

SAINT PETER HIGH SCHOOL STUDENT - PARENT HANDBOOK 2025-2026



2121 Broadway Avenue, Saint Peter, MN 56082-1332

Phone: (507) 934-4212

www.stpeterschools.org

Table of Contents:

Section 1: Academics

Academic Requirements	3
Academic Integrity Policy	5

Section 2: Attendance

Attendance	8
------------	---

Section 3: Guidelines and Procedures priv

Emergency Evacuation	10
Fees and Fines	11
Grievance Procedure	11
Parking Regulations	12
Reporting to Parents	13
School Closing	13
Searches (Locker, Vehicle, Personal)	14
Student Appearance	15
Transportation/ Busing	16

Section 4: Technology

Technology	19
------------	----

Section 5: Student Conduct & Discipline Policy

Student Rights and Responsibilities	20
Code of Student Conduct	20
Actions Subject to Discipline	22
Alcohol or Chemical use/poss.	22
Physical Infractions	26
Property Infractions	27
Threatening and/or Disruptive Behavior	30
Classroom and Office Disciplinary Plans	34

Section 6: Co-Curricular

Academic Policy for Co-Curricular	
Participants	37
Activities and Organizations	39
Minnesota State High School	
League Rules	44

Section 7: Health and Medication

Emergency Care Policy	47
Injuries or Illness/Accident Reporting	47

SECTION 1: Academics

Academic Requirements

A. Graduation Requirements

The **Minnesota Graduation Standards** define what it is students should know and be able to do as a result of a Kindergarten through 12th grade education. The Graduation Standards provide the goal towards which both teachers and students are working. They become the focus on which assessment, curriculum and instruction are designed to ensure that all students receive a variety of educational opportunities which move them closer to the goals of being: purposeful thinkers, effective communicators, self-directed learners, productive group participants and responsible citizens.

Saint Peter High School requires students to earn a **total of 27 credits** for a diploma. All students must satisfactorily complete all credit and course requirements before they will be allowed to participate in the commencement ceremony for graduation. These requirements include:

For the Class of 2025 & 2026	For the Class of 2027	For the Class of 2028 and Beyond
<p>4.5 credits of English</p> <ul style="list-style-type: none"> Students are required to take one required English course per year and a .5 credit communication course during ninth grade. <p>Students that transfer to St. Peter High School after ninth grade may have the .5 credit communication course waived.</p> <p>3.5 credits of Social Studies</p> <ul style="list-style-type: none"> Must include .5 Geography, 1.0 World History, 1.0 US History, 1.0 US Government & Economics <p>4.0 credits of Math</p> <ul style="list-style-type: none"> Must include 1.0 Geometry and 1.0 Algebra II <p>4.0 credits of Science</p> <ul style="list-style-type: none"> Must include 1.0 Physics, 1.0 Chemistry and 1.0 Biology <p>1.0 credit of Fine Art</p> <ul style="list-style-type: none"> Fine Art credits may be earned by taking any course in the music or art department <p>.5 credit of Health</p> <p>1.5 credits of Physical Education</p> <p>8.0 credits of additional coursework (Electives)</p>	<p>4 credits of English</p> <ul style="list-style-type: none"> Students are required to take one required English course per year <p>3.5 credits of Social Studies</p> <ul style="list-style-type: none"> Must include .5 Geography, 1.0 World History, 1.0 US History, 1.0 US Government & Economics <p>4.0 credits of Math</p> <ul style="list-style-type: none"> Must include 1.0 Geometry and 1.0 Algebra II <p>4.0 credits of Science</p> <ul style="list-style-type: none"> Must include 1.0 Physics, 1.0 Chemistry and 1.0 Biology <p>1.0 credit of Fine Art</p> <ul style="list-style-type: none"> Fine Art credits may be earned by taking any course in the music or art department <p>.5 credit of Health</p> <p>1.0 credit of Physical Education</p> <p>9.0 credits of additional coursework (Electives)</p>	<p>4 credits of English</p> <ul style="list-style-type: none"> Students are required to take one required English course per year <p>3.5 credits of Social Studies</p> <ul style="list-style-type: none"> Must include .5 Geography, 1.0 World History, 1.0 US History, 1.0 US Government & Economics <p>4.0 credits of Math</p> <ul style="list-style-type: none"> Must include 1.0 Geometry and 1.0 Algebra II <p>4.0 credits of Science</p> <ul style="list-style-type: none"> Must include 1.0 Earth Science, 1.0 Chemistry or 1.0 Physics, and 1.0 Biology <p>1.0 credit of Fine Art</p> <ul style="list-style-type: none"> Fine Art credits may be earned by taking any course in the music or art department <p>.5 credit of Health</p> <p>1.0 credit of Physical Education</p> <p>**1.0 credit Personal Finance</p> <p>8.0 credits of additional coursework (Electives)</p>

2. The basis of a credit course in grades nine, ten, eleven, and twelve shall be the satisfactory completion

of a course on the secondary level covering a minimum of 120 clock hours. Credits are awarded in one-half credit increments.

3. Students in their sophomore year will take the Reading MCA III standardized test. Students in their junior year will take the math MCA III standardized test. Students will take the MCA III science test during the year in which they take biology.
4. Students in their junior year will have the opportunity to take the ACT or ASVAB on a designated day during the school year. Saint Peter Schools will cover the cost of testing for those students of economic need.

B. Academic Recognition

1. Graduating seniors with high scholastic achievements will be recognized as follows:
A- Average - High Honors
B+ Average - Honors
2. Students in grades 9 - 12 who achieve the status of high honor (A- average) or honors (B+ average) for a given semester will be recognized by the school.
3. Students who have maintained an A- average during their freshman and sophomore years will be awarded an academic achievement letter at the completion of their sophomore year. Gold bars will be awarded to students who repeat or continue to perform during their junior and/or senior years. A student in grade eleven or twelve may earn an academic achievement letter for the first time upon the successful completion of four semesters of A- work.
4. High honors distinction at graduation will identify those students who have a 4.0 GPA or greater. The honor distinction at graduation will identify those students who have an A- average or better. Students with grades averaging B+ and above will continue to be recognized as part of the high school honor roll.

C. Marking and Reporting Procedure

1. Saint Peter High School uses letter marks as a marking system as described:

A	D	NC	No Credit
B	F	Failure	
C	I	Incomplete	
- Pluses and minuses may be used at the discretion of the teacher.
2. Marks are earned on a nine-week basis. Final marks are awarded at the end of each grading period.
3. Final examinations are recommended for all courses when practical.
4. Marks are awarded for academic achievement only. Marks are not to be used in a punitive manner nor are marks to be lowered because of misconduct. This does not mean that points cannot be awarded for performance.
5. Teachers must be able to explain to students and parents/guardians the reasons for a particular mark given.
6. The teacher should give a reasonable explanation for an abnormal mark distribution.
7. Teachers must explain how marks are determined and what is expected of a student who is to receive each of the marks. A handout to students is recommended.
8. Students and parents/guardians are to be notified of student progress periodically, as provided by School Board Policy.
9. Teachers are to allow students two days for daily make-up work or tests that were assigned while the student was absent, as provided by Administrative Rules and Regulations.
10. A student at any level of the senior high program may receive the full range of marks A-F and I or NC, provided that the level is identified and recorded.

11. A student who gives forth to the best of her/his capacity to learn as judged by the professional staff shall be promoted through the school program at the normal rate and shall be given passing marks.
12. Teachers record all marks in an electronic class record book that is organized, accurate and legible. This book becomes the official source for the school for student marks.
13. There is a semester honor roll for grades 9-12.

D. Incompletes

1. A mark of "Incomplete" may be given to a student who has not completed all the requirements of a course.
2. Incomplete grades may be awarded at the end of the quarter, provided there are extenuating circumstances. All incomplete grades must be resolved within 14 calendar days. Grade changes are only allowed for Incomplete grades.
3. Students may resolve their incompletes at any time prior to the above-mentioned date by completing the work and then the teacher will assign a grade of "A", "B", "C", "D", or "F", whichever is appropriate for the quality of the work.
4. Teachers may require that students make up incomplete work at any time prior to the end of the two (2) week period provided that the student has had twice the length of time missed to make up work or tests which were assigned while the student was absent.
5. If any incomplete work in any course that is required for graduation remains outstanding after the date of the final examinations for twelfth graders, it shall prevent participation in graduation ceremonies and prevent receipt of a diploma until such work is completed.
6. Incomplete grades shall not be considered in determining a student's rank in class.
7. Parents/guardians shall be informed of their student's status regarding incomplete work.

E. Drop-Add Procedures

Students seeking to add a course to their schedule must do so within the first five (5) school days of the semester. No additional courses will be added after the first five (5) days. The only exception to this regulation would be the addition of a course that is to be audited and not taken for credit. Courses may be dropped within the first five (5) school days of a semester without penalty. After five (5) school days, any course that is dropped will result in a letter grade of "F" being recorded for the dropped course.

F. Final Examinations

Students may not take final examinations prior to their normally scheduled time. If students will be absent on the date when final examinations are administered, they will need to schedule a time after this date to make up their tests. A mark of "I" (Incomplete) will be recorded on the student's report card until the examinations have been completed. Failure to complete any final examinations after a semester ends will result in the incomplete mark being changed to "NC" (No Credit), except in unusual circumstances, as determined by a principal.

G. Academic Integrity Policy

At Saint Peter High School we act responsibly, live with integrity and show respect. We hold our students to the highest standards of performance and integrity and expect each student and staff member to maintain these standards and strive for continuous improvement. We expect our students to take responsibility for their actions and thus maintain academic integrity and a respectful learning environment for our school.

1. **To act with academic integrity students must value and demonstrate positive regard for:**
 - a. Intellectual honesty
 - b. Personal truthfulness
 - c. Learning for its own sake
 - d. The creation/ work of others

- e. Academic honor and trust
- 2. **Academic integrity is achieved when a student:**
 - a. Takes full credit for his or her own work, and gives full credit to those who have helped, or influenced him or her.
 - b. Represents his or her own work honestly and accurately.
 - c. Collaborates with other students only as specifically directed or authorized.
- 3. **Student behaviors that promote genuine student achievement:**
 - a. Try to keep a realistic schedule and balance academics, extracurricular, social and family life, and sleep. It may be necessary to limit activities if feeling overwhelmed.
 - b. Be organized. Keep class notes and handouts in a folder that is easily accessible. This will reduce anxiety when studying for a test or writing a paper.
 - c. Seek help from teachers. Ask for clarification if you do not understand an assignment.
 - d. Keep current with assignments. Don't wait until the last minute to study for a test or write a paper.
 - e. Only work with another student if the teacher has specifically given permission.
 - f. Accept the fact that real learning requires serious and sometimes tedious effort

Academic Integrity Violations

- 1. **Cheating:** Seeking to obtain credit or improved scores through the use of deception. Examples include:
 - a. Copying homework
 - b. Looking at another student's quiz or test
 - c. Asking a student what was on a quiz or test
 - d. Using secretive methods including putting information on phones or calculators, and using
 - e. electronic foreign language translators instead of teacher approved materials
 - f. Using a former student's work and claiming it as one's own
 - g. Using study aids such as Cliff notes or Spark notes instead of reading assigned materials
- 2. **Facilitation:** Helping another student obtain credit or improved scores through the use of deception. Examples include:
 - a. Allowing another student to copy your homework
 - b. Allowing another student to look at your test or quiz
 - c. Reporting to another student what is on test or quiz
 - d. Working with another student on an assignment and submitting the same answers without the permission of the instructor
 - e. Texting answers to another student
- 3. **Falsification:** Fabrication. Examples include:
 - a. Misrepresenting yourself in any way to your teacher regarding the work you have done including saying you turned in an assignment when you have not
 - b. Forging a parent's signature on a document required for class
 - c. Missing class in order to avoid turning in a paper or taking a test
 - d. Submitting the same work to two instructors without the express permission from both instructors
 - e. Making up information/data or a citation in any paper or project
 - f. Gaining unauthorized access to tests
- 4. **Plagiarism:** Representing the words or ideas of another as one's own in any paper or assignment. Examples include:

- a. Copying information off the internet or any other printed material and pretending this information is your own writing. Everything on the internet is not public domain. You must credit the source of those who created them or you are, essentially, stealing
- b. Failure to cite sources properly including not using quotation marks when needed and not acknowledging sources when paraphrasing

Academic Integrity Consequences

1. Teacher confers with student and notifies the parent/guardian of student
2. 0 on assignment/assessment or an alternative assessment - this is at the teacher's discretion
3. Submit referral in infinite campus
4. Administration will review the violation for possible Code of Conduct for those involved in extracurriculars

H. Commencement

In order to be eligible to participate in commencement exercises, students must have completely finished all credit & graduation requirements set forth by the state of Minnesota and ISD 508. Participation in commencement exercises is voluntary. Students who do not wish to participate in the commencement exercises should inform the principal as soon as possible. A student's failure to attend the scheduled graduation practice may result in their not being allowed to participate in the commencement exercises themselves. Additionally, all obligations (library books returned, fines paid, detention completed, etc.) must be cleared before a student will be eligible to participate in commencement exercises.

I. Structured/Guided Study Hall

1. Students are placed in a guided study hall for the following reasons:
 - a. Receiving a D- or below for a quarter or mid-quarter grade
 - b. Behavior referral
 - c. Poor attendance
2. If a student is placed in a guided study hall at the beginning of the quarter, their progress will be reviewed at mid-quarter. If a student is placed in a guided study hall at mid-quarter, their progress will be reviewed at the end of the quarter.
3. Guided study halls are to be quiet and conducive to study. Talking should be done quietly.
4. Students are not allowed out of study hall.

J. Commons Study Hall

Commons study hall is available to those who meet academic requirements and have not lost privileges due to excessive behaviors, tardies or truancy.

SECTION 2: ATTENDANCE

A. General Statement

Regular attendance is absolutely essential to progress in schoolwork. Students should develop the habit of being on time and prepared for the day's work. Parents and students are expected to cooperate in the matter of attendance. Students who are missing from school and are unexcused will not be permitted to participate in any school-sponsored activities on the day of their absence.

B. Anticipation of Absence

Students who anticipate being gone for one or more days should first secure an advance notice of absence form from the office and take it to each of their teachers.

C. Valid Absences and Exceptions

1. Although excusing absenteeism and tardiness is at the discretion of the principal, the following reasons are valid and should be used by parents and students as guidelines:
 - a. Illness of the student
 - b. Serious illness or death of a member of the student's family
 - c. Dental and medical appointments - A signed slip from the health facility is required for those participating in extracurriculars
 - d. School sponsored activities
 - e. Severe weather conditions, according to the merits of the case.
 - f. Religious holidays
 - g. College visit, vacation or other pre-planned event (Please provide the school 5 days advance notice so staff can make educational plans for student)
 - h. A suspended absence
 - i. Court appointments that are verified
 - j. The building principal can/may make exceptions for unusual situations

Students are reminded that a parent/guardian email or phone call is required within two weeks of the absence to be excused.

In the event that students have a concerning number of absences, they will be required to provide medical documentation to the nurses office to continue to excuse absences for an ongoing condition.

2. Absences that will be marked as UNEXCUSED
 - a. More than 10 minutes late to school or a class
 - b. Missing the bus / missing your ride
 - c. Truancy
 - d. School office not notified of the absence
 - e. Automobile problems (repeated incidents)
 - f. Parent not aware of the absence
 - g. Work

D. Policy on Make-up Work

Students who have been absent excused from school have twice the length of time missed to make up daily work or tests assigned while the student was absent. Student athletes missing classes due to a planned athletic event are required to turn in assignments on the due dates, unless an agreement is made with the teacher for an alternate due date.

At the end of the allotted time, the teacher, at her/his own discretion, will award either a letter grade or give an incomplete for the assignment. Any assignment not turned in by the end of the allotted time may result in an "F".

E. Leaving the School Building

Students who need to leave the school anytime during the course of the school day must secure a pass from the office. Failure to secure a pass may result in the loss of privileges. The only exceptions to obtaining a pass before school are for illnesses or for an emergency.

F. Co-Curricular participation

1. In order to participate in co-curricular activities, students must be in attendance for the entire day, unless they have an excused absence listed in 2.C or approved by administration.
2. If a student is suspended from any class, they may not participate in any activity or program that day.
3. If a student is absent unexcused from any class, they may not participate in any activity or program that day.

G. Truancy and Unexcused Absences

1. As required by current law, regulations of the State Department and School Board Policy, students shall attend each day that school is in session. The authority to decide whether an absence is excused or unexcused rests with the principal. Students returning to school following an absence will be expected to complete all missed assignments in accordance with district policy and as stated in the Student-Parent Handbook.
2. Truancy is missing school or class without school permission.
3. When a student under 18 reaches three unexcused absences, the principal will notify the student's parents/guardians.
4. When a student reaches seven unexcused absences on seven different days, county and court/social services authorities will be notified.
5. Students under the age of eighteen will be classified as habitual truants when absent for one or more class periods on seven or more school days if the student has not lawfully withdrawn from school.
6. If a student develops a pattern of tardiness to school or class, disciplinary action will be taken.

[\(MN Statute 260C.007\)](#) Subd. 19. **Habitual truant.** "Habitual truant" means a child under the age of 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school, junior high school, or high school or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year and who has not lawfully withdrawn from school under section [120A.22, subdivision 8](#).

Absence from school or a class without parent/guardian permission may be considered truancy. State law (MN Statute 260A.02) provides that a continuing truant is a student who is subject to the Compulsory Instruction Law and is absent from instruction in school without a valid excuse within a single school year for 3 or more class periods or 3 days.

A note from a health care provider may be required where excessive absences are attributed to a health condition. The school nurse may also be able to provide a valid reason for these absences.

H. Tardiness

Students who are more than 10 minutes late to a class will be marked absent, not tardy.

The tardy count starts over at the beginning of each quarter.

1. 10 unexcused tardies per quarter will result in five days of Saints Time Detention (20 minutes each day).
2. 20 unexcused tardies per quarter will result in ten days of Saints Time Detention (20 minutes each day).
3. 30 unexcused tardies per quarter will result in fifteen days of Saints Time Detention (20 minutes each day).
4. 30+ unexcused tardies will be determined by the principal and dean of students.

SECTION 3: GUIDELINES AND PROCEDURES

A. Emergency Evacuation Procedures

1. FIRE

- a. As soon as the alarm is sounded, teachers will take their positions at the exits from their rooms and remain until all students have passed out of the room. If there is time, teachers are to close doors and bring class rosters with them.
- b. As soon as the alarm is sounded, students should rise and pass in a rapid, orderly manner from the room by the exit used for regular dismissal. An orderly dismissal with minimal talking is expected. Maintaining a minimal noise level will allow for emergency instructions or changes in regular procedures to be heard. The first students to arrive at any exit should hold the door open until teachers arrive to relieve them.
- c. Students should not take their coats, jackets, or books with them.
- d. As soon as all students have exited the building, the teachers will take their positions at the exit, and, under no circumstances, allow any of them to enter the building until the "all clear" has been given by the designated staff.
- e. Have students move into the parking lots or Community Spirit Park. The space near the building should be absolutely clear. Students should return to the building after a drill by the same route that they left the building.
- f. Where to go from classrooms: Each room will have a fire escape assignment posted in the room and teachers will explain fire drill exit procedures during the first week of school.
- g. Do not leave the school grounds during a drill or emergency unless you are directly supervised by a high school staff member.

2. ARMED INTRUDER

Students and staff will follow training protocol in the event of an armed intruder.

3. CIVIL DEFENSE ALERT

Students will be sent home when official civil defense communications indicate there is sufficient time to arrive home before dangerous conditions develop. (Information will be released by the proper authorities to all communications media). If conditions will not allow time for students to be dismissed, students will be assembled in designated areas in the building.

Tornadoes: Public warning signal - 5 minutes steady blast on the civil defense siren and repeated if necessary. Staff should proceed with all students to a pre-designated tornado shelter.

FIRE EXTINGUISHERS, SMOKE/HEAT SENSORS, AND FIRE ALARMS ARE APPARATUS, WHICH ARE TO ONLY BE USED IN THE EVENT OF EMERGENCIES. PEOPLE WHO INTENTIONALLY MISUSE THIS EQUIPMENT WILL BE REFERRED TO THE PROPER AUTHORITIES.

