office, the custody of and responsibility for that student during the time of removal from class will rest with the building Principal/Assistant Principal/Dean. The building Principal/Assistant Principal/Dean will designate a supervised area to which the student is to report and remain during each period of removal from class. If the length of removal from class is for more than one class period, the classroom teacher or supervisor will submit assignments for the student. The assignments are to be submitted to the Principal/Assistant Principal/Dean or his/her designee, prior to the start of the second consecutive class period of removal from class.
- d. Length of Time of Removal: A student's regular classroom teacher, supervisor, or the building Principal or Assistant Principal, may remove a student from class for up to three consecutive class periods for a single violation of the "Grounds for Removal From Class" as found in Section III of this policy. The actual number of class periods of removal up to the maximum of three, shall be at the discretion of the teacher or supervisor removing the student.

A substitute teacher or supervisor may remove a student from a class in which he or she is in charge for up to three consecutive class periods, or during the consecutive class periods when he or she is the substitute in charge of that class if less than three.

- e. In the case of a student with a disability, the student's individual education program team shall meet immediately but not more than ten (10) school days after the date on which the decision to remove the student from the student's current education placement is made. The individual education program team must review all relevant information in the student's file to determine if the conduct in question was (i) caused by, or had a direct and substantial relationship to, the child's disability, or (ii) the direct result of the school's failure to implement the individual education program. This is referred to as a "manifestation determination meeting."

6. Procedures for Return of Students to Class:

- a. Removal for One Class Period or Less: The minimum procedure for return to class after a removal of one class period or less shall be an informal conference between the student removed and the teacher, supervisor, or building Principal or Assistant Principal who removed the student.
- b. Removal for More Than One Class Period: The minimum procedure for return to class after a removal of more than one class period shall be a conference between the student removed, the teacher or supervisor who removed the student, and the building Principal or Assistant Principal.

Additional procedures may be established by the teacher or supervisor removing the student after consultation with the Principal or Assistant Principal.

H. Student Searches

1. Locker Searches

School lockers are the property of the School District. At no time does the School District relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school authorities for any reason at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a school locker may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of the law or school rules. As soon as practicable after the search of a student's locker, school authorities must provide notice of the search to students and the student's parents whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials.

2. Personal Possession Searches

The personal possessions of students whether on their person, in desks, in backpacks or purses, in cell phones or other recording devices, lockers or cars parked in the school parking lot may be subject to a reasonable search when the School District has a reasonable, individualized suspicion that evidence will be produced showing that the student violated the law or school rules.

3. School officials may seek assistance from law enforcement if deemed necessary. As soon as practicable after the search of a student's personal possessions, school authorities must provide notice of the search to students and the student's parents whose personal possessions were searched unless disclosure would impede an ongoing investigation by police or school officials. Students who refuse to comply or impede an investigation will be in violation of policy and subject to further disciplinary action.

It is the policy of the School Board of School District #831 to comply with Federal and State Law (and all requirements imposed by or pursuant to regulations issued in support of such laws) prohibiting discrimination against any person on the grounds of race, color, national origin, creed, religion, sex, marital status, sexual orientation, status with regard to public assistance, age or disability.

- Legal References:*
- Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
 - Minn. Stat. § 120B.02 (Educational Expectations for Minnesota Students)
 - Minn. Stat. § 120B.232 (Character Development Education)
 - Minn. Stat. § 121A.26 (School Preassessment Teams)
 - Minn. Stat. § 121A.27 (School and Community Advisory Team)
 - Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)
 - Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
 - Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)
 - Minn. Stat. § 121A.582 (Reasonable Force)
 - Minn. Stat. §§ 121A.60-121A.61 (Removal From Class)
 - Minn. Stat. § 123A.05 (Area Learning Center Organization)
 - Minn. Stat. § 124D.03 (Enrollment Options Program)
 - Minn. Stat. § 124D.08 (Enrollment in Nonresident District)
 - Minn. Stat. Ch.125A (Students With Disabilities)
 - Minn. Stat. Ch. 260A (Truancy)
 - Minn. Stat. Ch. 260C (Juvenile Court Act)
 - 20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Improvement Act of 2004)
 - 29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
 - 34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

- Cross References:*
- Harassment and Violence Policy 425
 - School Weapons Policy 532
 - Search of Student Lockers, Desks, Personal Possessions and Student's Person Policy 514
 - Student Attendance Policy 519
 - Anti-Bullying Policy 541
 - Technology Acceptable Use and Safety Policy 540
 - Hazing Prohibition Policy 431
 - Student Transportation Safety Policy 531

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 REVISED: 06/16/86
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REVISED: 04/02/09
REVISED: 05/06/10

[Note: State law requires that school districts adopt a sexual, religious, and racial harassment and violence policy that conforms with the Minnesota Human Rights Act, Minn. Stat. Ch. 363A. This policy complies with this statutory requirement but, in addition, addresses other classifications protected by state and/or federal law. While the recommendation is that school districts incorporate the other protected classifications, in addition to sex, religion, and race, into this policy, they are not required to do so. The Minnesota Department of Education (MDE) will maintain and make available Model Policy 413 – Harassment and Violence in accordance with Minn. Stat. § 121A.03. Each school board must submit a copy of the policy the board has adopted to the Commissioner of MDE.]

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. ~~It is the~~ The policy of Independent School District No. 831 (the "School District") is to maintain a learning and working environment that is free from **harassment and violence on the basis of religious, racial or sexual harassment and violence**. ~~The School District prohibits any form of harassment or violence based on race, color, creed, religion, race national origin, sex, age, marital status, familial status, or any class listed in M.S. 363A.02 of the Minnesota Human Rights Act (color, creed, national origin, age, marital status, status with regard to public assistance, sexual orientation, or disability).~~ **The School District prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.** ~~The School District acknowledges that for this policy to be effective, school personnel must fulfill their responsibilities assigned by this policy.~~
- B. ~~It shall be a~~ A violation of this policy ~~for~~ **occurs when** any pupil, teacher, administrator, or other school personnel of the School District ~~to~~ **harasses** a pupil, teacher, administrator or other school personnel **or group of pupils, teachers, administrators, or other school personnel** through conduct or communication ~~of a sexual nature or regarding~~ **based on a person's religion and race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability,** as defined by this policy. (For purposes of this policy, school

personnel includes school board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the District.)

- C. ~~It shall be a~~ **A violation of this policy for occurs when** any pupil, teacher, administrator or other school personnel of the School District ~~to~~ inflicts, threatens to inflict, or attempts to inflict ~~religious, racial or sexual~~ violence upon any pupil, teacher, administrator or other school personnel **or group of pupils, teachers, administrators, or other school personnel based on a person's race, color, creed, religion, national origin, sex, age, martial status, familial status, status with regard to public assistance, sexual orientation, or disability.**
- D. The School District will act to investigate all complaints, either formal or informal, verbal or written, of ~~religious, racial or sexual~~ harassment or violence **based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability,** and to discipline or take appropriate action against any pupil, teacher, administrator, or other school personnel who is found to have violated this policy.

III. ~~RELIGIOUS, RACIAL AND SEXUAL/GENDER HARASSMENT AND VIOLENCE~~ **DEFINED DEFINITIONS**

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

3. **otherwise adversely affects an individual's employment or academic opportunities.**
- C. **“Immediately” means as soon as possible but in no event longer than 24 hours.**
- D. **Protected Classifications; Definitions**
1. **“Age” means the person is over the age of 25 years.**
 2. **“Disability” means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:**
 - a. **has a physical, sensory, or mental impairment which materially limits one or more major life activities;**
 - b. **has a record of such an impairment; or**
 - c. **is regarded as having such an impairment.**
 3. **“Familial status” means the condition of one or more minors being domiciled with:**
 - a. **their parent or parents or the minor's legal guardian; or**
 - b. **the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.**
 4. **“Marital status” means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.**
 5. **“National origin” means the place of birth of an individual or of any of the individual's lineal ancestors.**
 6. **“Sex” includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.**
 7. **“Sexual orientation” means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as**

having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.

8. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.