B. Military Recruitment (MN Subd. 5a.) A secondary institution shall release to military recruiting officers the names, addresses, and home telephone numbers of students in grades 11 and 12 within 60 days after the date of the request, except as otherwise provided by this subdivision. A secondary institution shall give parents and students notice of the right to refuse release of this data to military recruiting officers. Notice may be given by any means reasonably likely to inform the parents and students of the right. Data released to military recruiting officers under this subdivision:

1. may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military; and
2. shall not be further disseminated to any other person except personnel of the recruiting services of the armed forces.

C. Fees and Fines

1. No student shall be required to pay a fee for a required program, project, or activity that occurs during the regular school year.
2. Fees may be charged in the following areas:
 - a. In any program where the resultant product, in excess of minimum requirements and at the student's option, becomes the personal property of the student
 - b. Admission fees or charges for extracurricular activities where attendance is optional.
 - c. A parking permit fee for any vehicle using the school's parking lot
 - d. A security deposit to assure the return of materials, supplies, or equipment
 - e. Personal physical education and athletic equipment and apparel
 - f. Items or products that are purchased for personal use, such as, student publications, class rings, annuals, and graduation announcements
 - g. Fees specifically permitted in any other statute
 - h. Field trips that are considered supplementary to a district's educational program and not required or graded
 - i. Any authorized voluntary student health and accident benefit plan
 - j. For use of musical instruments that the district owns or rents
 - k. Students may be required to furnish personal or consumable items including pencils, papers, pens, erasers, and notebooks
3. Fees may not be charged in the following areas:
 - a. Textbooks, workbooks, art materials, laboratory supplies, and towels
 - b. Supplies necessary for participation in any instructional course except as specifically authorized
 - c. Field trips that are required as a part of a basic educational program or course
 - e. Instructional costs for necessary school personnel employed in any course or educational program required for graduation
 - f. Library books that are required to be utilized for any educational course or program. (A fee may be charged for lost books)
 - g. Admission fees, dues or fees for any activity the student is required to attend
 - h. Any admission or examination cost of any required educational course or program
 - i. Locker rentals. (A deposit for a padlock or key is permissible)

D. Field Trips

Occasionally certain classes offer opportunities for students to visit sites outside the school that are related to the course. These opportunities are a privilege and may be denied for just cause. It is required that students return the signed "parent/guardian permission slip" to their teacher before they leave on the field trip. Only school-authorized transportation will be used and at least one faculty member will chaperone each vehicle used for the field trip. Parents/guardians are allowed to only take their own child from a school function.

E. Grievance Procedure

In an attempt to give Saint Peter students an opportunity to present a legitimate grievance, they may have access to the following grievance procedure, which has been adopted:

1. A student with a particular grievance or complaint is urged to first try to resolve the problem with the other party involved on a one-to-one basis (i.e., grades, discipline, school policy, etc.).
2. If the problem cannot be resolved at level one, the student should then bring that problem to the attention of the dean of students who will call together the grievant, the other party involved and will attempt to mediate and resolve the problem.
3. If the problem is not resolved, at level three the student may again present it to the principal, who will review all the information related to the problem and promptly render a decision.
4. If, after the final decision of the principal, the grievant still believes the problem is unresolved, further appeal may be granted through request made to the principal for review by the Superintendent of Schools.

F. Lost and Found

Lost and found articles are located in the main office.

G. Lunch

1. Students are to eat meals in the Commons area or when weather permits, the courtyard.
2. Students are expected to clean up after themselves.
3. Closed campus lunch period: High school students have a closed lunch period. Students are not allowed to leave the school for lunch. Those students with Junior or Senior Privilege who have a study hall during block three are allowed to leave the high school.

H. Parking Regulations

1. Student Parking on School Grounds

Parking Permits: Students shall be permitted to drive automobiles and/or motorcycles to and from school. However, students desiring to use any of the high school parking facilities will be required to have a parking permit. Cars, vans, trucks, motorcycles, and mopeds must all have the required Saint Peter High School permit in order to use school parking lots. Permits are available in the high school office. Violators may lose all parking privileges on school grounds.

Students will be issued one student parking pass free of charge. A \$20.00 fee will be charged for every lost parking pass, and a \$20.00 fine will be charged for students parking in the school lot without a student parking pass. Parking passes must be attached to each vehicle's inside rearview mirror. The parking pass must be clearly visible from the outside of the vehicle. Student vehicles need a new parking sticker each school year

Vehicles ticketed following a grace period at the start of school will face a \$20 fine in addition to the need to purchase a parking permit. Students will have 10 days to pay parking tickets. Unpaid parking tickets will result in 5 days of Saints Time detention.

Students that have appointments after the start of the school day may park in the East parking lot. A doctor note confirming the date/time of the appointment will be required to excuse a parking violation if one is received while parking in the East lot.

2. **Parking Rules:**

- a. The student parking lot is the west lot, adjacent to the tennis courts and the entrance to the gymnasium area.
- b. Students driving automobiles and/or motorcycles to school must park their vehicles in the parking lots in areas designated as student parking. Vehicles must be parked in marked parking spots or this can impede the safe coming and going of other vehicles.
- c. Students driving automobiles and/or motorcycles to school must drive safely at all times.
- d. Students who are authorized to leave during the day (PSEO, Junior/Senior Privilege) will be issued a different color parking pass that will allow them to park in designated areas on the east lot.
- e. Students using automobiles improperly may forfeit the right to use school parking lots.
- f. Students who park on school grounds understand that their vehicle may be searched by school personnel at any time while parked on school grounds, provided that the high school personnel has reason to believe that the vehicle contains contraband.
- g. Unauthorized vehicles parked on school property may be towed at the expense of the owner or operator.

I. Bicycles

The school is not responsible for bicycles ridden to school and parked on school property. Bicycles parked at school should be locked in the bicycle racks.

J. Pledge of Allegiance

121A.11 UNITED STATES FLAG. The School Board recognizes the need to provide instruction in the proper etiquette, display, and respect of the United States flag. The purpose of this policy is to provide for the recitation of the Pledge of Allegiance and instruction in school to help further that end. The recitation shall be conducted by each individual classroom teacher or the teacher's surrogate; or over a school intercom system by a person designated by the school principal or other person having administrative control over the school. Any student or teacher may decline to participate in the recitation of the Pledge of Allegiance to the flag. Others must respect the choice not to recite the Pledge. Every public school in Minnesota must display an appropriate United States flag when in session.

K. Reporting to Parents

It is School District policy to inform parents at regular intervals of their student's attendance, academic, and disciplinary matters. Consequently, the following reports will be available at appropriate times to parents:

1. **Attendance Notices**
Notices of irregular attendance practices will be forwarded to parents/guardians at appropriate intervals. Should poor attendance continue, a conference with the student's parents/guardians will be necessary. Continued poor attendance could result in the student's forfeiting credit in the particular class.
2. **Academic Reports**

The grading system is A, B, C, D, F, No Credit, and Incomplete. Report cards are available online to parents, guardians, and students at the end of each grading period. On-line access can be obtained by contacting Kathy Wobbrock at 934-4210 ext 418, or kwobbrock@stpetersschools.org. Paper copies will be mailed per parent/guardian request.

3. Academic progress reports are available online throughout the school year.
4. Parent conferences will be held during each school year. The dates for parent conferences are noted in the school calendar.
5. Discipline Referrals

Whenever any form of disciplinary action is necessary, a discipline referral will be sent to the parents/guardians informing them of the misconduct as well as the administrative action taken.

L. School Closing Procedures

School closings and late start announcements will be made over local television and radio stations, as well as with automated calls, beginning about 6:30 a.m. The school district will also activate its emergency announcement system. The same local media will be used if school must be dismissed early. Each rural student is asked to make prior arrangements to stay in town in case future weather conditions do not permit the buses to follow their routes. Parents/guardians may choose not to send their child to school if, in their estimation, the weather is too severe and school has not been closed.

M. Searches (Locker, Vehicle, Personal)

Equipment such as lockers belongs to the school district, but students may be allowed to use the equipment as a convenience. The school insists that lockers be properly cared for and not used for the storage of illegal items such as firearms, liquor, cigarettes, illegal drugs, etc. Students will each be issued a locker and its combination. Students are encouraged to keep their locker locked at all times and not share their locker combination with others.

1. Student's Rights

- a. A search of a student's person should be limited to a situation where the administration has a reasonable belief that the student is concealing evidence of an illegal act or school rule violation.
- b. Dangerous items (such as firearms, weapons, etc.) and other items, which may be used to substantially disrupt the educational process, will be removed from the student's possession.
- c. A general inspection of school properties including, but not limited to, lockers or desks may be conducted on a regular basis. Illegal items and items belonging to the school or another person will be seized.
- d. All items seized may be returned to the proper authorities or the true owner.
- e. Students may be given the opportunity to be present when a search of personal possessions is conducted if there is no reason to believe that their presence would be a threat to the safety of themselves or others.
- f. When a custodial interrogation takes place in school (in relation to a locker search) by a law enforcement official or police officer, students should be advised of their rights by the proper authority, including the right to counsel and the right to remain silent.
- g. Lockers may be searched by school authorities for any reason, at any time, without notice, without student consent, and without a search warrant.
- h. It is a policy of the state of Minnesota (Subdivision 1) that 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. These searches may be carried out by a specially trained dog. 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 law or school rules. As soon as practicable after the search of a student's personal possessions, the school authorities must provide notice of the search to the students whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials.

- i. School administrators will conduct periodic inspections of the school locker areas and/or parking lots on district premises. These inspections may be announced or unannounced and may be carried out using specially trained dogs to sniff out and alert staff to the presence of substances prohibited by law or district police.

N. Junior and Senior Privilege

Junior & Senior Privilege is available to those juniors and seniors who qualify during the first, second, third, and fourth quarters of the school year. This privilege will allow qualifying students the ability to leave school during their study hall. In order to qualify for this privilege, students must meet the following standards/criteria:

1. Students must be in good academic standing.
 - a. Students must be on track to graduate with their class and seniors must be making progress on their senior achievement paper and project.
 - b. For Juniors and Seniors, all grades earned in the quarter prior to the student's study hall must be a C or higher to qualify.
2. Students must have met all school obligations including Media Center and Lunchroom debt.
3. Students must not have ANY major disciplinary referrals, behavior issues, or unexcused absences in the quarter preceding or during the quarter of Privilege. Disciplinary referrals will result in immediate loss of Privilege.
4. Students must be registered for seven credits.
5. Students may not drop a class to gain Privilege.
6. Students may not be tardy to the class that follows their Privilege time. (3 violations of this rule will result in the loss of Privilege)
7. Students must attend their scheduled Saints Time on Wednesdays.
8. During scheduled Privilege time, students may use the Commons, locker bay area, media center, resource spaces, or leave the building.
9. A parent/guardian's signature of approval must be signed on the application form unless the student is 18 and has the appropriate form on file in the High School office.
10. Applications must be completed and returned to the student services office. This privilege does not start until it is on the students schedule on Infinite Campus. Privilege continues into subsequent quarters unless it is revoked.

O. Student Appearance

1. Students do not have a formal dress code. However, in order to provide the very best learning environment, clothing or hairstyles deemed disruptive or which cause a distraction to the educational process will not be allowed. Teachers and other staff will make the determination of disruption or distraction.

The school prohibits objectionable emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to a protected class, evidences gang membership or affiliation, or approves, advances, or provokes any form of religious, racial, or sexual harassment and/or violence against other individuals.

If a student's appearance is determined to be inappropriate in the school setting, the student will be responsible to correct the situation by:

- a. Changing the attire

- b. Covering the attire or distraction, or
 - c. Removing the attire or distraction.
 - d. Go home to change
- 2. Appropriate hats and caps and other head coverings will be allowed in the high school; however, classroom protocol will be at the discretion of the teacher. Teachers will have the right to allow or not allow hats in their classes. Failure to follow classroom rules will be considered insubordination.
- 3. Student Rights and Responsibilities
 - a. Student dress and grooming are the responsibility of the student and her/his parent/guardian.
 - b. Dress and grooming shall be clean and in keeping with health and sanitary practices.
 - c. Students should not wear clothing or hairstyles that can be hazardous to them in their school activities such as shop, lab work, physical education, and art.
 - d. Dress and grooming shall not disrupt the educational process.
 - e. Students whose dress is in violation of these standards will be subject to dismissal.
- 4. Students who continually refuse to comply with requests to dress accordingly will be subject to all discipline procedures.

P. Student Assemblies, Meetings, and Dances

The First Amendment right to free speech and assembly are honored, provided that the exercise of a right does not substantially disrupt the educational process.

- 1. Student Meeting Rights
 - a. Students are permitted to hold student meetings on school property within the limitation applicable to all groups under [Minnesota Statute 123.36 \(5\)](#).
 - b. Students have the right to gather informally.
- 2. Rules for a Student Meeting
 - a. Meetings should be scheduled in advance.
 - b. Normal class activities may not be disrupted.
 - c. The meeting shall not be such as may be likely to create a substantial danger to persons or property.
 - d. If a crowd is anticipated, a crowd control plan shall be filed in the Principal's office in advance of the meeting.
- 3. Rule for an Informal Gathering
 - a. Students gathered informally shall not subsequently disrupt the educational process.
 - b. Students who willfully disregard this rule may be subject to dismissal.
- 4. Dances
 - a. Only Saint Peter High School groups may sponsor dances, which are approved and cleared by the Student Council and building principal.
 - b. All dances must have the following adults present:
 - 1. The advisor of the hosting organization
 - 2. Eight adult chaperones
 - 3. One police officer
 - c. Students wishing to bring an outsider to a school dance must obtain a pass from the High School office to the dance.
 - d. Any student who leaves the dance will not be readmitted.
 - e. Guests are subject to the same rules as students of Saint Peter High School.
 - f. Prom is sponsored by the Junior class in honor of the Seniors. The dance is open to Juniors and Seniors and their guests. However, participants must be at least of Junior class status and no older than age 20.

Q. Transportation

1. Rules and Expectations

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. Expectations at the Bus Stop

1. Get to the bus stop five minutes before your scheduled pick-up time. The school bus will not wait for late students.
2. Respect the property of others while waiting at the 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.
6. Wait until the bus stops before approaching the bus.
7. After getting off the bus, move away from the bus.
8. 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.
9. No fighting, harassing, intimidating, or horse playing.
10. No use of alcohol, tobacco, or drugs.

c. Expectations on the Bus

1. Follow the driver's direction right away.
2. Sit in the 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, intimidating, or horse playing.
7. Do not throw any object.
8. No eating, drinking or using tobacco or drugs.
9. Do not bring any weapon or dangerous objects on the school bus.
10. Do not damage the school bus.

2. Consequences

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

a. Discipline

1. The first time a student violates any of the rules of the bus, the student responsible will be warned, his or her parents/guardians will be notified, and the student may face school-assigned detention.
2. The second time an incident occurs, the parents/guardians of the student will be notified. The student may face in-school detention or removal from the bus for up to five days.

3. The third time an incident occurs, the student responsible will be removed from the bus for five or more days, and his or her parents/guardians will be notified.
 4. The fourth time an incident occurs, the student responsible may be removed from the bus for the remainder of the year.
 5. Any infraction serious enough in nature may be cause for immediate removal from the bus.
 3. 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. Reports of serious misconduct will be provided to the Department of Public Safety. Records may also be maintained in the transportation office.
 4. Vandalism/Bus Damage

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

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

In cases involving criminal conduct (assault, weapons, possession, or vandalism), the Superintendent, local law enforcement officials, and the Department of Public Safety will be informed.
 7. Transportation to and from Activities
 - a. All students will ride school-provided transportation to and from school events. An exception may be made, at the school employee's discretion, if a student is turned over directly to a parent/guardian who submits a written request.
 - b. Students will be dropped off only at the school after events. Students will not be dropped off at their homes or any other location for any reason.
 8. Use of School Buses
 - a. General Rule

The School District uses school buses as transportation for all co-curricular activities.
 - b. Exceptions
 1. Coach buses may be substituted for school buses during the summer months if requested by the building level principal.
 2. Those students who directly participate in the tournament may use coach buses for transportation to and from state tournaments. The request must be made by the coach of the activity or the director of activities.
 3. A coach, director, or teacher may make a request in writing to the building level principal that a coach bus be substituted for a school bus for any particular activity. The principal, at his or her discretion, may substitute a bus coach for a school bus. The decision should be based upon the number of students being transported, the distance to the activity, the type of equipment that will accompany the group and other factors that may affect the safety of the students.

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 during the school year. Parents and guardians are asked to review the rules with their students.

9. Parent/Guardian responsibilities for transportation safety
 - a. Become familiar with district rules, policies, regulations, and principles of school bus safety

- b. Assist students in understanding safety rules and encourage them to abide by them
- c. Recognize their own responsibility for the actions of their children
- d. Support safe riding practices and reasonable discipline efforts
- e. When appropriate, assist students in safely crossing local streets before boarding and after leaving the bus
- f. Support emergency evacuation procedures as set up by the school district
- g. Respect the rights and privileges of others
- h. Communicate safety concerns to school administrators
- i. Monitor bus stops, if possible
- j. Support all efforts to improve school bus safety

R. Visitors

Students who are interested in enrolling at Saint Peter High School are welcome to visit during the school day. Only in cases of emergencies will other student visitors be allowed to visit during the school day. All visitors are to first report to the principal's office to obtain permission to be in the school building during the school day.

S. Withdrawal Procedure

Students who plan on withdrawing from Saint Peter High School should obtain from the Counselor's office the proper withdrawal form and have each of the teachers sign it. Once all teachers have signed the withdrawal form and collected the books, the withdrawal form should be brought to the counselor's office.

SECTION 4: TECHNOLOGY

A. Telephone Use, Messages, and Calls from Home

1. Cell phones are not allowed in academic areas of St Peter High School.
 - a. Classrooms
 - b. Pods
 - c. Any area where academic instruction is taking place
2. Cell phones may not be used in any manner that causes or results in disruption of the educational environment or school-sponsored extracurricular activities or events or impairs or interferes with school district operations.
3. Students shall keep their personal electronic communication devices (cell phone) in a secure place, such as the student's locker, a closed backpack, a storage device provided by the school, or an area designated by the classroom teacher at all times when personal electronic communication device use is prohibited.
4. The school district is not responsible for, nor is it required to investigate, any lost, stolen, or damaged personal electronic communication devices brought onto school grounds or the bus or school-sponsored activities or events.
5. Cell phones and other personal electronic devices may be used at the following times, providing they are not used for the invasion of personal space and/or property of another person
 - a. Before and after school
 - b. During passing times between scheduled classes
 - c. During a student's own lunchtime
 - d. During one's commons study hall
6. Except in cases of emergencies, the office does not call students out of classes when parents leave messages for their students. The office will attempt to call students from class at the end of a class period if possible, or students will be called to the offices at the end of the school day.
7. Students are not allowed to record videos or take photos of others (staff and students) at any time during the school day unless approved by the dean of students or principal. Students have been strongly encouraged to protect their electronic devices against the risk of theft or loss. School personnel will make limited effort to investigate these losses or thefts. The school assumes no responsibility for confiscated items.

B. Saints Digital Learning Initiative (Chromebooks)

Through the Saints Digital Learning Initiative, Saint Peter High School continues its commitment to offering students and teachers access to best-practice strategies and modern equipment to improve the classroom experience.

Please consult the *Saints Digital Learning Initiative 1-to-1 Handbook* for program details, expectations, and terms and conditions. Handbooks are available upon request from the high school office.

SECTION 5: STUDENT CONDUCT & DISCIPLINE POLICY

A. STUDENT RIGHTS

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

B. STUDENT RESPONSIBILITIES

All students have the responsibility:

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

C. CODE OF STUDENT CONDUCT

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

The School Board considers the following behaviors to be unacceptable behaviors that may be subject to disciplinary action. These behaviors are defined more thoroughly in the Student Handbook, and will be reviewed annually.

1. Acts of dishonesty
2. Any criminal activity or violation of the law. 506-5
3. Attendance issues, including failure to attend class, tardiness, and leaving class without permission
4. Cheating and plagiarism
5. Damage to or misuse of property, including misuse of technology or use of technology in a way that causes property damage
6. Failing to follow the instructions of an administrator, teacher, or other School District representative.
7. Gang activity
8. Inappropriate physical contact with another person, as well as acts of physical aggression, fighting, horseplay and play fighting
9. Possession, distribution, or use of alcohol, cannabinoid products, drugs, vapes and other tobacco products (including look alike substances and synthetic substances) or paraphernalia
10. Possessions of weapons (as defined in School Board Policy 501) explosives, incendiary devices, or any type of combustible substances
11. Substantially interrupting the learning environment
12. Sexual misconduct and sexual assault
13. Theft
14. Threats of violence
15. Trespassing
16. Using language that is not appropriate in a school setting or possessing materials containing language that is not appropriate in a school setting. Inappropriate language includes abusive, profane, obscene, or threatening language. Inappropriate language also includes language that constitutes cyberbullying, bullying, discrimination, harassment, or hazing. Teasing and name-calling may also be considered inappropriate language
17. Violations of other School Board Policies setting forth expectations for student behavior including:
 - a. School Board Policy 102, Equal Educational Opportunity
 - b. School Board Policy 413, Harassment and Violence
 - c. School Board Policy 417, Chemical Use and Abuse
 - d. School Board Policy 419, Tobacco-Free Environment
 - e. School Board Policy 501, Weapons
 - f. School Board Policy 502, Search of Student Lockers, Desks, Personal Possessions, and Student's Person
 - g. School Board Policy 503, Student Attendance
 - h. School Board Policy 504, Student Dress and Appearance
 - i. School Board Policy 505, Distribution of Non-School Sponsored Materials on School Premises by Students and Employees
 - j. School Board Policy 514 Bullying Prohibition
 - k. School Board Policy 521, Student Disability Nondiscrimination
 - l. School Board Policy 526, Hazing Prohibition
 - m. School Board Policy 527, Student Use and Parking of Motor Vehicles, Patrols, Inspections, and Searches
 - n. School Board Policy 528, Student Parental, Family and Marital Status Nondiscrimination
 - o. School Board Policy 536, Student Internet Acceptable Use and Safety Policy
 - p. School Board Policy 627, Academic Honesty
 - q. School Board Policy 709, Student Transportation Safety

D. RULES OF CONDUCT

Disciplinary action may be taken against students for any behavior that disrupts good order, impedes the educational process, or violates the rights of others.

1. DISCIPLINARY ACTION may include but is not limited to:
 - a. Meeting with the teacher, counselor, dean of students or principal
 - b. Detention/School-After-Hours
 - c. Loss of school privileges
 - d. Parental conference with school staff
 - e. Modified school programs
 - f. Removal from class
 - g. Co-Curricular ineligibility
 - h. Suspension
 - i. Exclusion
 - j. Reasonable restraint for self-protection or protection of others
2. The principal may impose or recommend a longer suspension, expulsion, or any other discipline as appropriate on a case-by-case basis (i.e. school service or restitution). The principal may require that the student enter into a behavior contract.
3. It is the policy of the School District to follow the Minnesota Pupil Fair Dismissal Act in the suspension, exclusion, and expulsion of students. The basic provisions of the Pupil Fair Dismissal Act shall be published in the Student Handbook. The handbook will be made available to all students during the first month of the school year.

E. CHEMICAL INFRACTIONS

** See Appendix for complete Drug/Alcohol and Assault Policy

1. ALCOHOL OR CHEMICALS, POSSESSION OR USE

The possession or use of any alcohol, narcotic, illegal substance, controlled substance, or drug paraphernalia is prohibited while on district property, participating in a district-sponsored activity, or traveling in a district vehicle.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	5-day suspension Police referral	5-day suspension Police referral	10-day suspension Expulsion recommendation Police referral

2. ALCOHOL OR CHEMICALS, POSSESSION WITH INTENT TO DISTRIBUTE OR SELL

Selling, distributing, delivering, exchanging, or intending to sell, deliver, exchange or distribute any alcoholic, narcotic, illegal substance, or controlled substance on district property, while participating in a district-sponsored event or traveling in a district vehicle is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	10-day suspension Expulsion recommendation Police referral		

3. MEDICATION MISUSE (OVER THE COUNTER)

Any student in possession of or using an “over-the-counter” medication must do so in a manner consistent with district policy (see Policy 516 – Student Medication). Selling, distributing, delivering, exchanging, or intending to sell, deliver, exchange or distribute any “over-the-counter” medication is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	1-3 day suspension Police referral	5-day suspension Police referral	10-day suspension Expulsion recommendation Police referral

4. MEDICATION MISUSE (PRESCRIPTION)

Any student in possession of or using prescription medication must do so in a manner consistent with district policy.. Selling, distributing, delivering, exchanging, or intending to sell, deliver, exchange or distribute any prescription medication is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	3-5 day suspension Police referral	10-day suspension Expulsion recommendation Police referral	

5. TOBACCO USE OR POSSESSION

Possession or use of tobacco is prohibited, including e-cigarettes and other items used for the use of tobacco or other illegal substances.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	1-day suspension Police referral	2 day suspension Police referral	3-day suspension Police referral

F. DANGEROUS AND/OR NUISANCE ITEMS

** See Appendix for complete WEAPONS POLICY

1. WEAPONS, EXPLOSIVES, INCENDIARY DEVICES, AMMUNITION, AND OTHER DANGEROUS ITEMS

"Weapon" means any firearm, whether loaded or unloaded, any device or instrument designed as a weapon or through its use is capable of threatening or producing great bodily harm or death, or any device or instrument that is used to threaten or cause bodily harm or death. "Weapon" includes, but is not limited to, guns (including BB and pellet guns, look-alike guns, and non-functioning guns that

could be used to threaten others), knives, clubs, metal knuckles (used in a threatening manner), nunchucks, throwing stars, explosives, stun guns, ammunition, chains, and chain wallets.

- a. "Possession" refers to having a weapon on one's person or in an area subject to one's control on school property or at a school-sponsored activity.
- b. Possession of a weapon in school or on school grounds will result in confiscation of the weapon and referral to the police and may result in an initial out-of-school suspension for five (5) days and a recommendation to the Superintendent of Schools that the student be expelled.
- c. A student who finds a weapon on the way to school or in the school building and takes the weapon immediately to the principal's office shall not be considered in possession of a weapon.

G. FIREARMS

Minnesota state law requires that the school board must expel for a period of at least one year a student who is determined to have brought a firearm to school. The definition of a firearm is found at 18 U.S.C. § 921. The school board may modify this expulsion requirement on a case- by-case basis.

Grades	First Offense
Grades 9-12	10-day suspension Expulsion recommendation Police referral

H. FIREWORKS

Possession, distribution or use of any type of fireworks (sparklers, firecrackers, smoke bombs) or ammunition is prohibited. Use of any fireworks that creates a serious disturbance or safety hazard may be considered a violation of "Weapons, Explosives, Incendiary Devices, Ammunition, and Other Dangerous Items."

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	5-day suspension Police Referral	5-10 day suspension Police Referral	10-day suspension Expulsion recommendation Police Referral

I. NUISANCE OBJECTS

Misuse or distribution of any object that causes distractions or a nuisance is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	**	1-day suspension	3-day suspension

(**) Indicates disciplinary action assigned by building administration.

J. POTENTIALLY DANGEROUS ITEMS

Possessing potentially dangerous items that if misused may be considered dangerous, illegal or could possibly cause harm are prohibited. If it is discovered that a student has accidentally brought such an item to school, the student may not be considered in possession of a weapon. Nonetheless, because students are responsible for what they bring to school and possession of these items is prohibited, the consequences outlined below apply. If a student directly or indirectly threatens another person or persons with such an object, the student will be determined

to be in possession of a weapon and appropriate action will be taken in accordance with district policy.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	1-day suspension	3-day suspension	5-day suspension

K. DRIVING INFRACTIONS AND TRANSPORTATION

1. DRIVING, CARELESS OR RECKLESS

Driving any motorized or non-motorized vehicle on district property in such a manner as to endanger people or property is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	Parking permit revoked for the identified time period Possible Police referral	3-day suspension Parking permit permanently revoked Police referral	5-day suspension Police referral

2. TRANSPORTATION

All rules that apply to building and classroom behavior apply while riding a school bus. Therefore, students may be administered consequences consistent with other school discipline procedures and in accordance with district policy. **Students endangering persons or property may lose bus riding privileges immediately and for an indefinite period.** Students, grades 9-12, who commit a fourth offense, will be suspended from riding the bus for the remainder of the school year.

Grades	First Offense	Second Offense	Third Offense	Fourth Offense
Grades 9-12	Verbal Warning	1-5 day bus suspension	Loss of bus riding privilege for 10 days	Loss of bus riding privileges for one calendar year

3. VEHICLE UNAUTHORIZED PARKING, DISPLAY OF PARKING PERMIT

Students desiring to use any of the high school parking facilities will be required to purchase a parking permit. Cars, vans, trucks, motorcycles and mopeds must all have the required Saint Peter High School permit in order to use school parking lots. Permits are available in the high school office. Violators may lose all parking privileges on school grounds.

Students will be issued a student-parking sticker. A \$5.00 fee will be charged for every lost parking sticker issued thereafter. Parking stickers must be attached to each vehicle's inside rearview mirror. The parking sticker must be clearly visible from outside of the vehicle. Student vehicles need a new parking sticker each school year.

4. Parking Rules:

- The student parking lot is the west lot, adjacent to the tennis courts and the entrance to the gymnasium area.
- Students must park their vehicles in the parking lots in areas designated as student parking. Vehicles must be parked in marked parking spots or this can impede the safe coming and going of other vehicles.

- c. Students must drive safely at all times.
- d. Students who are authorized to leave during the day (PSEO, Junior/Senior Privilege,) will be issued a different color parking pass that will allow them to park in designated areas on the east side (staff lot / media center side).
- e. Students who leave during the day for appointments will be issued a temporary parking pass for that day, which will allow them to park in the staff lot upon their return.
- f. Students using automobiles improperly may forfeit the right to use school parking lots.
- g. Students who park on school grounds understand that their vehicle may be searched by school personnel at any time while parked on school grounds, provided that the high school personnel have reason to believe that the vehicle contains contraband.
- h. Vehicles on school grounds after parking privileges have been revoked are subject to immediate towing at the expense of the student/owner.

L. PHYSICAL INFRACTIONS

** See Appendix for complete Drug/Alcohol and Assault Policy

1. ASSAULT

Committing an act with intent to cause fear **in another person of immediate bodily harm** or death or attempting to or threatening to inflict bodily harm is prohibited. This includes all incidents where blows are exchanged.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	5 day suspension Police referral	5-day suspension Police referral	10-day suspension Expulsion recommendation Police referral

2. ASSAULT, AGGRAVATED

Committing an assault upon another person with a weapon or an assault that inflicts great bodily harm upon another person is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	10-day suspension Expulsion recommendation Police referral		

3. PUSHING, SHOVING, SCUFFLING

Physical contact that could harm others, but is not defined as an assault or fighting, is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	**	1-3 day suspension	3-5 day suspension

(**) Indicates disciplinary action assigned by building administration.

4. SEXUAL MISCONDUCT

Engaging in non-consensual sexual intercourse or sexual contact with another person including intentional touching of clothing covering a person's intimate parts, intentional removal or attempted removal of clothing covering a person's intimate parts or clothing covering a person's undergarments, if the action is performed with sexual or aggressive intent, is prohibited. Indecent exposure is also prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	10-day suspension Expulsion recommendation Police referral		

M. PROPERTY INFRACTIONS

1. ARSON

The intentional setting of a fire that results in, or could have potentially resulted in, the destruction or damage to district property or other property or that endangers or potentially endangers others by means of fire is prohibited.

Grades	First Offense
Grades 9-12	10-day suspension Expulsion recommendation Police referral

2. BREAKING AND ENTERING

Entering a secured district location, after school hours, using an unauthorized mechanism of entering is prohibited.

Grades	First Offense	Second Offense
Grades 9-12	5-day suspension Police referral	10-day suspension Expulsion recommendation Police referral

3. FIRE EXTINGUISHER, UNAUTHORIZED USE

Fire extinguishers are important tools that are needed in potentially life-threatening fires. All other uses are prohibited.

Grades	First Offense	Second Offense	Third Offense

Grades 9-12	**	3-5 day suspension Police referral	10-day suspension Expulsion recommendation Police referral
--------------------	-----------	---	---

(**) Indicates disciplinary action assigned by building administration.

4. ROBBERY OR EXTORTION

Taking property from another person by the use of force, the threat of force compelling acquiescence, or under false pretenses is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	1-3 day suspension Police referral	5-10 day suspension Police referral	10-day suspension Expulsion recommendation Police referral

5. SECURITY SYSTEM TAMPERING

Any action that is intended to deactivate, damage, or destroy any security system of the district is prohibited. This action includes, but is not limited to, the disabling of or tampering with a district security camera or an automatic locking door apparatus.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	1-3 day suspension Police referral	3-5 day suspension Police referral	10-day suspension Expulsion recommendation Police referral

6. THEFT, RECEIVING OR POSSESSING STOLEN PROPERTY

The unauthorized taking, using, transferring, hiding or possessing of property of another person without the consent of the owner or the receiving of such property is prohibited. Restitution, when appropriate, will be required.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	1-3 day suspension Police referral	3-5 day suspension Police referral	10-day suspension Expulsion recommendation Police referral

7. TRESPASSING

Remaining on school property without authorization is prohibited. Students are not to go into other district buildings unless they have permission from the building administrator or are attending a district-sponsored event. Any student on suspension who goes to a district location without permission is subject to being charged with trespassing and an increase in suspension time. Admitting others through a locked or secured entrance without the permission of district employees is also classified as trespassing.

Grades	First Offense	Second Offense	Third Offense
---------------	----------------------	-----------------------	----------------------

Grades 9-12	1-day suspension	3 day suspension	5-10 day suspension
--------------------	-------------------------	-------------------------	----------------------------

8. VANDALISM, MINOR ACTS (LESS THAN \$500)

Littering, defacing (including placement of graffiti), cutting, damaging or destroying property that belongs to the district or other individuals/entities is prohibited. Vandalism is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	1-3 day suspension Police referral	5-day suspension Police referral	10-day suspension Expulsion recommendation Police referral

9. VANDALISM, MAJOR ACTS (MORE THAN \$500)

Littering, defacing (including placement of graffiti), cutting, damaging, or destroying property that belongs to the district or other individuals/entities is prohibited. Vandalism is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	10-day suspension Expulsion recommendation Police referral		

N. TECHNOLOGY INFRACTIONS

**** See Appendix for complete ACCEPTABLE USE OF THE COMPUTER NETWORK AND INTERNET**

1. SECURITY SYSTEM-or TELECOMMUNICATIONS TAMPERING/ TELECOMMUNICATIONS TAMPERING

Any action that is intended to deactivate, damage, or destroy any security system of the district is prohibited. This action includes, but is not limited to, the disabling of or tampering with a district security camera or an automatic locking door apparatus.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	1-3 day suspension Police referral	3-5 day suspension Police referral	10-day suspension Expulsion recommendation Police referral

2. ELECTRONIC DEVICES, MISUSE OF

High school students may use cell phones or personal electronic mobile devices at the discretion of a teacher and in a way that is not disruptive to the educational process including use in class or in any way that sacrifices, or potentially sacrifices, academic integrity (see also Dishonesty, Scholastic and Photographic Device Misuse).

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	Device confiscated Pick up at the end of the day either from the teacher or office.	Device confiscated 1 unit of Saints Time detention Parent must pick up phone	Repeat Offense #2 with Additional units of detention

3. PHOTOGRAPHIC OR RECORDING DEVICE MISUSE

Use of any photographic or recording device that impinges upon the rights of others is prohibited. This prohibition includes the distribution or receipt of a picture(s)/recording that impinges upon the personal privacy of another. *Misuse of any device in a school locker room, school bathroom or elsewhere in a way that violates the personal privacy of the individual may result in the immediate initiation of the expulsion process. This may involve a police referral.*

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	1-2 day suspension	3-5 day suspension	5-day suspension

4. TECHNOLOGY AND TELECOMMUNICATIONS, MISUSE

Misuse of technologies, equipment, or network; deletion or violation of password-protected information, computer programs, data, passwords, or system files; inappropriate accessing of files, directories, and Internet sites; deliberate contamination of the system; unethical use of information; or violation of copyright laws is prohibited. In addition, network access may be monitored and/or limited as a result of technology and/or telecommunication misuse.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	**	3-5 day suspension	10-day suspension and access limited or monitored indefinitely. Expulsion recommendation.

(**) Indicates disciplinary action assigned by building administration.

5. TECHNOLOGY & TELECOMMUNICATIONS, BREACH OF

The deliberate breach of the school district network and technology resources is prohibited and may result in disciplinary actions, including but not limited to suspension, police referral, and recommendation for expulsion.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	5 day suspension. Police referral. Social worker referral.	10-day suspension. Police referral. Recommendation for expulsion.	

O. THREATENING AND/OR DISRUPTIVE BEHAVIOR

** See Appendix for complete HARASSMENT AND VIOLENCE POLICY

** See Appendix for complete BULLYING PROHIBITION POLICY

1. ABUSE, VERBAL

The use of language that is obscene, threatening, intimidating, or inflammatory or that degrades other people is prohibited. Verbal abuse may also be addressed under the guidelines for harassment and/or bullying, when appropriate.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	**	3-5 day suspension	10-day suspension Expulsion recommendation

(**) Indicates disciplinary action assigned by building administration.

2. BOMB THREAT OR TERRORISTIC THREAT (see Appendix for complete policy)

Making, publishing or conveying in any manner a bomb threat or any other type of terroristic threat pertaining to a school location or event is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	10-day suspension Expulsion recommendation Police referral		

3. BULLYING OR INTIMIDATING BEHAVIOR (see Appendix for complete Bullying Prohibition policy)

Bullying or intimidating behavior of any type, including through the use of technology and the Internet, is prohibited. Bullying or intimidating behavior may also be addressed under the guidelines for harassment and/or verbal abuse, when appropriate.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	Restorative Intervention	1-3 day suspension Restorative intervention	2-10 day suspension Restorative intervention

(**) Indicates disciplinary action assigned by building administration.

4. DISORDERLY CONDUCT

Disorderly conduct is prohibited. Disorderly conduct is an act that the student knows or has reasonable grounds to know will alarm, anger, disturb others or provoke an assault or breach of the peace. Disorderly conduct may also be engaging in offensive, obscene, abusive, boisterous or noisy conduct or gestures or offensive, obscene or abusive language tending reasonably to arouse alarm, anger or resentment in others.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	**	2-5 day suspension	10-day suspension Expulsion recommendation

(**) Indicates disciplinary action assigned by building administration.

5. DISRUPTIVE OR DISRESPECTFUL BEHAVIOR

Disruptive or disrespectful behavior is prohibited. Disruptive or disrespectful behavior is language or behavior that disrupts or threatens to disrupt the school environment.

Grades	First Offense	Second Offense	Third Offense
--------	---------------	----------------	---------------

Grades 9-12	**	1-day suspension	3-day suspension
--------------------	-----------	-------------------------	-------------------------

(**) Indicates disciplinary action assigned by building administration.

6. FIRE ALARM, FALSE

Intentionally giving a false alarm of a fire or tampering or interfering with any fire alarm, fire alarm system or sprinkler system is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	5-day suspension Police referral	10-day suspension Expulsion recommendation Police referral	

7. GAMBLING

Gambling, including but not limited to, playing a game of chance for stakes or possession of gambling devices (including machines, video games, and other items used to promote a game of chance) is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	**	1-3 day suspension	3-5 day suspension

(**) Indicates disciplinary action assigned by building administration.

8. HARASSMENT OR RETALIATION (see Appendix for complete policy)

Harassment and violence because of race, color, creed, religion, national origin, sex, marital status, parental status, status with regard to public assistance, disability, sexual orientation, or age, as defined in the district policy, are prohibited. Reprisal or retaliation for a complaint of harassment is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	Varies depending on severity of situation but includes Harassment policy education	Varies depending on severity of situation	Varies depending on severity of situation

9. HAZING (see Appendix for complete policy)

Hazing activities of any type are prohibited at all times. Hazing means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. Hazing, by its very nature, often occurs off school grounds, after school hours, on

non-school days, and during summer months. Students are advised that hazing is prohibited whenever and wherever it occurs. May include police referral.