AE. Sexual/Gender Harassment; Definition-

1. Sexual/Gender harassment ~~includes~~ **consists of** ~~unwelcome physical or verbal conduct relating to an individual's gender or directed at an individual because of gender;~~ unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual ~~or gender~~ biased nature when:
 - 1 a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining ~~or retaining~~ employment; ~~or of obtaining~~ an education; or
 - 2 b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
 - 3 c. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile or offensive employment or educational environment.
2. ~~Examples of s~~Sexual/gender harassment may include, but ~~are~~ **is** not limited to:
 - i a. unwelcome verbal harassment or abuse ~~including sexual slurs, implied sexual slurs, or assigning hurtful or derogatory sexual labels;~~
 - ii b. unwelcome pressure for sexual activity;
 - iii c. unwelcome, sexually motivated, **or inappropriate touching,** patting, pinching, or physical contact, other than necessary restraint of pupil(s) by teachers, administrators, or other school personnel to avoid physical harm to persons or property;

- ~~iv~~ d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
- v. ~~unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises or preferential treatment with regard to an individual's employment or educational status; or~~
- vi e. ~~distribution or display of written materials, pictures or other graphics of a sexual or gender biased nature~~ **unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual' s employment or educational status; or**
- vii f. ~~other~~ unwelcome behavior or words directed at an individual because of gender.

BF. Sexual Violence: Definition:

1. Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts. **Intimate parts, as defined in Minn. Stat. § 609.341**, includinges the **primary** genital area, groin, inner thigh, buttocks, or breasts, as well as the clothing covering these areas.
2. Sexual violence may include, but is not limited to:
 - 1a. touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
 - 2b. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
 - 3c. coercing, forcing or attempting to coerce or force a sexual **intercourse or a sexual** act on another; or
 - 4d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

C. ~~Racial Harassment/Racial Bias: Definition~~ ~~Racial harassment and racial bias occur when:~~

- ~~1. Submission to conduct or communications of a racially derogatory, harassing or biased nature is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education; or~~
- ~~2. Submission to or rejection of conduct or communications of a racially derogatory, harassing or biased nature by an individual is used as a factor in decisions affecting that individual's employment or education; or~~
- ~~3. The conduct or communication of a racially derogatory, harassing or biased nature has the purpose or effect of substantially interfering with an individual's employment or education, or creating an intimidating, hostile or offensive employment or education environment or otherwise adversely affects an individual's employment or academic opportunities.~~

DG. Racial Violence; Definition. Racial violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to, race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.

E. Religious Harassment/Bias; Definition. Religious harassment/Bias occurs when:

- ~~1. Submission to conduct or communications of a religiously derogatory, harassing or biased nature is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education; or~~
- ~~2. Submission to or rejection of conduct or communications of a religiously derogatory, harassing or biased nature by an individual is used as a factor in decisions affecting that individual's employment or education; or~~
- ~~3. The conduct or communication of a religiously derogatory, harassing or biased nature has the purpose or effect of substantially interfering with an individual's employment or education, or creating an intimidating, hostile or offensive employment or education environment.~~

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

G. Assault; Definition. Assault is:

- ~~1. an act done with intent to cause fear in another of immediate bodily harm or death;~~

2. ~~the intentional infliction of or attempt to inflict bodily harm upon another; or~~
3. ~~the threat to do bodily harm to another with present ability to carry out the threat.~~

H. ~~Applicability.~~ Harassment may occur:

1. ~~Between a supervisor and an employee;~~
2. ~~Between employees;~~
3. ~~Between an employee and a student;~~
4. ~~Between students;~~
5. ~~Between students and members of the community who are participating in or attending school activities or who are on school grounds;~~
6. ~~Between employees and members of the community who are participating in or attending school activities or who are on school grounds;~~

III IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the victim of ~~religious, racial or sexual~~ harassment or violence **on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability** by a pupil, teacher, administrator, or other school personnel of the School District, ~~and~~ **or** any person with knowledge or belief of conduct which may constitute ~~religious, racial or sexual~~ harassment or violence **prohibited by this policy** toward a pupil, teacher, administrator or other school personnel **or group of pupils, teachers, administrators, or other school personnel** should report the alleged acts immediately to an appropriate School District official designated by this policy. ~~School personnel with such knowledge or belief are required to make the report.~~ The School District encourages the reporting party or complainant to use the report form available from the principal of each building or available from the School District office, but oral reports shall be considered complaints as well. Nothing in this policy shall prevent any person from reporting harassment or violence directly to **a School District Human Rights Officers** or to the Superintendent.
- AB. In Each School Building. The building principal, **the principal' s designee, or the building supervisor (hereinafter building report taker)** is the person

responsible for receiving oral or written reports of ~~religious, racial or sexual~~ harassment or violence **prohibited by this policy** at the building level. Any adult School District personnel who receives a report of ~~religious, racial or sexual~~ harassment or violence **prohibited by this policy** shall inform the building ~~principal~~ **report taker** immediately. **If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the School District human rights officer by the reporting party or complainant. School District personnel who fail to inform the building report taker of a report of harassment or violence in a timely manner may be subject to disciplinary action.** ~~The principal shall notify the parents or guardians of the victim as soon as reasonably possible.~~

- C. Upon receipt of a report, the ~~principal~~ **building report taker** must notify the School District Human Rights Officers immediately, without screening or investigating the report. The ~~principal~~ **building report taker** may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the ~~principal~~ **building report taker** to the Human Rights Officers. If the report was given verbally, the ~~principal~~ **building report taker** shall personally reduce it to written form within 24 hours and forward it to the Human Rights Officers. Failure to forward any harassment or violence report or complaint as provided herein ~~will~~ **may result in disciplinary action against the principal building report taker.** ~~If the complaint involves the building principal, the complaint shall be made or filed directly with the Superintendent or the School District Human Rights Officers by the reporting party or complainant.~~

- BD. ~~District-Wide~~ **In the District.** The School Board hereby designates ~~Ren Spies~~ **Donna Friedmann**, the Director of Administration and Human Resources, and Deb Wall, the Director of Special Education, as the School District Human Rights Officers to receive reports or complaints of ~~religious, racial or sexual~~ harassment or violence **prohibited by this policy**. If the complaint involves a Human Rights Officer, the complaint shall be filed directly with the Superintendent.

- E. The School District shall conspicuously post the name of the Human Rights Officers, including mailing addresses and telephone numbers.

- EF. Submission of a good faith complaint or report of ~~religious, racial or sexual~~ harassment or violence **prohibited by this policy** will not affect the complainant or reporter's future employment, grades or work assignments.

- EG. Use of formal reporting forms is not mandatory.

- EH. **Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.** The School District will ~~process complaints made under this policy as discreetly as possible~~

respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the School District's legal obligations and the necessity to investigate allegations of discriminatory harassment and violence and take disciplinary action when the conduct has occurred to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

~~F. Throughout the process, the victim's name will be documented in the records.~~

IV. INVESTIGATION

- A. By authority of the School District, the Human Rights Officers, upon receipt of a report or complaint alleging ~~religious, racial or sexual~~ harassment or violence **prohibited by this policy**, shall immediately undertake or authorize an investigation. The investigation may be conducted by School District officials or by a third party designated by the School District.
- B. The investigation ~~should~~ **may** consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the School District should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between **the** parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and the surrounding circumstances.
- D. In addition, the School District ~~shall~~ **may** take immediate ~~reasonable~~ steps, **at its discretion**, to protect the complainant, pupils, teachers, administrators, or other school personnel pending completion of an investigation of alleged ~~religious, racial or sexual~~ harassment or violence **prohibited by this policy**.
- E. **The investigation will be completed as soon as practicable.** The School District Human Rights Officers shall make a written report to the Superintendent upon completion of the investigation. If the complaint involves the Superintendent, the report may be filed directly with the School Board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