Grades	First Offense	Second Offense	Third Offense[bo10]
Grades 9-12	3-5 day suspension	10-day suspension Expulsion recommendation	

10. INSUBORDINATION

A deliberate refusal to follow an appropriate direction or to identify one's self when requested is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	**	1-3 day suspension	3-5 day suspension

(**) Indicates disciplinary action assigned by building administration.

11. THREATENING GROUP ACTIVITY (see Appendix for complete policy)

Threatening group-related activity, the use of graffiti emblems, symbolism, hand signs, slang, tattoos, jewelry, discussion, clothing, etc. are prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	3-day suspension Social worker intervention	5-day suspension	10-day suspension Expulsion recommendation

12. THREATS OF PHYSICAL HARM TOWARD STUDENTS, EMPLOYEES, OR OTHER PERSONS

The use of language or comments that are blatantly threatening or intimidating that could be interpreted as a death threat or insinuating the infliction of serious bodily harm upon students, employees or other persons is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	10-day suspension Expulsion recommendation Police referral		

P. OTHER BEHAVIOR INFRACTIONS

1. DRESS AND APPEARANCE

Inappropriate clothing or appearance is prohibited. Administrators reserve the right to deny admission to school functions based on dress or appearance determined to be inappropriate or disruptive to the educational process. When a student is found in violation of these guidelines, the student will be directed to make modifications or be sent home for the day.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	**	**	1-3 day suspension

(**) Indicates disciplinary action assigned by building administration.

2. FALSE REPORTING

Intentionally reporting false information about the behavior of a student or employee is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	1-3 day suspension	3-day suspension	3-5 day suspension

3. RECORDS OR IDENTIFICATION FALSIFICATION

Falsifying signatures or data, misrepresenting identity, or forging notes is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	**	1-day suspension	3-day suspension

(**) Indicates disciplinary action assigned by building administration.

4. INAPPROPRIATE USE OF SINGLE-PERSON RESTROOMS

Single user restrooms are to be used only by one person at a time. Entering and closing the door to utilize the restroom as pairs, regardless of gender is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	3-day suspension	5-day suspension	5-day suspension

Q. UNIQUE SITUATIONS

Discipline situations not covered by these guidelines will be handled on a case-by-case basis. Behaviors that are willful and disruptive or potentially harmful are included. Unique or special situations at a particular school may call for an adjustment in the discipline policies to meet the school or district's needs.

1. In-School Suspension (ISS)

Definition: This is a short-term exclusion from classes, not from the school. The student will be assigned to a workroom where assignments will be brought and the student will work on school work in a supervised environment.

2. Out of School Suspension

Definition: An out of school suspension is the short-term exclusion of the student from school. The school is relieved of custody of and responsibility for the student.

Procedure: Suspension, exclusion, and expulsion shall be implemented in accordance with the Pupil Fair Dismissal Act.

3. Pupil Fair Dismissal Act

Nothing in this policy is intended to conflict with the Pupil Fair Dismissal Act.

a. Parent/Guardian Notification:

Parents/guardians shall be notified in writing of violation of the rules of conduct and resulting disciplinary actions by first-class mail except as provided otherwise by the Pupil Fair Dismissal Act. Disciplinary referrals will be mailed from the Senior High School office.

b. Student Notification:

Students shall be notified of violations of the Rules of Conduct and resulting disciplinary actions verbally except as provided otherwise by the Pupil Fair Dismissal Act.

4. Corporal Punishment

The Board of Education prohibits the use of corporal punishment. However, reasonable force may be used by a teacher or other member of the instructional, support or supervisory staff upon or toward a student when necessary to restrain the student from self-injury or injury to any other person or property.

5. Grounds for Dismissal

A student may be dismissed on the following grounds:

- a. Willful violation of any reasonable school board regulation.
- b. Willful conduct that materially and substantially disrupts the rights of others to an education.
- c. Willful conduct, which endangers the pupil or other pupils, or the property of the school.
- d. Direct defiance or refusal to comply with a direction by a Staff member, Principal or Superintendent.

6. Suspension

Students who are suspended from the regular school program may be suspended either in-school or out-of-school. At the time of dismissal, the students will be informed as to their status with the school. The type of suspension program used will depend upon the nature of the offense and the circumstances involved. The in-school suspension program will be used for most suspendable offenses.

7. In-School Suspension Program

This refers to an action taken by the school administration under the rules of the school board prohibiting a pupil from attending one or more classes for a period of no more than five school days.

A student suspended in-school will be placed in a room under the direct supervision of a school authorized adult. Suspended students will have the following responsibilities:

- a. Students will be expected to follow the directions of the in-school suspension supervisor at all times.
- b. Students are expected to bring all books and necessary materials with them to the in-school suspension room.
- c. Students are expected to work on all assigned work and will not be permitted to sleep.
- d. Students will be expected to remain quiet and no unnecessary talking or noisemaking will be permitted.
- f. Students are expected to be on time to the in-school suspension room.
- g. Students will not be permitted to leave the in-school suspension room unless an emergency occurs or the office requests that they do so.
- h. A lunch break in the in-school suspension room will be provided at midday to accommodate those who desire to eat lunch.
- i. Students will not be permitted to participate in any school-related activities on the day(s) of suspension unless authorized to do so by the school administration. This means a student is ineligible to practice or to participate in any extra or co-curricular activities or events during the school day(s) or during the evening(s) of the suspension period.
- j. Students may not go to their lockers during their lunch hour because regular classes are in session and may not be disrupted.
- k. Students may not be removed from in-school suspension by a teacher for any reason.

The students suspended in the in-school suspension program are required to follow all the rules and regulations of this program. If these suspended students do not follow these rules and regulations, and out-of-school suspension program may be provided.

8. Out-of-School Suspension Program

This refers to an action taken by the school administration under the rules of the school board prohibiting a pupil from attending school for a period of time of no more than five school days.

The suspended students will have the following responsibilities:

- a. Students will be expected to leave the school grounds as soon as requested to do so.

- b. Students will be expected to remain off the school grounds unless otherwise authorized, until the suspension period is over.
- d. Students will be required to meet with the assistant principal or high school dean, at the conclusion of the suspension period.
- e. Students will be provided with all make-up work. Two days for each day of absence will be provided for the completion of all make-up work.
- f. Students will not be permitted to participate in any school-related activities on the day(s) of suspension, unless authorized to do so by the school administration. This means a student is ineligible to practice, participate or attend any extra or co-curricular activities or events during the school day(s), or during the evening(s) of the suspension period.

9. Exclusion and Expulsion

- a. Exclusion is an action taken by the school board to prevent enrollment or re-enrollment of a student for a period, which shall not extend beyond the school year.
- b. Expulsion is an action taken by the school board to prohibit an enrolled student from further attendance for a period, which shall not extend beyond the school year.
- c. *Exclusion or Expulsion Procedures:*
No exclusion or expulsion shall be imposed without a hearing unless the right to a hearing is waived in writing by the student and parent/guardian. The school board or its agent shall initiate the action.
Written notice of intent to take action shall:
 - 1. Be served upon the student and her/his parent/guardian by certified mail.
 - 2. Contain a complete statement of the facts, a list of the witnesses, and a description of their testimony.
 - 3. State the date, time and place of the hearing.
- d. Be accompanied by a copy of Sections M.S. 121A.40 to 121A.56 of The Pupil Fair Dismissal Act of 1999.
- e. Describe alternative educational programs accorded the student prior to commencement of the expulsion or exclusion proceeding.
- f. Inform the student and parent/guardian of the right to:
 - 1. Have legal counsel at the hearing.
 - 2. Examine the student's records before the hearing.
 - 3. Present evidence.
 - 4. Confront and cross-examine all witnesses.

SECTION 6: CO-CURRICULAR

A. Academic Policy for Co-Curricular Participants

All students must be making progress toward graduation and be in line to graduate with their class. Any high school student who earns an “F” grade for a marking period will become ineligible for two weeks. Any middle school student who earns an “F” grade for a marking period will become ineligible for one week or one event, whichever is longer. An ineligible student, who can prove he/she is passing after the one- or two-week ineligibility period, will become eligible and put on academic probation until the next marking period. If a student slips back to an “F” grade during the probationary period, he/she will become ineligible until the next marking period. Prior to serving a period of ineligibility, an Academic Review Meeting will be held with the student, activities director, and dean of students.

B. Sportsmanship

Courtesy, fairness, and respect characterize sportsmanship. It is interpreted in the conduct of the participants, coaches, cheerleaders, school administrators, and spectators. It is with this philosophy in mind that we of Saint Peter High School are striving to maintain and improve upon these qualities through the implementation of our sportsmanship project.

1. Show respect for opponents by:
 - a. Standing for opponent's school song;
 - b. Avoiding a temptation to boo an opponent's successes.
 - c. Sitting in Saint Peter's student area and not in the opponent's section.
2. Show respect for officials, participants and cheerleaders by:
 - a. Accepting a referee's judgment call.
 - b. Avoiding harassment to the opposing team players or coaches.
 - c. Applauding well-performed plays or routines by both Saint Peter athletes and their opponents.
 - d. Sitting in the stands and watching -- leaving only at period breaks or at half time.
3. Show respect for the flag by:
 - a. Standing for the National Anthem.
 - b. Singing the National Anthem.
 - c. Removing caps/hats during the National Anthem.
4. Show respect for the adult spectators by:
 - a. Being polite to all citizens.
 - b. Avoiding running and pushing in the lobby.
5. Show respect for each other by:
 - a. Making room for other students to be seated.
 - b. Avoiding obstructing each other's view of the performance.
 - c. Refraining from making fun of others cheering or singing.
6. Acts of Misconduct
 - a. Uses of noisemakers- examples: compressed air horns, whistles, cowbells, and firecrackers.
 - b. Use of inappropriate banners or placards.
 - c. Throwing of objects – examples: coins, pop cans, folded programs as airplanes.

- d. Use of obscene or abusive language that seeks to offend, intimidate, or show prejudice toward a player, official, or spectator.
 - e. Being on the premises of the scheduled contest while under the influence of alcohol or chemicals.
 - f. Unauthorized entry into any scheduled contest.
 - g. Behaving in a manner that violates the sportsmanship code.
7. Should a student be banned from attending events due to inappropriate conduct and/or poor sportsmanship, the following requirements must be fulfilled prior to reinstatement of attendance privileges:
- a. Contact and discuss the breaking of the Sportsmanship Policy with the Activities Director or Principal in a timely manner.
 - b. A written apology to all schools involved.
 - c. Contact the Big South Conference Executive Secretary to be and allowed back to activities.
 - d. In the event that the infraction occurred against a Big South Conference school, the individual must contact and apologize to that school (s) to be reinstated.
 - e. In the event that the infraction is against a non-conference school the student must contact a principal to be reinstated.

C. Student Council

- 1. Senior High School Student Council (Grades 9-12)
Members are elected toward the end of the previous school year. Each grade level (9-12) will elect 10 representatives. At-large representatives may also be elected later in the school year.
- 2. Student Representatives
Students, who correspond with agencies outside of this school, signing or stating that they are representatives of Saint Peter High School, must have the authorization of their advisor or from the building principal.
- 3. Memorials
The senior high student council serves as the school organization that sends memorials on behalf of the senior high school to students and families who have suffered the loss of a family member.

D. Change of level of play of athlete

Certain guidelines should be adhered to when considering the change of level of play of an athlete.

- 1. The coaching staff of that sport shall discuss if the individual athlete is ready for the move to a higher level of competition and whether or not there is a need within the program for such a move.
- 2. The head coach of that sport shall discuss with the activities director the reasons for wanting to implement such a move and pick up the necessary forms that need to be signed.
- 3. The head coach shall contact the parent, explain what the move is that they would like to do, and ask if the parent approves the move. If they do not approve, proceed no further.
- 4. The head coach shall bring the signed paperwork to the activities director for final approval and his signature.

E. Advantages of changing levels:

- 1. The athlete is challenged to play with and against better competition.
- 2. He/she may play for a longer season.
- 3. The frustrations an athlete may have due to the disparity in skill level may be minimized.
- 4. Athletes will be given an opportunity to advance their skill level in a team sport, just as they can in an individual sport.

F. Disadvantages of changing levels:

1. Parents and athletes of the team in which the athlete is moving to may feel they are being displaced.
2. Athletes/parents from the team the athlete is leaving and team the athlete is going to, could disagree with the move causing socialization issues in school and the community for the athlete.
3. Athletes may feel they are not connected to any team.
4. The team the athlete leaves may lose a role model and an extra teacher to help them develop better skills.
5. Expectations from coaches, parents, teammates and fans may be greater.
6. Increased time commitment, more frequent and later home arrivals after games, split shifts in practice, transportation issues, may negatively impact the athlete's school work and the parental responsibilities.
7. The injury risk factor increases due to increased participation.

G. Activities and Organizations

<u>Activities</u>	<u>Fees</u>
Academic Decathlon	\$60
Adapted Bowling Baseball	\$60
Basketball (Boys and Girls)	\$125
Baseball	\$105
Cross Country (Boys and Girls)	\$105
First Tech Challenge (Robotics)	\$60
*Fishing (Grades 8-12)	*Fee set by association
**Sport currently ran by association. Participants will be held not only to St. Peter Public School policies but additional rules may apply.	
Football	\$125
Gymnastics	\$125
Golf (Boys and Girls)	\$125
Hockey (Boys and Girls) (7-12)	\$250
Knowledge Bowl	\$60
Math League	\$60
Mock Trial	\$60
National Honor Society	-
One Act Play	\$60
Respecters of Diversity	-
Soccer (Boys and Girls)	\$105
Softball	\$105
Speech	\$60
Student Council	-
Swimming/Diving	\$105
Tennis (Boys and Girls)	\$105
Theater (Musical, One Act Play, Spring Play)	\$60
Track (Boys and Girls)	\$105
*Trap	*Fee set by association
**Sport currently ran by association. Participants will be held not only to St. Peter Public School policies but additional rules may apply.	
Volleyball	\$125
Wrestling	\$125

The activity fee for 7-9 grade participants is \$45 regardless of the level in which they compete (except hockey).

There is a maximum \$250 fee per season per family (except hockey).

- a. Refunds of fees for activities will be made until halfway through the season for those students who cease to participate in the activity.
- b. There will be no refund of the activity fee in the event a student becomes ineligible to participate as a result of violation of Minnesota State High School League or Saint Peter High School rules and regulations.
- c. Students from families who determine that a fee is prohibitive may make application to the appropriate building level principal for consideration to waive the fee or reduce it to an amount that the family can provide.
- d. A maximum of \$250.00 per family per season has been established to provide for participation by a number of students from a family (except hockey).

H **Activities Participation Rule**

Students must be in attendance during their afternoon classes, block three and four, in order to participate in any co-curricular activities. This pertains to both practices and events. Special consideration may be given for pre-approved absences. In that event, it is up to the individual student to contact the principal or Activities Director for permission to participate.

I. **Award Policy/Awards of Letters**

1. Awards
 - a. First award earned - certificate and chenille letter.
 - b. Succeeding awards earned - certificate.
 - c. Members of a South Central Conference Championship Team - certificate.
 - d. Awards will be presented to the athlete at the Athletic Banquet at the end of each season.
 - e. The participants will be invited to the Banquet if they are in good standing according to the Saint Peter High School Athletic code. Athletes who are invited are varsity letter winners, varsity team members and managers.
 - f. Spring sports awards will be announced only at the Athletic Banquet, but the individual coaches at the completion of that spring sport will present the awards.
2. Participation required to qualify for a Saint Peter High School Letter
(During a complete sport season)

Adapted Bowling

- a. Participant must play an active part on team for two years

Band

- a. Four years participation in grade 9 through 12 band
- b. Successful participation (75% of events) in pep and marching band in one school year
- c. Superior rating in a solo/ensemble at the regional music concert
- d. By the Director's and Activities Director's judgment in special cases

Baseball or Softball

- a. Actively participate in one-fourth of the total innings played by the varsity squad during the regular season, or

- b. By the Coaches and Activities Director's judgment in special cases.

Basketball

- a. Actively participate in one-fourth of the total quarters played by the varsity squad during the regular season. Tournament games do not count as a season game, but tournament halves count toward earning a letter, or
- b. By the Coaches and Activities Director's judgment in special cases.

Choir

- a. Participate in Solo/Ensemble Concert
- b. Be a member of the Chamber Singers
- c. Serve as an officer of the choir
- d. Serve as an accompanist

Cross Country

- a. Perform at the varsity level for at least one half of regularly scheduled meets;
- b. By the coaches and Activities Director's judgment in special cases.

Football

- a. Actively participate in one-fourth of the total quarters played by the varsity squad during the regular season, or
- b. By the Coaches and Activities Director's judgment in special cases.

Golf

- a. Perform at the varsity level for at least one half of regularly scheduled meets;
- b. By the Coaches and Activities Director's judgment in special cases.

Gymnastics

- a. Must place (1st, 2nd, 3rd or 4th) in at least one event. The total times placed by the individual should equal the number of scheduled meets during the regular season
- b. By the Coaches and Activities Director's judgment in special cases.

Hockey

- a. Must play in one-third of the total periods in the regular season, or
- b. By the Coaches and Activities Director's judgment in special cases.

Knowledge Bowl

- a. Attend all meets
- b. Attend 85% of practices
- c. By Advisor and Activities Director's judgment in special cases

Managers

- a. Must act as manager for two sport seasons, or
- b. By the Coaches and Activities Director's judgment in special cases.

Mock Trial

- a. Students need to be involved in two competitions in which they have played one of the following major roles: Attorney, Witness, Plaintiff, Timekeeper.

National Honor Society

- a. Students receive a collar upon graduation for maintaining active status in National Honor Society.

Soccer

- a. Participate in 40% of total halves played by the varsity squad during the regular season
- b. By the Coaches and Activities Director's judgment in special cases

Speech

- a. Participate in at least 2/3rds of the invitational tournaments
- b. Participate in the subsection tournament if qualified.
- c. Earn a minimum of 25 national Forensic League points
- d. Practice weekly with a Saint Peter High School coach
- e. Pay any invitational fines, if necessary
- f. Coaches reserve the right to award a letter in special circumstances.

Student Council

- a. Student council members must be making satisfactory progress toward successfully meeting the requirements to graduate with their class from Saint Peter High School
- b. Representatives must participate in at least eight activities or committees/projects during the school year
- c. Officers must participate in at least five activities or committees/projects during the school year
- d. Members at Large must participate in at least 8 activities or committees/projects during the school year
- e. No student council members may earn more than two units of detention for behavior/attendance (skipping) reason during the semester or more than four units of detention in any quarter for excessive tardiness
- f. No student council member may fail a semester course
- g. No student council member may have more than one unexcused absence from meetings during the school year

Swimming

- a. Score points equal to the number of meets in which the varsity time participates. Points can be earned during regular meets, and/or conference and sectional meets.
- b. By the Coaches and Activities Director's judgment in special cases.

Tennis

- a. Must play one-half of the dual meets during the regular season
- b. Play in conference meet, section or state meet
- c. By the Coaches and Activities Director's judgment in special cases.

Theater (Fall, Spring, One Act Play)

- a. Earn 4 Thespian points
- b. State entrant in One Act Play
- c. By play director or Activities Director's judgment in special cases

Track

- a. Must score points equal to the number of meets in which the varsity team participates during the regular season. These points can be scored during the regular season meets and/or conference and district meets, or
- b. By the Coaches and Activities Director's judgment in special cases.

Trap Team

Team member must be in grades 7-12 at Saint Peter Middle/High School AND meet at least one of the following:

- a. Finish in the top six (6) on the team for any given week's competition.
- b. Finish in the top 20 on the team by average for the season. (Must shoot all competitive weeks)
- c. Be ranked in the top 25 of the conference during any given week's competition within their class/gender.
- d. Place in the top 100 in their class at the State Tournament.
- e. Finish in the Top 100 any given week in the state.
- f. Hit 25 targets consecutively in any competition.
- g. Average 19 or above for the season. (Must shoot all competitive weeks)
- h. Or by the coaches' and the Activities Director's judgment in special cases.

Visual Arts

- a. The visual arts competition is open to high school students in grade 9-12 Competition categories include: Sculpture, Drawing, Painting, Mixed Media, Printed Media.
- b. Participate in the MSHSL contest

Volleyball

- a. Must play in as many games as there are matches, must have played in three-fourths of the matches, exclusive of tournaments, or
- b. By the Coaches and Activities Director's judgment in special cases.

Wrestling

- a. Must accumulate 16 letter points. Letter points are awarded based on the result of each participant's varsity match. Ex. 9 points are earned for a fall.
- b. By the Coaches and Activities Director's judgment in special cases.

J. Special Recognition

The school may hold an assembly to recognize teams or individuals who have participated in state tournaments or meets. Interested community organizations, groups or individuals may participate in this assembly by making such a request to the principal.

K. Wednesday Night Practice/Rehearsal

It is the policy of Independent School District 508 not to hold any type of co-curricular activity or practice after 6:00 p.m. on Wednesdays during the school year. If there are any exceptions, the administration will contact the Ministerial Board.

L. Tournament Attendance Policy

If Saint Peter High School has a team participating in a State Tournament, the following shall apply:

1. Team members who are on the official group which represents Saint Peter High School (team members, statisticians, scorers, etc.) will be excused from the attendance policy on all days of the tournament.
2. Students who are not on the list of representatives to the tournament will be excused from the attendance policy, provided they bring back a ticket stub from the tournament which verifies their attendance and provided that we have a team participating in that specific tournament.
3. Students will not be excused from the attendance policy if Saint Peter High School does not have a team in competition in the tournament. However, the attendance may be excused by a parent for the absence, but it will still count toward the six-day attendance policy.
4. Students may be excused from the attendance policy for attendance at only one tournament per school year. If Saint Peter High School has a team in competition at more than one tournament during the school year (example: football in the fall, basketball in the winter, and tennis in the spring) only one state tournament attendance per school year will be excused from the six-day attendance policy.

M. Activity Tickets

Activity passes can be purchased in the Activities office. The pass will admit patrons to all activities with the exception of the fall play, section, and state tournaments.

N. Minnesota State High School League Rules

Saint Peter High School Eligibility Information for participants in Minnesota State High School League Activities

1. RIGHTS AND RESPONSIBILITIES FOR STUDENTS WHO PARTICIPATE IN MINNESOTA STATE HIGH SCHOOL LEAGUE-SPONSORED ACTIVITIES

- a. Students who participate in Minnesota State High School League activities must abide by the guidelines as published in the Minnesota State High School League eligibility information bulletin in the area of athletics, speech, and music. Students will not be permitted to begin participation until the eligibility bulletin is signed by the parents/guardians and the student.
- b. Students must attend an information session prior to the beginning of the season that addresses rules and the regulations of participation, including the consequences for the use or possession of mood altering chemicals. Although not mandatory, parents/guardians are expected to attend these meetings with their students.
- c. The parent/guardian, by signing the bulletin, agrees to work with the school in monitoring the behavior of their student as it relates to violations of Minnesota State High School League Rules and Regulations.

2. RULES FOR PARTICIPATION

Students who participate in Minnesota State High School League activities shall not, at any time, regardless of the quantity:

- a. use, consume, possess, buy, sell, or give away a beverage containing alcohol
- b. use, consume, possess, buy, sell, or give away tobacco
- c. use, consume, possess, buy, sell, or give away any other controlled substance (it is not a violation for a student to possess a controlled substance specifically prescribed for the student's own use by her/his doctor)
- d. use, consume, possess, buy, sell, or give away drug paraphernalia

3. CATEGORY I ACTIVITIES

- a. Category I activities at Saint Peter High School include athletic and speech activities.
- b. Violations

1. First Violation

Penalty: after confirmation of the first violation, the student shall lose eligibility for the next two consecutive interscholastic contests or two (2) weeks of a season in which the student is a participant, whichever is greater. No exception is permitted for a student who becomes a participant in a treatment program.

2. Second Violation

Penalty: after confirmation of the second violation, the student shall lose eligibility for the next six (6) consecutive interscholastic contests or four (4) weeks, whichever is greater, in which the student is a participant. No exception is permitted for a student who becomes a participant in a treatment program.

3. Third and Subsequent Violations

Penalty: after confirmation of the third or subsequent violations, the student shall lose eligibility for the next twelve (12) consecutive interscholastic contests or six (6) weeks, whichever is greater, in which the student is a participant.

If after the third or subsequent violations, the student on her/his own volition becomes a participant in a chemical dependency program or treatment program, the student may be certified for reinstatement in MSHSL activities after a minimum period of six (6) weeks. Only the director or a counselor of a chemical dependency treatment center may issue such certification.

Successful completion of a chemical dependency treatment program will satisfy only the most recent violation. Any other violations for which the penalty has not been satisfied must still be served in full.

d. Penalties are Cumulative

Penalties shall be cumulative beginning with and throughout the student's participation on any 7-12 grade team or activity.

f. Captain Selection:

A student who serves a penalty will be ineligible for being a captain for one calendar year including violations committed over the summer months.

g. If a student denies violation of a bylaw, is allowed to participate and is subsequently found guilty of the violation, the student will be disqualified from all interscholastic activities for nine additional weeks beyond the student's original period of ineligibility.

4. **CATEGORY II ACTIVITIES**

a. Category II activities at Saint Peter High School include band, choir, and drama.

b. Violations

After confirmation of the violation, the student is ineligible to perform at the next regularly scheduled, class-related performance or event (excluding pep band). Penalties shall be cumulative beginning with and throughout the student's participation in a high school activity. *Serving a Category II suspension does not fulfill a Category I suspension. Serving a Category I suspension does not fulfill a Category II suspension.*

5. **GUIDELINES FOR COMPLIANCE WITH MINNESOTA STATE HIGH SCHOOL LEAGUE RULES AND REGULATIONS**

a. Any and all reported violations of Minnesota State High School League rules and regulations must be reported to the athletic director or building principal. Coaches, directors, or advisors cannot declare a participant ineligible. Coaches, directors, or advisors are directed to inform people who report violations to them to take their allegations to the athletic director.

- b. Participation in co-curricular activities cannot be denied to an eligible student by a coach, director, or advisor.
- c. A coach, director, or advisor who directly witnesses a violation or who has a confession of a violation given to him/her is directed to report such an incident to the athletic director or building level principal.
- d. Coaches, directors, and advisors are expected to know the school policies regarding the evaluation and suspicion of chemical abuse problems.
- e. Coaches, directors, and advisors are expected to act according to their professional judgment at all times.

6. SAINT PETER HIGH SCHOOL CO-CURRICULAR CODE OF CONDUCT

Students from Saint Peter High School who participate in co-curricular activities sponsored by Saint Peter High School are expected to follow the standards of behavior listed below. Although the standards listed below do not carry a predetermined ineligibility penalty, the Board of Education, staff, and administration of District 508 believe that students who represent Saint Peter High School have an obligation to meet the standards listed below:

- a. Students are not to involve themselves in behavior that could lead to a criminal charge or court action. Students who are convicted of such a charge during a season of play will have their participation reviewed under the policy stated above
- b. Students are not to involve themselves in activities that result in vandalism to Saint Peter High School or any other school that Saint Peter competes against. Students who are involved in vandalism of Saint Peter High School or any other high school against which Saint Peter competes will have their participation reviewed under the policy stated above
- c. Students are not to involve themselves with any behavior or action that reflects negatively upon themselves, their team or group, or their school
- d. A student who is under penalty of exclusion, expulsion, or suspension or whose character or conduct violates the Code of Conduct is not in good standing and is ineligible for a period of time as determined by the principal.

Code of Conduct Review

In addition to the rules and regulations as stated in the Minnesota State High School League eligibility information bulletin, the following procedure for individual student participation shall apply:

- a. In the event a serious problem arises in the areas of academic achievement, behavior, attendance, or citizenship, a staff member may make a request to the principal that the student's participation in that co-curricular activity be reviewed.
- b. Upon receipt of this request from a staff member, the principal will call together the activities director, a school counselor, the staff member who made the request, and the director and/or coach of the co-curricular activity in which the student is involved. The student may be present, with a support person whom she/he chooses.
- c. Following a review of the case, this group will make a recommendation to the high school principal in regard to the continued participation of the student in the co-curricular activity in which she/he is involved.

7. TRANSFER STUDENTS

Students who transfer to Saint Peter High School from another school and who wish to participate in Minnesota State High School League-sponsored activities must meet specific eligibility requirements. Transfer students who have questions about this policy are encouraged to contact the high school activities director.

SECTION 7: Health and Medication

A. Emergency Care Policy

In the event of an emergency or serious illness, it is the policy of the School District to provide appropriate medical response and to contact the parent/guardian in a timely manner.

In a life-threatening emergency, the school will contact emergency response personnel immediately. The parent/guardian or designated emergency person will be contacted at the same time.

If the situation is not life threatening, but the student requires urgent care and the school cannot contact a parent/guardian or designee, school personnel will transport the student to the Saint Peter Hospital- River's Edge for care. The School District will not provide transportation outside of Saint Peter for care. When parents/guardians arrive at the hospital, they will be able to change health care providers if they so desire. It is the responsibility of the parent/guardian to pay any incurred medical expenses.

B. Injuries or Illnesses/Accident Reporting Procedure/Insurance

1. Injuries and Illnesses

- a. Students should notify the nearest teacher in case of injury, illness or emergency.
- b. Students who become ill should go to the health office. Students who become ill while at school should NOT go to the restroom and sit for the class period. Students who do this will be marked as absent unexcused.
- c. When they are due in a class, students should report to class and obtain a pass before going to the health office. This applies to all visits to the health office *except emergencies*.
- d. Students may not leave the school building for illness without first reporting to the health office and obtaining a student pass. The health office will call the parents/guardians to obtain their permission for the student to leave the building.

2. Accident Reporting Procedure

Students who suffer injuries from any particular accident should report to their teacher. If the teacher is not available, the student should report to the health office, at which time the proper action will be taken.

C. Medications

The School District acknowledges that some students may require prescribed and/or non-prescribed medication during the day. Medication will be administered by the school nurse or her/his designee, such as a trained health assistant, a principal, or a teacher.

1. Prescription and non-prescription medication requires a completed, signed authorization from the student's parent or guardian. The School District may rely on a verbal request from the parent or guardian to administer medication for up to two school days, until written authorization is received.
2. Prescription and non-prescription medication must come to school in the original prescription container. A medication permission form must be completed annually and/or when a change in the prescription occurs.
3. Prescribed medication that is to be taken in school requires a written order from the physician.
4. Medications are generally not to be carried by the student. If an exception is to be made, there must be a written agreement between the School District and the parent. Medications will be left with the appropriate School District representative, except as noted in a written agreement between the School District and the parent. Students are allowed by Minnesota statute to carry inhalers for asthma and epi-pens for allergic reactions.

5. Parents or guardians must notify the school if any change in the student's medication or if the medication is no longer required. For medication dosage changes, the School District must receive written notification from the physician.
6. For drugs or medicine used by children with a disability, administration of medicine may be provided as specified in the individual education plan (IEP).

D. Physical Examinations

For the benefit of the individual student and the protection of other students and school personnel, it is the policy of the Saint Peter Public Schools to recommend periodic physical examinations of all students by a licensed physician. The selection of a licensed physician shall be made by the parents or guardians and the examination shall be at their expense.

1. A physical examination is recommended for all students prior to entry into kindergarten.
2. A physical examination is recommended for all students prior to entry into seventh grade.
3. Physical examinations are required prior to participating in interscholastic activities.
 - a. The first exam must occur prior to participating in the student's first MSHSL activity. Physical exams are required to be updated and on file in the Activities Office every 3 years.
 - b. This is a requirement to be eligible to participate in MSHSL activities.

A student whose parents or guardians object to physical examinations on religious or constitutional grounds shall be exempted from such requirements if a statement signed by the student's parents or guardians requests the exemption and states the ground for the request. A student age 18 or over who objects to physical examinations on religious or constitutional grounds shall be exempted from such requirements by requesting the exemption and stating the grounds for the request in a written statement signed by the student. Exempting a student from the physical examination does not exempt the student from participating in the program of physical education. If such exemption is utilized, the student or parent (depending upon the student's age) shall furnish a written statement to the School District verifying that either the student has no disabilities and can fully participate or, setting forth the disabilities and limitations of the student. These exemptions do not apply to activities governed by the Minnesota State High School League (MSHSL).

Appendix: Policy

The following outlines district policy required by district policy or state statute to be included in student handbooks. All of the district's policies can be found at <https://www.stpetersschools.org/page/school-board>

Contents:

<ul style="list-style-type: none">• <u>Bullying Prohibition: Policy 514</u>• <u>Distribution of Nonschool-Sponsored Materials: Policy 505</u>• <u>Employment Background Checks: Policy 404</u>• <u>Harassment and Violence: Policy 413</u>• <u>Hazing Prohibition: Policy 526</u>• <u>Student Attendance: Policy 503</u>• <u>Student Discipline: Policy 506</u>	<ul style="list-style-type: none">• <u>Student Records: Policy 515</u>• <u>Student Surveys: Policy 520</u>• <u>Tobacco-Free Environment: Policy 419</u>• <u>School Meals: Policy 534</u>• <u>Pesticide Application Notice</u>• <u>Lead in School Drinking Water</u>• <u>Language Access for Families</u>• <u>Statewide Assessments: Parent/Guardian Participation Guide and Refusal Information</u>
--	--

514 BULLYING PROHIBITION POLICY BULLYING PROHIBITION POLICY

[Note: School districts are required by statute to have a policy addressing bullying.]

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. An act of bullying, by either an individual student or a group of students, is expressly prohibited:
1. on the school premises, at the school functions or activities, on the school transportation;
 2. by the use of electronic technology and communications on the school premises, during the school functions or activities, on the school transportation, or on the school computers, networks, forums, and mailing lists; or
 3. by use of electronic technology and communications off the school premises to the extent such use substantially and materially disrupts student learning or the school environment.

- B. A school-aged child who voluntarily participates in a public school activity, such as a cocurricular or extracurricular activity, is subject to the policy provisions applicable to the public school students participating in the activity.
- C. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources. This policy also applies to sexual exploitation.
- D. Malicious and sadistic conduct involving race, color, creed, national origin, sex, age, marital status, status with regard to public assistance, disability, religion, sexual harassment, and sexual orientation and gender identity as defined in Minnesota Statutes, chapter 363A is prohibited. This prohibition applies to students, independent contractors, teachers, administrators, and other school personnel.

Malicious and sadistic conduct and sexual exploitation by a school district or school staff member, independent contractor, or enrolled student against a staff member, independent contractor, or student that occurs as described in Article II.A above is prohibited.
- E. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.
- F. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.
- G. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
- H. False accusations or reports of bullying against another student are prohibited.
- I. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures, including the school district's discipline policy (See MSBA/MASA Model Policy 506). The school district may take into account the following factors:
 - 1. The developmental ages and maturity levels of the parties involved;
 - 2. The levels of harm, surrounding circumstances, and nature of the behavior;
 - 3. Past incidences or past or continuing patterns of behavior;
 - 4. The relationship between the parties involved; and
 - 5. The context in which the alleged incidents occurred.

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

Consequences for employees who permit, condone, or tolerate bullying or engage in

an act of reprisal or intentional false reporting of bullying may result in disciplinary action up to and including termination or discharge.

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

- J. The school district will act to investigate all complaints of bullying reported to the school district and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.

III. DEFINITIONS

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

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

- 1. an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or
- 2. materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

The term "bullying" specifically includes cyberbullying, malicious and sadistic conduct, and sexual exploitation.

- B. "Cyberbullying" means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on school district property, at school functions or activities, on school transportation, or on school computers, networks, forums, and mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.

- C. "Immediately" means as soon as possible but in no event longer than 24 hours.

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

- 1. Causes physical harm to a student or a student's property or causes a student to be in reasonable fear of harm to person or property;
- 2. Under Minnesota common law, violates a student's reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or
- 3. Is directed at any student or students, including those based on a person's actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age, or any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.

- E. "Malicious and sadistic conduct" means creating a hostile learning environment by

- acting with the intent to cause harm by intentionally injuring another without just cause or reason or engaging in extreme or excessive cruelty or delighting in cruelty.
- F. "On school premises, on school district property, at school functions or activities, or on school transportation" means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.
 - G. "Prohibited conduct" means bullying, cyberbullying, malicious and sadistic conduct, sexual exploitation, or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about prohibited conduct. .
 - H. "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.
 - I. "Student" means a student enrolled in a public school or a charter school.

IV. REPORTING PROCEDURE

- A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available in the school district office, but oral reports shall be considered complaints as well.
- C. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as the primary contact on policy and procedural matters. The building report taker or a third party designated by the school district shall be responsible for the investigation. The building report taker shall provide information about available community resources to the target or victim of the bullying or other prohibited conduct, the perpetrator, and other affected individuals as appropriate.

- D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other

prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.

- E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.
- F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, work assignments, or educational or work environment.
- G. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

V. SCHOOL DISTRICT ACTION

- A. Within three days of the receipt of a complaint or report of bullying or other prohibited conduct, the school district shall undertake or authorize an investigation by the building report taker or a third party designated by the school district.
- B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.
- C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of an investigation that determines that bullying or other prohibited conduct has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy (See MSBA/MASA Model Policy 506) and other applicable school district policies; and applicable regulations.
- E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets of bullying or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or respond to bullying or other prohibited conduct committed by or directed against a child with a disability, the school district shall, when determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to

respond to or not to engage in bullying or other prohibited conduct.

VI. RETALIATION OR REPRISAL

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

VII. TRAINING AND EDUCATION

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

and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students.

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

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

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

VIII. NOTICE

- A. The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.
- B. This policy must be conspicuously posted throughout each school building, in the administrative offices of the school district, and in the office of each school.
- C. This policy must be distributed to each school district or school employee and independent contractor at the time of hiring or contracting.
- D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy (See MSBA/MASA Model Policy 506)

distributed to parents at the beginning of each school year.

- E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the school district's or a school's website.
- F. Each school must develop a process for discussing this policy with students, parents of students, independent contractors, and school employees.
- G. The school district shall provide an electronic copy of its most recently amended policy to the Minnesota Commissioner of Education.

IX. POLICY REVIEW

To the extent practicable, the school board shall, on a cycle consistent with other school district policies, review and revise this policy. The policy shall be made consistent with Minnesota Statutes, sections 121A.031 and 121A.0312 and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

505 DISTRIBUTION OF NONSCHOOL-SPONSORED MATERIALS ON SCHOOL PREMISES BY STUDENTS AND EMPLOYEES

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. "Distribute" or "Distribution" means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying material, or placing material in internal staff or student mailboxes.
- B. "Nonschool-sponsored material" or "unofficial material" includes all materials or objects intended for distribution, except school newspapers, employee newsletters, literary magazines, yearbooks, and other publications funded and/or sponsored or authorized by the school. Examples of nonschool-sponsored materials include, but are not limited to, leaflets, brochures, buttons, badges, flyers, petitions, posters, and underground newspapers whether written by students or employees or others, and tangible objects.
- C. "Obscene to minors" means:

1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
 2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and
 3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- D. "Minor" means any person under the age of eighteen (18).
- E. "Material and substantial disruption" of a normal school activity means:
1. Where the normal school activity is an educational program of the district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
 2. Where the normal school activity is voluntary in nature (including school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.
- In order for expression to be considered disruptive, specific facts must exist upon which the likelihood of disruption can be forecast including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.
- F. "School activities" means any activity sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods.
- G. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower that individual in the esteem of the community.

IV. GUIDELINES

- A. Students and employees of the school district have the right to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, nonschool-sponsored material.
- B. Requests for distribution of nonschool-sponsored material will be reviewed by the administration on a case-by-case basis. However, distribution of the materials listed below is always prohibited. Material is prohibited that:

1. is obscene to minors;
2. is libelous or slanderous;
3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended;
4. advertises or promotes any product or service not permitted to minors by law;
5. advocates violence or other illegal conduct;
6. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religious, or ethnic origin);
7. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.