VI. SCHOOL DISTRICT ACTION

- A. ~~The School District will take such action as appropriate based on the results of the investigation. In the event that the investigation establishes that a violation of this policy has occurred, disciplinary action shall be taken.~~ **Upon completion of the investigation, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and school district policies.**
- B. ~~Consistent with the requirements of the Minnesota Government Data Practices Act (MGDPA), Minnesota Statutes §13.01 et. seq., the results of the School District's investigation will be made available to the complainant.~~ **The result of the school district's investigation of each complaint filed under these procedures will be reported in writing to the complainant by the school district in accordance with state and federal law regarding data or records privacy.**
- C. ~~Without disclosing personally identifiable data the School District shall make summary information about the violations of this policy available to the public consistent with the MGDPA.~~
- D. ~~A summary report of harassment incidents shall be presented to the School Board upon request.~~

VII. REPRISAL

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

VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

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

VIIIX. HARASSMENT OR VIOLENCE AS ABUSE

- A. Under certain circumstances, **alleged** harassment or violence may ~~constitute child abuse~~ **also be possible abuse or neglect under Minnesota law**. Individuals responsible for a child's care, including teachers, school administrators and other lawful custodians of a child ~~have a duty to report suspected child abuse or neglect, pursuant to Minnesota Statutes 626.556, Reporting Maltreatment of Minors.~~ **If so, the duties of mandatory reporting under Minn. Stat. § 626.556 may be applicable,**
- B. Nothing in this policy will prohibit the School District from taking immediate action to protect victims of alleged **harassment, violence or sexual** abuse.

~~IX.~~ **DISCIPLINE**

~~The School District will take such disciplinary action as it deems necessary and appropriate to end discriminatory harassment and violence and prevent its recurrence. Any School District action taken against a student (including suspension or expulsion) or employee (including immediate discharge) pursuant to this policy shall be consistent with the requirements of:~~

- ~~A. Applicable Collective Bargaining Agreements;~~
- ~~B. School District Policies;~~
- ~~C. The Pupil Fair Dismissal Act, Minnesota Statute § 127.26;~~
- ~~D. Student Conduct Code;~~
- ~~E. Other applicable State and Federal Law.~~

X. DISSEMINATION OF POLICY AND TRAINING

- A. This policy shall be conspicuously posted throughout each school building in areas accessible to pupils and staff members.
- B. This policy shall be given to each school district employee and independent contractor at the time of entering into the person's employment contract.**
- BC.** A summary of this policy shall appear in the student handbook. This policy in its entirety shall appear in the employee handbook. **(MSBA's policy reads: This policy shall appear in the student handbook. What we have written is our current practice.)**
- ~~CD.~~ The School District will develop ~~and implement~~ a method of discussing this policy ~~annually~~ with students and employees.

Which option?

- E. The school district may implement violence prevention and character development education programs to prevent and reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.**
- DF. This policy shall be reviewed at least annually for compliance with state and federal laws.

Legal References: Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious and Racial Harassment and Violence Policy)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
Minn. Stat. § 609.341 (Definitions)
Minn. Stat. § 626.556 *et seq.* (Reporting of Maltreatment of Minors)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)
29 U.S.C. § 621 et seq. (Age Discrimination in Employment Act)
29 U.S.C. § 794 (Rehabilitation Act of 1973, § 504)
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)
42 U.S.C. § 2000d et seq. (Title VI of the Civil Rights Act of 1964)
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)
Puller v. Indep. Sch. Dist. No. 701, 528 N.W.2d 273 (Minn. Ct. App. 1998)

Cross References: Policy 535 (Equal Educational Opportunity)
Policy 412 (Equal Employment Opportunity)
Policy 432 (Disability Nondiscrimination Policy)
Policy 406 (Public and Private Personnel Data)
Policy 522 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
Policy 414 (Mandated Reporting of Maltreatment of Vulnerable Adults)
Policy 515 (Student Discipline)
Policy 505 (Use of Student Records)
Policy 432 (Disability Nondiscrimination Policy)
Policy 421 (Student Sex Nondiscrimination)
Policy 540 (Technology Acceptable Use and Safety Policy)
Policy 419 (Prohibiting Discrimination)

Adopted: 02/06/95
Revised: 11/04/03
Revised: 07/07/05
Revised: 03/08/07
Revised: 05/01/08
Revised: 04/02/09
Revised: 06/03/10

INDEPENDENT SCHOOL DISTRICT #831
6100 North 210th Street
Forest Lake, Minnesota

Form
Currently
In Use

HARASSMENT AND VIOLENCE REPORTING FORM

GENERAL STATEMENT OF POLICY: Independent School District #831 maintains a firm policy prohibiting racial, sexual and religious harassment and violence. Sexual, racial and religious harassment and violence is a form of discrimination which violates the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e, et. seq., and the Minnesota Human Rights Act, §363.01, et. seq. It is the policy of Independent School District #831 to maintain a learning and working environment that is free from harassment and violence, and prohibits any form of discrimination.