C. Distribution by students and employees of nonschool-sponsored materials on school district property are subject to reasonable time, place, and manner restrictions set forth below. In making decisions regarding the time, place, and manner of distribution, the administration will consider factors including, but not limited to, the following:

1. whether the material is educationally related;
2. the extent to which distribution is likely to cause disruption of or interference with the school district's educational objectives, discipline, or school activities;
3. whether the materials can be distributed from the office or other isolated location so as to minimize disruption of traffic flow in hallways;
4. the quantity or size of materials to be distributed;
5. whether distribution would require assignment of school district staff, use of school district equipment, or other resources;
6. whether distribution would require that nonschool persons be present on the school grounds;
7. whether the materials are a solicitation for goods or services not requested by the recipients.

V. TIME, PLACE, AND MANNER OF DISTRIBUTION

A. No nonschool-sponsored material shall be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.

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

VI. PROCEDURES

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

VII. DISCIPLINARY ACTION

- A. Distribution by any student of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place, and manner of distribution as described above will be halted and disciplinary action will be taken in accordance with the school district's Student Discipline Policy.
- B. Distribution by any employee of nonschool-sponsored material prohibited herein or in violation of

the provisions of time, place, and manner of distribution as described above will be halted and appropriate disciplinary action will be taken, in accordance with any individual contract, collective bargaining agreement, school district policies and procedures, and/or governing statute.

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

VIII. NOTICE OF POLICY TO STUDENTS AND EMPLOYEES

A copy of this policy will be published in student handbooks and posted in school buildings.

IX. IMPLEMENTATION

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

404 EMPLOYMENT BACKGROUND CHECKS

I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment in the school district in order to promote the physical, social, and psychological well-being of its students. To that end, the school district will seek a criminal history background check for applicants who receive an offer of employment with the school district and on all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, regardless of whether any compensation is paid, or such other background checks as provided by this policy. The school district may also elect to do background checks of other volunteers, independent contractors, and student employees in the school district.

II. GENERAL STATEMENT OF POLICY

- A. The school district shall require that applicants for school district positions who receive an offer of employment and all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, regardless of whether any compensation is paid, submit to a criminal history background check. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by the school district that an individual's criminal history does not preclude the individual from employment with, or provision of services to, the school district.
- B. The school district specifically reserves any and all rights it may have to conduct background checks regarding current employees, applicants, or service providers without the consent of such individuals.
- C. Adherence to this policy by the school district shall in no way limit the school district's right to require additional information, or to use procedures currently in place or other procedures to gain additional background information concerning employees, applicants, volunteers, service providers, independent contractors, and student employees.

III. PROCEDURES

- A. Normally an individual will not commence employment or provide services until the school district receives the results of the criminal history background check. The school district may conditionally hire an applicant or allow an individual to provide services pending completion of the background check but shall notify the individual that the individual's employment or opportunity to provide services may be terminated based on the result of the background check. Background checks will be performed by the Minnesota Bureau of Criminal Apprehension (BCA). The BCA shall conduct the background check by retrieving criminal history data as defined in Minn. Stat. § 13.87. The school district reserves the right to also have criminal history background checks conducted by other organizations or agencies.
- B. In order for an individual to be eligible for employment or to provide athletic coaching services or other extracurricular academic coaching services to the school district, except for an enrolled student volunteer, the individual must sign a criminal history consent form, which provides permission for the school district to conduct a criminal history background check, and provide payment for conducting the criminal history background check. The cost of the criminal history background check is the responsibility of the individual, unless the school district decides to pay the costs for a volunteer, an independent contractor, or a student employee. If the individual to provide a criminal background check at the time the individual receives a job offer, or permission to provide services, the individual will be considered to have voluntarily withdrawn the application for employment or request to provide services.
- C. When required, individuals must provide fingerprints to assist in a criminal history background check. If the fingerprints provided by the individual are unusable, the individual will be required to submit another set of prints.
- D. Copies of this policy shall be available in the school district's employment office and will be distributed to applicants for employment and individuals who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services upon request. The need to submit to a criminal history background check may be included with the basic criteria for employment or provision of services in the position posting and position advertisements.
- E. The individual will be informed of the results of the criminal background check(s) to the extent required by law.
- F. If the criminal history background check precludes employment with, or provision of services to, the school district, the individual will be so advised.
- G. The school district may apply these procedures to other volunteers, independent contractors, or student employees.
- H. At the beginning of each school year or when a student enrolls, the school district will notify parents and guardians about this policy and identify those positions subject to a background check and the extent of the school district's discretion in requiring a background check. The school district may include this notice in its student handbook, a school policy guide, or other similar communication. A form notice for this purpose is included with this policy.

IV. CRIMINAL HISTORY CONSENT FORM

A form to obtain consent for a criminal history background check is included with this policy.

413 HARASSMENT AND VIOLENCE

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, including gender identity or expression, or disability.

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. "Assault" is:
 - 1. an act done with intent to cause fear in another of immediate bodily harm or death;
 - 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
 - 3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with

regard to public assistance, sexual orientation, including gender identity or expression, or disability when the conduct:

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

C. "Immediately" means as soon as possible but in no event longer than 24 hours.

D. Protected Classifications; Definitions

1. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:
 - a) has a physical, sensory, or mental impairment which materially limits one or more major life activities;
 - b) has a record of such an impairment; or
 - c) is regarded as having such an impairment.
2. "Familial status" means the condition of one or more minors being domiciled with:
 - a) their parent or parents or the minor's legal guardian; or
 - b) the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
6. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.
7. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.

E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on

behalf of a student who is the target or victim of acts of harassment or violence.

F. Sexual Harassment; Definition

1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:
 - a) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
 - b) submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
 - c) that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
2. Sexual harassment may include, but is not limited to:
 - a) unwelcome verbal harassment or abuse;
 - b) unwelcome pressure for sexual activity;
 - c) unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
 - d) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
 - e) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
 - f) unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.

G. Sexual Violence: Definition

1. Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minn. Stat. § 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
2. Sexual violence may include, but is not limited to:
 - a) touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;

- b) coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
- c) coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
- d) threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

H. Violence: Definition

1. 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, including gender identity or expression, or disability.

IV. **REPORTING PROCEDURES**

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct which may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.
- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make

reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.

- F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- G. In the District. The school board hereby designates Kelly Jensen as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.¹
- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.
Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

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

of services and/or contracts.

V. INVESTIGATION

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

VI. SCHOOL DISTRICT ACTION

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

of the child's disability to allow the child to respond to or not to engage in acts of harassment or violence.

VII. RETALIATION OR REPRISAL

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

VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

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

IX. HARASSMENT OR VIOLENCE AS ABUSE

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

X. DISSEMINATION OF POLICY AND TRAINING

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

526 HAZING PROHIBITION

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

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

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

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

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

III. DEFINITIONS

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

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

IV. REPORTING PROCEDURES

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

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

inform the building report taker immediately. Any person may report hazing directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

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

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

V. SCHOOL DISTRICT ACTION

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

- E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets or victims of hazing and the parent(s) or guardian(s) of alleged perpetrators of hazing who have been involved in a reported and confirmed hazing incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or to respond to hazing committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in hazing.

VI. RETALIATION OR REPRISAL

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

VII. DISSEMINATION OF POLICY

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

503 STUDENT ATTENDANCE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. Responsibilities
 - 1. Student's Responsibility

It is the student's right to be in school. It is also the student's responsibility to attend all assigned classes and study halls every day that school is in session

and to be aware of and follow the correct procedures when absent from an assigned class or study hall. Finally, it is the student's responsibility to request any missed assignments due to an absence.

2. Parent or Guardian's Responsibility

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

3. Teacher's Responsibility

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

4. Administrator's Responsibility

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

B. Attendance Procedures

Attendance procedures shall be presented to the school board for review and approval.

1. Excused Absences

- a. A parent, guardian, or other person having control of a child may apply to a school district to have the child excused from attendance for the whole or any part of the time school is in session during any school year. Application may be made to any member of the board, a truant officer, or the school official designated by the principal, or the superintendent. A note from a physician or a licensed mental health professional stating that the child cannot attend school is a valid excuse.

[NOTE: This paragraph quotes Minnesota Statutes, section 120A.22.]

[NOTE: The 2025 Minnesota legislature amended Minnesota Statutes, section 120A.22 as indicated above.]

- b. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school.
- c. The board of the district in which the child resides may approve the application under subparagraph (a) above upon a legitimate exception being demonstrated to the satisfaction of that board.

d. Legitimate Exceptions

The following reasons shall be sufficient to constitute excused absences:

- (1) that the child's physical or mental health is such as to prevent attendance at school or application to study for the period required, which includes:

- (a) Child illness, medical, dental, or orthodontic treatment, or a counseling appointments; including appointments conducted through telehealth.;
- (b) Family emergencies;
- (c) The death or serious illness or funeral of an immediate family member;
- (d) Active duty in any military branch of the United States;
- (e) The child has a condition that requires ongoing treatment for a mental health diagnosis; or
- (f) Court appearances occasioned by family or personal action.
- (g) Physical emergency conditions such as fire, flood, storm, etc.
- (h) Official school field trip or other school-sponsored outing.
- (i) Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.

Other exemptions included in this attendance policy:

- (i) Family vacations with prior Principal approval
 - (ii) Personal trips to schools or colleges with prior Principal approval
 - (iii) The Building Principal can make exceptions for unexcused circumstances.
- (2). that the child has already completed state and district standards required for graduation from high school; or
 - (3). that it is the wish of the parent, guardian, or other person having control of the child, that the child attend for a period or periods not exceeding in the aggregate three hours in any

week, instruction conducted by a Tribal spiritual or cultural advisor, or a school for religious instruction conducted and maintained by a church, or association of churches, or any Sunday school association incorporated under the laws of this state, or any auxiliary thereof. This instruction must be conducted and maintained in a place other than a public school building, and it must not, in whole or in part, be conducted and maintained at public expense. A child may be absent from school on days that the child attends upon instruction according to this clause.

[NOTE: Subparagraph 3 above incorporates the 2024 amendment to Minnesota Statutes, section 120A.22, subdivision 12.]

[Note: In 2024, the Minnesota legislature amended Minnesota Statutes, section 120A.22, subdivision 12. The legitimate exceptions set forth above quote this statute. Minnesota law provides that a school board may include other exemptions in the school district's attendance policy. When considering whether to add other exemptions, school boards should consider the intent of the compulsory attendance law, which recognizes the educational value of regular attendance and class participation, and whether the proposed exemption is consistent with the intent of the law.]

c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.
- (2) Work missed because of absence must be made up as indicated in each School's handbook. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

2. Unexcused Absences

a. The following are examples of absences which will not be excused:

- (1) Truancy. An absence by a student which was not approved by the parent and/or the school district.
- (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.
- (3) Work at home.
- (4) Work at a business, except under a school-sponsored work release program.
- (5) Any other absence not included under the attendance procedures set out in this policy.
- (6) The building Principal can make exceptions for unusual situations.

b. Consequences of Unexcused Absences

- (1) Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.
- (2) Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.
- (3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.

C. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness.
2. Procedures for Reporting Tardiness
 - a. Students tardy at the start of school must report to the school office for an admission slip.
 - b. Tardiness between periods will be handled by the teacher.
3. Excused Tardiness
Valid excuses for tardiness are:
 - a. Illness.
 - b. Serious illness in the student's immediate family.
 - c. A death or funeral in the student's immediate family or of a close friend or relative.
 - d. Medical, dental, orthodontic, or mental health treatment.
 - e. Court appearances occasioned by family or personal action.
 - f. Physical emergency conditions such as fire, flood, storm, etc.
 - g. Any tardiness for which the student has been excused in writing by an administrator or faculty member.
4. Unexcused Tardiness
 - a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
 - b. Parents/guardians of students with excessive tardiness will be notified and an individual behavior plan will be developed with the student support team. Failure to meet these plans may result in disciplinary action

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

1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.

2. In order to participate in co-curricular activities, students must be in attendance at school the full day of the event/practice unless excused by a doctor's note. Individuals with unexcused absences on the day of the event/practice may not participate.
3. School-initiated absences will be accepted and participation permitted.
4. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
5. If a student is suspended from any class, he or she may not participate in any activity or program that day.
6. If a student is absent from school due to medical reasons, he or she must present a physician's statement or a statement from the student's parent or guardian clearing the student for participation that day. The note must be presented to the coach or advisor before the student participates in the activity or program.

III. RELIGIOUS OBSERVANCE ACCOMMODATION

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

IV. DISSEMINATION OF POLICY

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

V. REQUIRED REPORTING

A. Continuing Truant

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

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

B. Reporting Responsibility

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

1. That the child is truant;
2. That the parent or guardian should notify the school if there is a valid excuse for the child's absences;
3. That the parent or guardian is obligated to compel the attendance of the child at school pursuant to Minn. Stat. § 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under Minn. Stat. § 120A.34;

4. That this notification serves as the notification required by Minn. Stat. § 120A.34;
5. That alternative educational programs and services may be available in the child's enrolling or resident district;
6. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
7. That if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minn. Stat. Ch. 260;
8. That if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to Minn. Stat. § 260C.201; and
9. That it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

C. Habitual Truant

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

506 STUDENT DISCIPLINE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

All students are entitled to learn and develop in a setting which promotes respect of self, others, and property. Proper positive discipline can only result from an environment which

provides options and stresses student self-direction, decision-making, and responsibility. Schools can function effectively only with internal discipline based on mutual understanding of rights and responsibilities.

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

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

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

III. DEFINITIONS

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

IV. POLICY

- A. The school board must establish uniform criteria for dismissal and adopt written policies and rules to effectuate the purposes of the Minnesota Pupil Fair Dismissal Act. The policies must include nonexclusionary disciplinary policies and practices consistent with Minnesota Statutes, section 121A.41, subdivision 12, and must emphasize preventing dismissals through early detection of problems. The policies must be designed to address students' inappropriate behavior from recurring.
- B. The policies must recognize the continuing responsibility of the school for the education of the pupil during the dismissal period.
- C. The school is responsible for ensuring that alternative educational services, if the pupil wishes to take advantage of them, must be adequate to allow the pupil to make progress toward meeting the graduation standards adopted under Minnesota Statutes, section 120B.02 and help prepare the pupil for readmission in accordance with section Minnesota Statutes, section 121A.46, subdivision 5.
- D. For expulsion and exclusion dismissals and pupil withdrawal agreements as defined in Minnesota Statutes, section 121A.41, subdivision 13:
 - 1. for a pupil who remains enrolled in the school district or is awaiting enrollment

in a new district, the school district's continuing responsibility includes reviewing the pupil's schoolwork and grades on a quarterly basis to ensure the pupil is on track for readmission with the pupil's peers. The school district must communicate on a regular basis with the pupil's parent or guardian to ensure that the pupil is completing the work assigned through the alternative educational services as defined in Minnesota Statutes, section 121A.41, subdivision 11. These services are required until the pupil enrolls in another school or returns to the same school;

2. a pupil receiving school-based or school-linked mental health services in the school district under Minnesota Statutes, section 245.4889 continues to be eligible for those services until the pupil is enrolled in a new district; and
3. the school district must provide to the pupil's parent or guardian information on accessing mental health services, including any free or sliding fee providers in the community. The information must also be posted on the school district website.

V. AREAS OF RESPONSIBILITY

- A. The School Board. The school board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.
- B. Superintendent. The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students, and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.
- C. Principal. The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of Behavior referrals and shall make use of those agencies appropriate for assisting students and parents. A principal, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student to prevent imminent bodily harm or death to the student or another.
- D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force when it is necessary under the circumstances to restrain a student to prevent imminent bodily harm or death to the student or another.
- E. Other School District Personnel. All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student to prevent bodily harm or death to the student or another. A school employee, which does not include a school resource officer, shall not use prone restraint and shall not inflict any form of physical holding that restricts or impairs a student's ability to breathe; restricts or impairs a

student's ability to communicate distress; places pressure or weight on a student's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a student's torso.

For the purpose of Minnesota Statutes, section 121A.582 (Student Discipline; Reasonable Force), a school resource officer, as defined in Minnesota Statutes, section 626.8482, subdivision 1, paragraph (c) is not a school employee or agent of the district.

- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the academic progress, behavior, and attendance of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.
- I. Reasonable Force Reports
 - 1. The school district must report data on its use of any reasonable force used on a student with a disability to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the definition of physical holding under Minnesota Statutes, section 125A.0941, paragraph (c), as outlined in section 125A.0942, subdivision 3, paragraph (b).
 - 2. Beginning with the 2024-2025 school year, the school district must report annually by July 15, in a form and manner determined by the MDE Commissioner, data from the prior school year about any reasonable force used on a general education student to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the definition of physical holding under Minnesota Statutes, section 125A.0941, paragraph (c).
 - 3. Any reasonable force used under Minnesota Statutes, sections 121A.582; 609.06, subdivision 1; and 609.379 which intends to hold a child immobile or limit a child's movement where body contact is the only source of physical restraint or confines a child alone in a room from which egress is barred shall be reported to the Minnesota Department of Education as a restrictive procedure, including physical holding or seclusion used by an unauthorized or untrained staff person.

VI. STUDENT RIGHTS

All students have the right:

- A. to an education and to learn.
- B. to feel safe and included.
- C. to think freely and ask questions

VII. STUDENT RESPONSIBILITIES

All students, as appropriate for their grade level and individual programs, have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies,

and procedures;

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

VIII. CODE OF STUDENT CONDUCT

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

2. The use of socially offensive language, or the possession of obscene materials;
3. Gambling, including, but not limited to, playing a game of chance for monetary stakes;
4. Violation of the school district's Hazing Prohibition Policy;
5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
6. (Violation of the school district's Student Attendance Policy)
7. Opposition to authority using physical force or violence;
8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices Policy;
9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district's Weapons Policy;
14. Violation of the school district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
19. Violation of any local, state, or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;

21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Use of a cell phone in violation of the school district's Internet Acceptable Use and Safety Policy;
23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district's Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
31. Criminal activity;
32. Falsification of any records, documents, notes, or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other school district personnel;
36. Violation of the school district's Harassment and Violence Policy;
37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;
38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual

conduct, or indecent exposure;

40. Verbal assaults or verbally abusive behavior including, but not limited to, use of words, symbols, acronyms, or language, whether oral or written, that are discriminatory, abusive, obscene, threatening, intimidating, degrading to other people, or threatening to school property;
41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;
43. Violation of the school district's Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees Policy;
44. Violation of the school district's one-to-one device rules and regulations;
45. Violation of school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
46. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or employees.

IX. RECESS AND OTHER BREAKS

- A. "Recess detention" means excluding or excessively delaying a student from participating in a scheduled recess period as a consequence for student behavior. Recess detention does not include, among other things, providing alternative recess at the student's choice.
- B. The school district is encouraged to ensure student access to structured breaks from the demands of school and to support teachers, principals, and other school staff in their efforts to use evidence-based approaches to reduce exclusionary forms of discipline.
- C. The school district must not use recess detention unless:
 1. a student causes or is likely to cause serious physical harm to other students or staff;
 2. the student's parent or guardian specifically consents to the use of recess detention; or
 3. for students receiving special education services, the student's individualized education program team has determined that withholding recess is appropriate based on the individualized needs of the student.
- D. The school district must not withhold recess from a student based on incomplete schoolwork.
- E. The school district must require school staff to make a reasonable attempt to notify a parent or guardian within 24 hours of using recess detention.
- F. The school district must compile information on each recess detention at the end of each school year, including the student's age, grade, gender, race or ethnicity, and

special education status. This information must be available to the public upon request. The school district is encouraged to use the data in professional development promoting the use of nonexclusionary discipline.

- G. The school district must not withhold or excessively delay a student's participation in scheduled mealtimes. This section does not alter a district or school's existing responsibilities under Minnesota Statutes, section 124D.111 or other state or federal law.

X. DISCIPLINARY ACTION OPTIONS

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

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

- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or
- U. Other disciplinary action as deemed appropriate by the school district.

XI. REMOVAL OF STUDENTS FROM CLASS

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

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

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

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

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

- B. If a student is removed from class more than ten (10) times in a school year, the school district shall notify the parent or guardian of the student's tenth removal from class and make reasonable attempts to convene a meeting with the student's parent or guardian to discuss the problem that is causing the student to be removed from class.
- C. **Procedures for Removal of a Student From a Class.**
 1. A student will be removed from class only upon agreement of the appropriate teacher and Principal or Principal's designee resulting in an informal conference with the student. The decision to remove a student will ultimately be the responsibility of the Principal or Principal's designee. All attempts should be made to keep the student in class by redirecting, providing space, time, and positive reinforcement before seeking approval to remove the student.

2. Staff will attempt to follow the procedures above; however, a student can be removed without an informal conference if the student has or will create an immediate and substantial danger to himself/herself or to persons or property. The teacher will need to notify the office immediately for assistance or to let the office know the student has been removed.
 3. The length of the removal is at the discretion of the principal or principal's designee after consultation with the teacher, subject to the provisions of Minn. Pupil Fair Dismissal Act.
 4. All classroom removals are documented within each school. Major infractions will be documented in Infinite Campus.
- D. Responsibility for and Custody of a Student Removed from Class.**
1. Each building will have designated spaces for students to go to when removed from class. Upon approval from Principal or Principal's designee, the teacher will direct the student to the appropriate space.
 2. The teacher will notify the appropriate support staff or principal if the student is on the way.
 3. The teacher will seek assistance from support staff or principal if the student needs to be supervised.
 4. Students will be directed to the appropriate space for a conference with support staff, principal or principal's designee.
 5. A student removed from class is the responsibility of the principal or principal's designee.
- E. Procedures for Return of a Student to a Class from Which the Student Was Removed.**
1. The principal or principal's designee will use PBIS strategies and restorative approaches to develop a readmission plan in addition to completing the necessary disciplinary consequences and appropriate documentation.
 2. The principal or principal's designee readmits the student pursuant to the readmission plan.
- F. Procedures for Notification.**
1. The principal or designee will determine the need for and method of notification to parent or guardian.
 2. The principal or principal's designee will work with the teacher to notify the student of the violation of the discipline rules, resulting disciplinary action, and readmission plan.
- G. Students with an Individual Education Plan (IEP)**
1. The principal or principal's designee will determine whether the student's removal from class requires a meeting to review the adequacy of the student's current IEP or whether there is need for further assessment. The principal or principal's designee is encouraged to consult with the superintendent and/or director of special education.
 2. The principal or principal's designee will notify the case manager of the removal from class, reason(s) for removal, and determine if there is a need for any IEP services or a need for an IEP meeting to be scheduled.

- H. **Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises.**
1. Principal or principal's designee will notify support services personnel of any chemical abuse problems. Administration is encouraged to work with the school health staff throughout the process.
 2. Teachers with concerns of student(s) chemical abuse will notify principal, principal's designee or support services personnel of their concerns pursuant to Minnesota Statutes section 121A.29.
 - a. Establishment of a chemical abuse preassessment team pursuant to Minnesota Statutes section 121A.26;
 - b. Establishment of teacher reporting procedures to the chemical abuse preassessment team pursuant to Minnesota Statutes section 121A.29.
- I. **Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student Conduct.**
1. Principal or principal's designee will make the necessary arrangements with the appropriate staff for immediate interventions tied to the violation of the code of student conduct.
- J. **Any Procedures Determined Appropriate for Encouraging Early Involvement of Parents or Guardians in Attempts to Improve a Student's Behavior.**
1. The principal or designee will review the following:
 - a. Any procedures or services appropriate for encouraging early involvement of parents or guardians to improve the student's behavior;
 - b. Any procedures or services determined appropriate for encouraging early detection of behavioral problems should be discussed with the parent or guardians;
- K. **Any Procedures Determined Appropriate for Encouraging Early Detection of Behavioral Problems.**
1. Whether the student may need to be referred to the MTSS team for further interventions ties to increasing positive behaviors;
 2. The appropriateness of referring the student to the chemical abuse pre assessment team;
 3. The appropriateness of studying the student's behavior through a functional behavioral assessment.
- O. **Unscheduled Student Removal From Class**
- A public school is encouraged to adopt a school policy on parental notification for unscheduled student removal from class. The public school must consult with child abuse prevention experts to incorporate best practices into the school policy. A public school with a policy on parental notification must include the policy in the employee handbook and disseminate information to school staff regarding child abuse prevention in a school setting.
- [NOTE: The 2024 Minnesota legislature enacted this provision, which does not require a school board to adopt policy language. School districts may determine whether to adopt policy language.]**

XII. DISMISSAL

- A. "Dismissal" means the denial of the current educational program to any student,

including exclusion, expulsion and suspension. Dismissal does not include removal from class.

The school district shall not deny due process or equal protection of the law to any student involved in a dismissal proceeding which may result in suspension, exclusion or expulsion.

The school district shall not dismiss any student without attempting to nonexclusionary disciplinary policies and procedures before dismissal, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

B. Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:

1. Willful violation of any reasonable school board regulation, including those found in this policy;
2. Willful conduct that significantly disrupts the rights of others to an education, or the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or
3. Willful conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.

C. Disciplinary Dismissals Prohibited

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

D. Suspension Procedures

1. "Suspension" means an action by the school administration, under rules promulgated by the school board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.
2. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the

permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the student's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.

3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.
4. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6th) consecutive day of suspension or the tenth (10th) cumulative day of suspension has elapsed.
5. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minnesota Statutes section 123A.05 selected to allow the student to progress toward meeting graduation standards under Minnesota Statutes section 120B.02, although in a different setting.
6. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.
7. After school administration notifies a student of the grounds for suspension,

school administration may, instead of imposing the suspension, do one or more of the following:

- a. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
 - b. petition the juvenile court that the student is in need of services under Minnesota Statutes, chapter 260C.
8. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
 9. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes section 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference.
 10. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
 11. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) days.

E. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes section 121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minnesota Statutes section 121A.40-121A.56; describe alternative educational services accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The

school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE).

6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.
8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.
10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.
13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.
14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation provided that neither party presents any

evidence not admitted at the hearing. The decision by the school board must be based on the record, must be in writing, and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the Commissioner of Education (Commissioner) of the basis and reason for the decision.

18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minnesota Statutes, section 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.
19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender, race, and special education status. The dismissal report must include state student identification numbers of affected students.
21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school district.

XIII. ADMISSION OR READMISSION PLAN

A school administrator must prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan must include measures to improve the student's behavior, which may include completing a character education program consistent with Minnesota Statutes, section 120B.232, subdivision 1, social and emotional learning, counseling, social work services, mental health services, referrals for special education or 504 evaluation, and evidence-based academic interventions. The plan must include reasonable attempts to obtain parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

XIV. NOTIFICATION OF POLICY VIOLATIONS

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

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

XV. STUDENT DISCIPLINE RECORDS

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

XVI. STUDENTS WITH DISABILITIES

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

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

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

XVII. OPEN ENROLLED STUDENTS

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minnesota Statutes, section 124D.03) or Enrollment in Nonresident District (Minnesota Statutes, section 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minnesota Statutes, chapter 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of seventeen (17) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

XVIII. DISCIPLINE COMPLAINT PROCEDURE

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

The Discipline Complaint Procedure must, at a minimum:

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

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

XIX. DISTRIBUTION OF POLICY

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

XX. REVIEW OF POLICY

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

515 STUDENT RECORDS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

The following procedures and policies regarding the protection and privacy of parents and students are adopted by the school district, pursuant to the requirements of 20 United States Code, section 1232g, *et seq.* (Family Educational Rights and Privacy Act (FERPA)) 34 Code of Federal Regulations, part 99 and consistent with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13, and Minnesota Rules, parts 1205.0100-1205.2000.

III. DEFINITIONS

A. Authorized Representative

"Authorized representative" means any entity or individual designated by the school

district, state, or an agency headed by an official of the Comptroller of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or state and local educational authorities to conduct, with respect to federal or state supported education programs, any audit or evaluation or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

B. Biometric Record

"Biometric record," as referred to in "Personally Identifiable," means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting).

C. Dates of Attendance

"Dates of attendance," as referred to in "Directory Information," means the period of time during which a student attends or attended a school or schools in the school district, including attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not in the classroom, and including the period during which a student is working under a work-study program. The term does not include specific daily records of a student's attendance at a school or schools in the school district.

D. Directory Information

1. "Directory information" means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes the student's name, dates of attendance, grade level, enrollment status (i.e., full-time or part-time); participation in officially recognized activities and sports; weight and height of members of athletic teams; and honors and awards received. Directory information does not include:

- a. a student's social security number;
- b. a student's identification number (ID), user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems if the identifier may be used to access education records without use of one or more factors that authenticate the student's identity such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user;
- c. a student ID or other unique personal identifier that is displayed on a student ID badge if the identifier can be used to gain access to educational records when used in conjunction with one or more factors that authenticate the student's identity, such as a PIN, password, or other factor known or possessed only by the student;
- d. personally identifiable data which references religion, race, color, social position, or nationality; or
- e. data collected from nonpublic school students, other than those who receive shared time educational services, unless written consent is given by the student's parent or guardian.

2. Under Minnesota law, a school district may not designate a student's or their parent's home address, telephone number, email address or other personal contact information as "directory

information.

E. Education Records

1. What constitutes "education records"

Education records means those records that are: (1) directly related to a student; and (2) maintained by the school district or by a party acting for the school district.

2. What does not constitute education records

The term "education records" does not include:

a. Records of instructional personnel that are:

- (1) kept in the sole possession of the maker of the record;
- (2) used only as a personal memory aid;
- (3) not accessible or revealed to any other individual except a temporary substitute teacher; and
- (4) destroyed at the end of the school year.

b. Records of a law enforcement unit of the school district, provided education records maintained by the school district are not disclosed to the unit, and the law enforcement records are:

- (1) maintained separately from education records;
- (2) maintained solely for law enforcement purposes; and
- (3) disclosed only to law enforcement officials of the same jurisdiction.

c. Records relating to an individual, including a student, who is employed by the school district which:

- (1) are made and maintained in the normal course of business;
- (2) relate exclusively to the individual in that individual's capacity as an employee; and
- (3) are not available for use for any other purpose.

However, records relating to an individual in attendance at the school district who is employed as a result of his or her status as a student are education records.

d. Records relating to an eligible student, or a student attending an institution of post-secondary education, that are:

- (1) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in

his or her professional or paraprofessional capacity or assisting in that capacity;

(2) made, maintained, or used only in connection with the provision of treatment to the student; and

(3) disclosed only to individuals providing the treatment; provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are a part of the program of instruction within the school district.

e. Records created or received by the school district after an individual is no longer a student at the school district and that are not directly related to the individual's attendance as a student.

f. Grades on peer-related papers before the papers are collected and recorded by a teacher.

F. Education Support Services Data

"Education support services data" means data on individuals collected, created, maintained, used, or disseminated relating to programs administered by a government entity or entity under contract with a government entity designed to eliminate disparities and advance equities in educational achievement for youth by coordinating services available to participants, regardless of the youth's involvement with other government services. Education support services data does not include welfare data under Minnesota Statutes, section 13.46.

Unless otherwise provided by law, all education support services data are private data on individuals and must not be disclosed except according to Minnesota Statutes, section 13.05 or a court order.

G. Eligible Student

"Eligible student" means a student who has attained eighteen (18) years of age or is attending an institution of post-secondary education.

H. Juvenile Justice System

"Juvenile justice system" includes criminal justice agencies and the judiciary when involved in juvenile justice activities.

I. Legitimate Educational Interest

"Legitimate educational interest" includes an interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, student health and welfare, and the ability to respond to a request for education data. It includes a person's need to know in order to:

1. Perform an administrative task required in the school or employee's contract or position description approved by the school board;

2. Perform a supervisory or instructional task directly related to the student's education;

3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid; or
4. Perform a task directly related to responding to a request for data.

J. Parent

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

K. Personally Identifiable

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

L. Record

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

M. Responsible Authority

"Responsible authority" means *Superintendent, Principal, or district level administrative staff.*

N. Student

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

O. School Official

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

P. Summary Data

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

Q. Other Terms and Phrases

All other terms and phrases shall be defined in accordance with applicable state and federal law or ordinary customary usage.

IV. GENERAL CLASSIFICATION

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

V. STATEMENT OF RIGHTS

A. Rights of Parents and Eligible Students

Parents and eligible students have the following rights under this policy:

1. The right to inspect and review the student's education records;
2. The right to request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that such consent is not required for disclosure pursuant to this policy, state or federal law, or the regulations promulgated thereunder;
4. The right to refuse release of names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions;
5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school district to comply with the federal law and the regulations promulgated thereunder;
6. The right to be informed about rights under the federal law; and
7. The right to obtain a copy of this policy at the location set forth in Section XXI. of this policy.

B. Eligible Students

All rights and protections given to parents under this policy transfer to the student when he or she reaches eighteen (18) years of age or enrolls in an institution of post-secondary education. The student then becomes an "eligible student." However,

the parents of an eligible student who is also a “dependent student” are entitled to gain access to the education records of such student without first obtaining the consent of the student. In addition, parents of an eligible student may be given access to education records in connection with a health or safety emergency if the disclosure meets the conditions of any provision set forth in 34 Code of Federal Regulations, section 99.31(a).

C. Students with a Disability

The school district shall follow 34 Code of Federal Regulations, sections 300.610-300.617 with regard to the privacy, notice, access, recordkeeping, and accuracy of information related to students with a disability.

VI. DISCLOSURE OF EDUCATION RECORDS

A. Consent Required for Disclosure

1. The school district shall obtain a signed and dated written informed consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of the student, except as provided herein.
2. The written consent required by this subdivision must be signed and dated by the parent of the student or the eligible student giving the consent and shall include:
 - a. a specification of the records to be disclosed;
 - b. the purpose or purposes of the disclosure;
 - c. the party or class of parties to whom the disclosure may be made;
 - d. the consequences of giving informed consent; and
 - e. if appropriate, a termination date for the consent.
3. When a disclosure is made under this subdivision:
 - a. if the parent or eligible student so requests, the school district shall provide him or her with a copy of the records disclosed; and
 - b. if the parent of a student who is not an eligible student so requests, the school district shall provide the student with a copy of the records disclosed.
4. A signed and dated written consent may include a record and signature in electronic form that:
 - a. identifies and authenticates a particular person as the source of the electronic consent; and
 - b. indicates such person’s approval of the information contained in the electronic consent.
5. If the responsible authority seeks an individual’s informed consent to the

release of private data to an insurer or the authorized representative of an insurer, informed consent shall not be deemed to have been given unless the statement is:

- a. in plain language;
- b. dated;
- c. specific in designating the particular persons or agencies the data subject is authorizing to disclose information about the data subject;
- d. specific as to the nature of the information the subject is authorizing to be disclosed;
- e. specific as to the persons or agencies to whom the subject is authorizing information to be disclosed;
- f. specific as to the purpose or purposes for which the information may be used by any of the parties named in Clause e. above, both at the time of the disclosure and at any time in the future; and
- g. specific as to its expiration date which should be within a reasonable time, not to exceed one year except in the case of authorizations given in connection with applications for: (i) life insurance or noncancellable or guaranteed renewable health insurance and identified as such, two years after the date of the policy, or (ii) medical assistance under Minnesota Statutes, chapter 256B or Minnesota Care under Minnesota Statutes, chapter 256L, which shall be ongoing during all terms of eligibility, for individualized education program health-related services provided by a school district that are subject to third party reimbursement.

6. Eligible Student Consent

Whenever a student has attained eighteen (18) years of age or is attending an institution of post-secondary education, the rights accorded to and the consent required of the parent of the student shall thereafter only be accorded to and required of the eligible student, except as provided in Section V. of this policy.

B. Prior Consent for Disclosure Not Required

The school district may disclose personally identifiable information from the education records of a student without the written consent of the parent of the student or the eligible student unless otherwise provided herein, if the disclosure is:

1. To other school officials, including teachers, within the school district whom the school district determines have a legitimate educational interest in such records;
2. To a contractor, consultant, volunteer, or other party to whom the school district has outsourced institutional services or functions provided that the outside party:
 - a. performs an institutional service or function for which the school district would otherwise use employees;
 - b. is under the direct control of the school district with respect to the use

and maintenance of education records; and

- c. will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made;
- 3. To officials of other schools, school districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice (see Section XIX.), suspension and expulsion information pursuant to section 7917 of the federal Every Student Succeeds Act, 20 United States Code, section 7917, and, if applicable, data regarding a student's history of violent behavior. The records also shall include a copy of any probable cause notice or any disposition or court order under Minnesota Statutes, section 260B.171, unless the data are required to be destroyed under Minnesota Statutes, section 120A.22, subdivision 7(c) or section 121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records that have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with Section XV. of this policy;
- 4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law;
- 5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to:
 - a. determine eligibility for the aid;
 - b. determine the amount of the aid;
 - c. determine conditions for the aid; or
 - d. enforce the terms and conditions of the aid.

"Financial aid" for purposes of this provision means a payment of funds provided to an individual or a payment in kind of tangible or intangible property to the individual that is conditioned on the individual's attendance at an educational agency or institution;
- 6. To state and local officials or authorities to whom such information is specifically allowed to be reported or disclosed pursuant to state statute adopted:
 - a. before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system's ability to effectively serve the student whose records are released; or
 - b. after November 19, 1974, if the reporting or disclosure allowed by state statute concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released, provided the officials and authorities to whom

the records are disclosed certify in writing to the school district that the data will not be disclosed to any other party, except as provided by state law, without the prior written consent of the parent of the student. At a minimum, the school district shall disclose the following information to the juvenile justice system under this paragraph: a student's full name, home address, telephone number, and date of birth; a student's school schedule, attendance record, and photographs, if any; and parents' names, home addresses, and telephone numbers;

7. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction; provided that the studies are conducted in a manner which does not permit the personal identification of parents or students by individuals other than representatives of the organization who have a legitimate interest in the information, the information is destroyed when no longer needed for the purposes for which the study was conducted, and the school district enters into a written agreement with the organization that: (a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and (d) requires the organization to destroy all personally identifiable information when information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed. For purposes of this provision, the term, "organizations," includes, but is not limited to, federal, state, and local agencies and independent organizations. In the event the Department of Education determines that a third party outside of the school district to whom information is disclosed violates this provision, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years;
8. To accrediting organizations in order to carry out their accrediting functions;
9. To parents of a student eighteen (18) years of age or older if the student is a dependent of the parents for income tax purposes;
10. To comply with a judicial order or lawfully issued subpoena, provided, however, that the school district makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance therewith so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a federal grand jury subpoena, or any other subpoena issued for law enforcement purposes, and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, or the disclosure is in compliance with an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 United States Code, section 2332b(g)(5)(B), an act of domestic or international terrorism as defined in 18 United States Code, section 2331, or a parent is a party to a court proceeding involving child abuse and neglect or dependency matters, and the order is issued in the context of the proceeding. If the school district initiates legal action against a parent or student, it may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as a plaintiff. Also, if a parent or eligible student initiates a legal action

against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself;

11. To appropriate parties, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health, including the mental health, or safety of the student or other individuals. The decision is to be based upon information available at the time the threat occurs that indicates that there is an articulable and significant threat to the health or safety of a student or other individuals. In making a determination whether to disclose information under this section, the school district may take into account the totality of the circumstances pertaining to a threat and may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other students. A record of this disclosure must be maintained pursuant to Section XIII.E. of this policy. In addition, an educational agency or institution may include in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. This information may be disclosed to teachers and school officials within the school district and/or teachers and school officials in other schools who have legitimate educational interests in the behavior of the student;
12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;
13. Information the school district has designated as "directory information" pursuant to Section VII. of this policy;
14. To military recruiting officers and post-secondary educational institutions pursuant to Section XI. of this policy;
15. To the parent of a student who is not an eligible student or to the student himself or herself;
16. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;
17. To volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students;
18. To the juvenile justice system, on written request that certifies that the information will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student:
 - a. the following information about a student must be disclosed: a student's full name, home address, telephone number, date of birth; a student's school schedule, daily attendance record, and photographs, if any; and any parents' names, home addresses, and telephone numbers;

- b. the existence of the following information about a student, not the actual data or other information contained in the student's education record, may be disclosed provided that a request for access must be submitted on the statutory form and it must contain an explanation of why access to the information is necessary to serve the student: (1) use of a controlled substance, alcohol, or tobacco; (2) assaultive or threatening conduct that could result in dismissal from school under the Pupil Fair Dismissal Act; (3) possession or use of weapons or look-alike weapons; (4) theft; or (5) vandalism or other damage to property. Prior to releasing this information, the principal or chief administrative officer of a school who receives such a request must, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information. If the student's parent or guardian notifies the school official of an objection to the disclosure within ten (10) days of receiving certified notice, the school official must not disclose the information and instead must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the school official must respond to the request for information.