Please file this form with your building principal if appropriate; otherwise, file with a District Human Rights Officer: Ron Spies, Director of Administration & Human Resources, or Deb Wall, Director of Special Education (Ref. Sec. III A & B herein).

Complainant: _____

Victim: _____

Home address: _____

Work address: _____

Home phone: _____ Work phone: _____

Date and estimated time of alleged incident(s): _____

Name of person accused of harassment or violence: _____

Circle as appropriate: Sexual Racial Religious Violence Other

List any witnesses that were present _____

Where did the incident(s) occur? _____

Describe the incident(s) as clearly as possible (attach additional pages if necessary):

I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge and belief.

Complainant Signature

Date

Received by: _____
(Employee Signature)

Date

(Employee printed name)

REPLACE CURRENT FORM WITH THIS MSBA FORM?

**INDEPENDENT SCHOOL DISTRICT NO. 831
HARASSMENT AND VIOLENCE REPORT FORM**

General Statement of Policy Prohibiting Harassment and Violence

Independent School District No. 831 maintains a firm policy prohibiting all forms of discrimination. Harassment or violence against students or employees or groups of students or employees on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability is strictly prohibited. All persons are to be treated with respect and dignity. Harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability by any pupil, teacher, administrator, or other school personnel, which create an intimidating, hostile, or offensive environment will not be tolerated under any circumstances.

Complainant _____
Home Address _____
Work Address _____
Home Phone _____ Work Phone _____

Date of Alleged Incident(s) _____

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

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

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

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

Where and when did the incident(s) occur? _____

List any witnesses that were present _____

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

(Complainant Signature)

(Date)

Received by _____

(Date)

The retention of a student has significant implications for his/her development. For this reason a thorough educational evaluation of the child being considered for retention shall be made by the teacher(s), the principal and the appropriate special services personnel before a decision is reached. The child's parents shall be included in the decision making process.

I. ELEMENTARY SCHOOL STUDENTS

Teachers and principals shall adhere to the following guidelines when the possible retention of a child is considered:

- A. The teacher shall consult with the principal concerning the possible retention.
- B. The teacher or principal shall make a referral to the Special Education Advisory Referral Committee (SEARC).
- C. The child's parents shall be informed at as early a date as possible that their child may be retained.
- D. The Pupil Non-Promotion Evaluation Form or the Kindergarten Non-Promotion Evaluation Form shall be completed by April 15.
- E. The final decision shall be made by the building principal after consultation with the teacher and special services personnel and conference(s) with the parents.

II. JUNIOR HIGH SCHOOL STUDENTS

Junior high school students are to be held accountable for all classes, particularly those which are required; consequently, should failure occur, the following guidelines shall be followed:

- A. A retention committee shall be established in each Junior High School. It will consist of an administrator, a guidance counselor and two faculty members. It shall be the role of this committee to examine the individual needs of each student who has failed more than two classes or any required class and make a recommendation to the principal concerning retention. The parents shall be informed at as early a date as possible that their child's failure in his/her class(es) may result in retention. The child's parents shall be included in the decision making process and the final decision shall be made by the principal.

- B. Seventh and eighth-grade students failing more than two classes or any required class shall be considered for retention. If the number of required classes failed can be successfully completed during summer school or by scheduling the failed classes in the following year, retention shall not be necessary. In unique situations, the building principal may decide to promote a student even though he/she has failed a required class.

- C. Ninth-grade students failing more than two classes or any required class shall be considered for retention. Those students failing a required class(es) shall be expected to successfully complete a similar class(es) during summer school before being promoted to the Senior High School. In unique situations, the building principal may decide to promote a student even though he/she has failed a required class.

REVISED: 8/21/78

FOREST LAKE AREA SCHOOLS
INDEPENDENT SCHOOL DISTRICT #831
FOREST LAKE, MN 55025

KINDERGARTEN NON-PROMOTION EVALUATION
Attachment to Policy 520

DATE _____

TEACHER _____ SCHOOL _____

CHILD'S NAME _____ ADDRESS _____

BIRTHDATE _____ PRESENT AGE _____

DAYS ENROLLED THIS YEAR _____ DAYS ABSENT THIS YEAR _____

THE ANSWERS TO THE FOLLOWING QUESTIONS ARE BASED ON WHAT THE CLASSROOM TEACHER HAS OBSERVED.

INTELLECTUAL GROWTH

	Often	Sometimes	Rarely
1. Can the child recognize and name a majority of the upper and lower case letters when they are presented out of order?	_____	_____	_____
2. Is the child able to recognize basic letter sounds?	_____	_____	_____
3. Can the child recognize and write numbers 0 – 20 out of sequence?	_____	_____	_____
4. Can the child understand the meaning of a set?	_____	_____	_____
5. Is the child able to express himself in complete sentences?	_____	_____	_____
6. Can the child express an experience in sequence?	_____	_____	_____
7. Can the child recognize the five basic shapes?	_____	_____	_____
8. Can recognize majority of sight words?	_____	_____	_____

PHYSICAL DEVELOPMENT

1. Large and small motor coordination? Comment _____

2. Comments on vision, hearing, speech, etc? _____

EMOTIONAL MATURITY

- | | Often | Sometimes | Rarely |
|---------------------------------------|-------|-----------|--------|
| 1. Is the child easily discouraged? | _____ | _____ | _____ |
| 2. Is he/she easily upset? | _____ | _____ | _____ |
| 3. Is he/she lacking self-confidence? | _____ | _____ | _____ |

SOCIAL DEVELOPMENT

- | | | | |
|--|-------|-------|-------|
| 1. Does the child work and play well with other children? | _____ | _____ | _____ |
| 2. Does the child have behavior problems? | _____ | _____ | _____ |
| 3. Is the child capable of taking care of him/herself? | _____ | _____ | _____ |
| 4. Does the child respect the feelings of others? | _____ | _____ | _____ |
| 5. Does the child take part in group discussions with relevant topics? | _____ | _____ | _____ |
| 6. Is the child willing to take part in group-learning activities? | _____ | _____ | _____ |
| 7. Does the child share with other children? | _____ | _____ | _____ |

WORK HABITS

- | | | | |
|--|-------|-------|-------|
| 1. Is the child easily distracted? | _____ | _____ | _____ |
| 2. Does the child follow directions? | _____ | _____ | _____ |
| 3. Does the child work independently? | _____ | _____ | _____ |
| 4. Is the child capable of completing his/her work in a reasonable length of time? | _____ | _____ | _____ |

TEACHER'S RECOMMENDATION: Summarizing statement of retention recommendations by the teacher, including child's greatest strengths and weaknesses, attitude about school, attendance, etc.

PRINCIPAL'S RECOMMENDATION: Summarizing statement of retention recommendations by principal.

Parent's signature _____

Teacher's signature _____

Principal's signature _____

School _____ Date _____

Was retention accepted? Yes _____ No _____ Date _____

FOREST LAKE AREA SCHOOLS
INDEPENDENT SCHOOL DISTRICT #831
FOREST LAKE MN 55025

PUPIL NON-PROMOTION EVALUATION
GRADES 1 – 6
Attachment to Policy 520

DATE _____

TEACHER _____ ROOM _____ SCHOOL _____

CHILD'S NAME _____ ADDRESS _____

BIRTHDATE _____ PRESENT AGE _____ PREVIOUS GRADES RETAINED _____

DAYS ENROLLED THIS YEAR _____ DAYS ABSENT THIS YEAR _____

I.Q. _____ NAME OF TEST _____ DATE GIVEN _____

***THE ANSWERS TO THE FOLLOWING QUESTIONS ARE BASED ON WHAT THE CLASSROOM
TEACHER HAS OBSERVED.***

INTELLECTUAL GROWTH

1. Is the child progressing according to his/her ability? (If no, explain.) yes___ no___

2. Is reading readiness maturity satisfactory for beginning formal reading instruction? (If no, explain.) yes___ no___

3. Is reading achievement commensurate with child's ability? yes___ no___

4. Is arithmetic readiness or arithmetic progress appropriate for grade level? (If no, explain.) yes___ no___

5. Does child participate in the academic activities of the class? (If no, explain.) yes___ no___

PHYSICAL DEVELOPMENT

1. Does the child have satisfactory coordination in comparison to the other children in that grade? (If no, explain.) yes___ no___

2. Is the child's speech normal? (If no, explain.) yes___ no___

3. Is the child's vision normal? (If no, explain.) yes___ no___

4. Is the child's hearing normal? (If no, explain.) yes___ no___

5. Is the child's size commensurate with the average size for this grade? yes___ no___

6. Other handicaps

SOCIAL DEVELOPMENT

1. Does the child work well with other children? (If no, explain.) yes___ no___

2. Does the child play well with other children? (If no, explain.) yes___ no___

3. Does the child accept responsibility in non-academic activities? (If no, explain) yes___ no___

4. Is the child accepted by the other children in the class? (If no, explain.) yes___ no___

5. Does the child accept other children in the class? (If no, explain.) yes___ no___

EMOTIONAL MATURITY

1. Does the child appear to be easily discouraged? (If yes, explain.) yes___ no___

2. Does the child appear to be easily upset? (If yes, explain.) yes___ no___

3. Does the child appear to have self-confidence? (If no, explain.) yes___ no___

WORK HABITS AS JUDGED BY CLASSROOM TEACHER

1. Does the child show adequate attentiveness? (If no, explain.) yes___ no___

2. Does the child follow directions? (If no, explain.) yes___ no___

3. Does the child work independently? (If no, explain.) yes___ no___

4. Does the child complete assigned work? (If no, explain.) yes___ no___

TEACHER'S RECOMMENDATION

Summarizing statement of retention recommendations by the teacher, including child's greatest strengths and weaknesses, attitude about school, attendance, etc.

PRINCIPAL'S RECOMMENDATION

Summarizing statement of retention recommendations by the principal.

Parent's signature _____

Teacher's signature _____

Principal's signature _____

School _____ Date _____

Was retention accepted? Yes ___ No ___ Date _____

Adopted: _____

MSBA/MASA Model Policy 513

Orig. 1995

Revised: _____

Rev. 2007

513 STUDENT PROMOTION, RETENTION, AND PROGRAM DESIGN

I. PURPOSE

The purpose of this policy is to provide guidance to professional staff, parents and students regarding student promotion, retention and program design.

II. GENERAL STATEMENT OF POLICY

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

A. Promotion

Students who achieve at levels deemed acceptable by local and state standards shall be promoted to the next grade level at the completion of each school year.

B. Retention

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

C. Program Design

1. The superintendent, with participation of the professional staff and parents, shall develop and implement programs to challenge students that are consistent with the needs of students at every level. A procedure for screening and identifying students for program assignment shall be developed in coordination with such programs. Opportunities for special programs and placement outside of the school district shall also be developed as additional options.

2. The school district will adopt procedures for the academic acceleration of gifted and talented students. These procedures will include how the school district will:

a. assess a student's readiness and motivation for acceleration; and

- b. match the level, complexity, and pace of the curriculum to a student to achieve the best type of academic acceleration for that student.

Legal References: Minn. Stat. § 120B.15 (Gifted and Talented Program)
Minn. Stat. § 123B.143, Subd. 1 (Superintendents)

Cross References: MSBA/MASA Model Policy 613 (Graduation Requirements)
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)
MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
MSBA/MASA Model Policy 617 (School District Ensurance of Preparatory and High School Standards)
MSBA/MASA Model Policy 618 (Assessment of Student Achievement)
MSBA/MASA Model Policy 620 (Credit for Learning)