The written requests of the juvenile justice system member(s), as well as a record of any release, must be maintained in the student's file;

19. To the principal where the student attends and to any counselor directly supervising or reporting on the behavior or progress of the student if it is information from a disposition order received by a superintendent under Minnesota Statutes, section 260B.171, subdivision 3. The principal must notify the counselor immediately and must place the disposition order in the student's permanent education record. The principal also must notify immediately any teacher or administrator who directly supervises or reports on the behavior or progress of the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other school district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individuals need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student, outline the offense, and describe any conditions of probation about which the school must provide information if this information is provided in the disposition order. Disposition order information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information may not be further disseminated by the counselor, teacher, administrator, staff member, substitute, or volunteer except as necessary to serve the student, to protect students and staff, or as otherwise required by law, and only to the student or the student's parent or guardian;
20. To the principal where the student attends if it is information from a peace officer's record of children received by a superintendent under Minnesota Statutes, section 260B.171, subdivision 5. The principal must place the information in the student's education record. The principal also must notify immediately any teacher, counselor, or administrator directly supervising the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individuals need the information to work with the student in an appropriate manner, to avoid being

needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student and describe the alleged offense if this information is provided in the peace officer's notice. Peace officer's record information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information must not be further disseminated by the counselor, teacher administrator, staff member, substitute, or volunteer except to communicate with the student or the student's parent or guardian as necessary to serve the student, to protect students and staff, or as otherwise required by law.

The principal must delete the peace officer's record from the student's education record, destroy the data, and make reasonable efforts to notify any teacher, counselor, staff member, administrator, substitute, or volunteer who received information from the peace officer's record if the county attorney determines not to proceed with a petition or directs the student into a diversion or mediation program or if a juvenile court makes a decision on a petition and the county attorney or juvenile court notifies the superintendent of such action;

21. To the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more programs authorized under the National School Lunch Act or the Child Nutrition Act of 1966 for which the results will be reported in an aggregate form that does not identify any individual, on the conditions that: (a) any data collected shall be protected in a manner that will not permit the personal identification of students and their parents by other than the authorized representatives of the Secretary; and (b) any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measurements; or
22. To an agency caseworker or other representative of a State or local child welfare agency, or tribal organization (as defined in 25 United States Code, section 5304), who has the right to access a student's case plan, as defined and determined by the State or tribal organization, when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the State or tribal laws applicable to protecting the confidentiality of a student's education records.
23. When requested, and in accordance with requirements for parental consent in 34 Code of Federal Regulations, section 300.622(b)(2), and part 99, educational agencies or institutions may share personal student contact information and directory information for students served in special education with postsecondary transition planning and services under Minnesota Statutes, section 125A.08, paragraph (b), clause (1), whether public or private, with the Minnesota Department of Employment and Economic Development, as required for coordination of services to students with disabilities under Minnesota Statutes, sections 125A.08, paragraph (b), clause (1); 125A.023; and 125A.027.

[NOTE: The 2025 Minnesota legislature amended Minnesota Statutes, section 13.32, subdivision 5, to include this update.]

C. Nonpublic School Students

The school district may disclose personally identifiable information from the education records of a nonpublic school student, other than a student who receives shared time educational services, without the written consent of the parent of the student or the eligible student unless otherwise provided herein, if the disclosure is:

1. Pursuant to a valid court order;
2. Pursuant to a statute specifically authorizing access to the private data; or
3. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiological investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted.

VII. RELEASE OF DIRECTORY INFORMATION

A. Educational Data

1. Educational data designated as directory information is public data on individuals to the extent required under federal law. Directory information must be designated pursuant to the provisions of:
 - a. Minnesota Statutes, section 13.32, subdivision 5; and
 - b. 20 United States Code, section 1232g, and 34 Code of Federal Regulations, section 99.37, which were in effect on January 3, 2012.
2. The school district may not designate a student's home address, telephone number, email address, or other personal contact information as directory information under Minnesota Statutes, section 13.32.
3. A parent's personal contact information must be treated as private data on individuals regardless of whether that contact information was previously designated as or treated as directory information under Minnesota Statutes, section 13.32, subdivision 2.
43. When requested, the school district must share personal contact information and directory information, whether public or private, with the Minnesota Department of Education, as required for federal reporting purposes.

[NOTE: This section became effective on the day following final enactment (May 19, 2023). Beginning on the effective date, a student's personal contact information subject to this section must be treated as private educational data under Minnesota Statutes, section 13.32, regardless of whether that contact information was previously designated as directory information under Minnesota Statutes, section 13.32, subdivision 5].

B. Former Students

Unless a former student validly opted out of the release of directory information while the student was in attendance and has not rescinded the opt out request at any time, the school district may disclose directory information from the education records generated by it regarding the former student without meeting the requirements of Paragraph C. of this section. In addition, under an explicit exclusion from the definition of an "education record," the school district may release records that only contain

information about an individual obtained after he or she is no longer a student at the school district and that are not directly related to the individual's attendance as a student (e.g., a student's activities as an alumnus of the school district).

C. Present Students and Parents

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

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

D. Procedure for Obtaining Nondisclosure of Directory Information

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

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

E. Duration

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

VIII. DISCLOSURE OF PRIVATE RECORDS

A. Private Records

For the purposes herein, education records are records which are classified as private data on individuals by state law and which are accessible only to the student who is the subject of the data and the student's parent if the student is not an eligible student. The school district may not disclose private records or their contents except as summary data, or except as provided in Section VI. of this policy, without the prior written consent of the parent or the eligible student. The school district will use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other party to whom personally identifiable information from education records is disclosed.

B. Private Records Not Accessible to Parent

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

1. The responsible authority may deny access to private data by a parent when a minor student who is the subject of that data requests that the responsible authority deny such access. The minor student's request must be submitted in writing setting forth the reasons for denying access to the parent and must be signed by the minor. Upon receipt of such request the responsible authority shall determine if honoring the request to deny the parent access would be in the best interest of the minor data subject. In making this determination the responsible authority shall consider the following factors:
 - a. whether the minor is of sufficient age and maturity to be able to explain the reasons for and understand the consequences of the request to deny access;
 - b. whether the personal situation of the minor is such that denying parental access may protect the minor data subject from physical or

emotional harm;

- c. whether there are grounds for believing that the minor data subject's reasons for precluding parental access are reasonably accurate;
- d. whether the data in question is of such a nature that disclosure of it to the parent may lead to physical or emotional harm to the minor data subject; and
- e. whether the data concerns medical, dental or other health services provided pursuant to Minnesota Statutes, sections 144.341-144.347, in which case the data may be released only if the failure to inform the parent would seriously jeopardize the health of the minor.

C. Private Records Not Accessible to Student

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

D. Military-Connected Youth Identifier

When a school district updates its enrollment forms in the ordinary course of business, the school district must include a box on the enrollment form to allow students to self-identify as a military-connected youth. For purposes of this section, a "military-connected youth" means having an immediate family member, including a parent or sibling, who is currently in the armed forces either as a reservist or on active duty or has recently retired from the armed forces. Data collected under this provision is private data on individuals, but summary data may be published by the Department of Education.

IX. DISCLOSURE OF CONFIDENTIAL RECORDS

A. Confidential Records

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

B. Reports Under the Maltreatment of Minors Reporting Act

Pursuant to Minnesota Statutes, chapter 260E, written copies of reports pertaining to a neglected and/or physically and/or sexually abused child shall be accessible only to the appropriate welfare and law enforcement agencies. In respect to other parties, such data shall be confidential and will not be made available to the parent or the subject individual by the school district. The subject individual, however, may obtain a copy of the report from either the local welfare agency, county sheriff, or the local police department subject to the provisions of Minnesota Statutes, chapter 260E.

Regardless of whether a written report is made under Minnesota Statutes, chapter 260E, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.

C. Investigative Data

Data collected by the school district as part of an active investigation undertaken for

the purpose of the commencement or defense of pending civil legal action, or are retained in anticipation of a pending civil legal action are classified as protected nonpublic data in the case of data not on individuals, and confidential data in the case of data on individuals.

1. The school district may make any data classified as protected non-public or confidential pursuant to this subdivision accessible to any person, agency, or the public if the school district determines that such access will aid the law enforcement process, promote public health or safety, or dispel widespread rumor or unrest.
2. A complainant has access to a statement he or she provided to the school district.
3. Parents or eligible students may have access to investigative data of which the student is the subject, but only to the extent the data is not inextricably intertwined with data about other school district students, school district employees, and/or attorney data as defined in Minnesota Statutes, section 13.393.
4. Once a civil investigation becomes inactive, civil investigative data becomes public unless the release of the data would jeopardize another pending civil legal action, except for those portions of such data that are classified as not public data under state or federal law. Any civil investigative data presented as evidence in court or made part of a court record shall be public. For purposes of this provision, a civil investigation becomes inactive upon the occurrence of any of the following events:
 - a. a decision by the school district, or by the chief attorney for the school district, not to pursue the civil legal action. However, such investigation may subsequently become active if the school district or its attorney decides to renew the civil legal action;
 - b. the expiration of the time to file a complaint under the statute of limitations or agreement applicable to the civil legal action; or
 - c. the exhaustion or expiration of rights of appeal by either party to the civil legal action.
5. A "pending civil legal action" for purposes of this subdivision is defined as including, but not limited to, judicial, administrative, or arbitration proceedings.

D. Chemical Abuse Records

To the extent the school district maintains records of the identity, diagnosis, prognosis, or treatment of any student which are maintained in connection with the performance of any drug abuse prevention function conducted, regulated, or directly or indirectly assisted by any department or agency of the United States, such records are classified as confidential and shall be disclosed only for the purposes and under the circumstances expressly authorized by law.

X. DISCLOSURE OF SCHOOL RECORDS PRIOR TO EXCLUSION OR EXPULSION HEARING

At a reasonable time prior to any exclusion or expulsion hearing, the student and the student's parent or guardian or representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the action proposed by the school district may be based, pursuant to the Minnesota Pupil Fair Dismissal Act, Minnesota

Statutes, section 121A.40, *et seq.*

XI. DISCLOSURE OF DATA TO MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS

- A. The school district will release the names, addresses, electronic mail address (which shall be the electronic mail addresses provided by the school district, if available, that may be released to military recruiting officers only), and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request unless a parent or eligible student has refused in writing to release this data pursuant to Paragraph C. below.
- B. Data released to military recruiting officers under this provision:
 - 1. may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military;
 - 2. cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces; and
 - 3. copying fees shall not be imposed.
- C. A parent or eligible student has the right to refuse the release of the name, address, electronic mail addresses (which shall be the electronic mail addresses provided by the school, if available, that may be released to military recruiting officers only) or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the responsible authority in writing at the beginning of each school year. The written request must include the following information:
 - 1. Name of student and parent, as appropriate;
 - 2. Home address;
 - 3. Student's grade level;
 - 4. School presently attended by student;
 - 5. Parent's legal relationship to student, if applicable;
 - 6. Specific category or categories of information which are not to be released to military recruiting officers and post-secondary educational institutions; and
 - 7. Specific category or categories of information which are not to be released to the public, including military recruiting officers and post-secondary educational institutions.
- D. Annually, the school district will provide public notice by any means that are reasonably likely to inform the parents and eligible students of their rights to refuse to release the names, addresses, and home phone numbers of students in grades 11 and 12 without prior consent.
- E. A parent or eligible student's refusal to release the above information to military

recruiting officers and post-secondary educational institutions does not affect the school district's release of directory information to the rest of the public, which includes military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in Section VII. of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, home phone number, and grade level of students as directory information, absent a request from a parent or eligible student not to release such data, this information will be public data and accessible to members of the public, including military recruiting officers and post-secondary educational institutions.

XII. LIMITS ON REDISCLOSURE

A. Redisclosure

Consistent with the requirements herein, the school district may only disclose personally identifiable information from the education records of a student on the condition that the party to whom the information is to be disclosed will not disclose the information to any other party without the prior written consent of the parent of the student or the eligible student, except that the officers, employees, and agents of any party receiving personally identifiable information under this section may use the information, but only for the purposes for which the disclosure was made.

B. Redisclosure Not Prohibited

1. Subdivision A. of this section does not prevent the school district from disclosing personally identifiable information under Section VI. of this policy with the understanding that the party receiving the information may make further disclosures of the information on behalf of the school district provided:
 - a. The disclosures meet the requirements of Section VI. of this policy; and
 - b. The school district has complied with the record-keeping requirements of Section XIII. of this policy.
2. Subdivision A. of this section does not apply to disclosures made pursuant to court orders or lawfully issued subpoenas or litigation, to disclosures of directory information, to disclosures to a parent or student or to parents of dependent students, or to disclosures concerning sex offenders and other individuals required to register under 42 United States Code, section 14071. However, the school district must provide the notification required in Section XII.D. of this policy if a redisclosure is made based upon a court order or lawfully issued subpoena.

[NOTE: 42 United States Code, section 14071 was repealed. School districts should retain this statutory reference, however, as it remains a reference in FERPA and the Minnesota Government Data Practices Act and still may apply to individuals required to register prior to the repeal of this law.]

C. Classification of Disclosed Data

The information disclosed shall retain the same classification in the hands of the party receiving it as it had in the hands of the school district.

D. Notification

The school district shall inform the party to whom a disclosure is made of the requirements set forth in this section, except for disclosures made pursuant to court orders or lawfully issued subpoenas, disclosure of directory information under Section VII. of this policy, disclosures to a parent or student, or disclosures to parents of a dependent student. In the event that the Family Policy Compliance Office determines that a state or local educational authority, a federal agency headed by an official listed in 34 Code of Federal Regulations, section 99.31(a)(3), or an authorized representative of a state or local educational authority or a federal agency headed by an official listed in section 99.31(a)(3), or a third party outside of the school district improperly rediscloses personally identifiable information from education records or fails to provide notification required under this section of this policy, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.

XIII. RESPONSIBLE AUTHORITY; RECORD SECURITY; AND RECORD KEEPING

A. Responsible Authority

The responsible authority shall be responsible for the maintenance and security of student records.

B. Record Security

The principal of each school subject to the supervision and control of the responsible authority shall be the records manager of the school, and shall have the duty of maintaining and securing the privacy and/or confidentiality of student records.

C. Plan for Securing Student Records

The building principal shall submit to the responsible authority a written plan for securing students records by September 1 of each school year. The written plan shall contain the following information:

1. A description of records maintained;
2. Titles and addresses of person(s) responsible for the security of student records;
3. Location of student records, by category, in the buildings;
4. Means of securing student records; and
5. Procedures for access and disclosure.

D. Review of Written Plan for Securing Student Records

The responsible authority shall review the plans submitted pursuant to Paragraph C. of this section for compliance with the law, this policy, and the various administrative policies of the school district. The responsible authority shall then promulgate a chart incorporating the provisions of Paragraph C. which shall be attached to and become a part of this policy.

E. Record Keeping

1. The principal shall, for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record, with the education records of the student, that indicates:

- a. the parties who have requested or received personally identifiable information from the education records of the student;
 - b. the legitimate interests these parties had in requesting or obtaining the information; and
 - c. the names of the state and local educational authorities and federal officials and agencies listed in Section VI.B.4. of this policy that may make further disclosures of personally identifiable information from the student's education records without consent.
2. In the event the school district discloses personally identifiable information from an education record of a student pursuant to Section XII.B. of this policy, the record of disclosure required under this section shall also include:
 - a. the names of the additional parties to which the receiving party may disclose the information on behalf of the school district;
 - b. the legitimate interests under Section VI. of this policy which each of the additional parties has in requesting or obtaining the information; and
 - c. a copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in Section VI.B.4. of this policy in accordance with 34 Code of Federal Regulations, section 99.32 and to whom the school district disclosed information from an education record. The school district shall request a copy of the record of further disclosures from a state or local educational authority or federal official or agency to whom education records were disclosed upon a request from a parent or eligible student to review the record of requests for disclosure.
3. Section XIII.E.1. does not apply to requests by or disclosure to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student, requests by or disclosures to other school officials under Section VI.B.1. of this policy, to requests for disclosures of directory information under Section VII. of this policy, or to a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or agency has ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 United States Code, section 2332b(g)(5)(B) or an act of domestic or international terrorism.

[NOTE: While Section XIII.E.1. does not apply to requests for or disclosures of directory information under Section VII. of this policy, to the extent the school district chooses to limit the disclosure of directory information to specific parties, for specific purposes, or both, it is advisable that records be kept to identify the party to whom the disclosure was made and/or purpose for the disclosure.]
4. The record of requests of disclosures may be inspected by:
 - a. the parent of the student or the eligible student;

- b. the school official or his or her assistants who are responsible for the custody of the records; and
 - c. the parties authorized by law to audit the record-keeping procedures of the school district.
- 5. The school district shall record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception:
 - a. the articulable and significant threat to the health or safety of a student or other individual that formed the basis for the disclosure; and
 - b. the parties to whom the school district disclosed the information.
- 6. The record of requests and disclosures shall be maintained with the education records of the student as long as the school district maintains the student's education records.

XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS

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

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

B. Response to Request for Access

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

C. Right to Inspect and Review

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

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

D. Form of Request

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

E. Collection of Student Records

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

F. Records Containing Information on More Than One Student

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

G. Authority to Inspect or Review

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

H. Fees for Copies of Records

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

parent or eligible student from exercising their right to inspect or review the student's education records.

XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA

A. Request to Amend Education Records

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

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

B. Right to a Hearing

If the school district refuses to amend the education records of a student, the school district, on request, shall provide an opportunity for a hearing in order to challenge the content of the student's education records to ensure that information in the education records of the student is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. A hearing shall be conducted in accordance with Subdivision C. of this section.

1. If, as a result of the hearing, the school district decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall amend the education records of the student accordingly and so inform the parent of the student or the eligible student in writing.
2. If, as a result of the hearing, the school district decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the school district, or both.
3. Any statement placed in the education records of the student under Subdivision B. of this section shall:
 - a. be maintained by the school district as part of the education records of the student so long as the record or contested portion thereof is maintained by the school district; and
 - b. if the education records of the student or the contested portion thereof is disclosed by the school district to any party, the explanation shall also be disclosed to that party.

C. Conduct of Hearing

1. The hearing shall be held within a reasonable period of time after the school district has received the request, and the parent of the student or the eligible student shall be given notice of the date, place, and time reasonably in advance of the hearing.
2. The hearing may be conducted by any individual, including an official of the school district who does not have a direct interest in the outcome of the hearing. The school board attorney shall be in attendance to present the school board's position and advise the designated hearing officer on legal and evidentiary matters.
3. The parent of the student or eligible student shall be afforded a full and fair opportunity for hearing to present evidence relative to the issues raised under Subdivisions A. and B. of this section and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney.
4. The school district shall make a decision in writing within a reasonable period of time after the conclusion of the hearing. The decision shall be based solely on evidence presented at the hearing and shall include a summary of evidence and reasons for the decision.

D. Appeal

The final decision of the designated hearing officer may be appealed in accordance with the applicable provisions of Minnesota Statutes, chapter 14 relating to contested cases.

XVI. PROBLEMS ACCESSING DATA

- A. The data practices compliance official is the designated employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems.
- B. Data practices compliance official means Administrative Assistant to the Superintendent, Kimberley Deming
- C. Any request by an individual with a disability for reasonable modifications of the school district's policies or procedures for purposes of accessing records shall be made to the data practices compliance official.

XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA

A. Where to File Complaints

Complaints regarding alleged violations of rights accorded parents and eligible students by FERPA, and the rules promulgated thereunder, shall be submitted in writing to the U.S. Department of Education, Student Privacy Policy Office, 400 Maryland Avenue S.W., Washington, D.C. 20202-8520.

B. Content of Complaint

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

thereunder has occurred.

XVIII. WAIVER

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

XIX. ANNUAL NOTIFICATION OF RIGHTS

A. Contents of Notice

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

1. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records;
2. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and the procedure for requesting amendment of records;
3. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosure without consent;
4. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of FERPA and the rules promulgated thereunder;
5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing education records to other school officials whom the school district has determined to have legitimate educational interests; and
6. That the school district forwards education records on request to a school in which a student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment or transfer and that such records may include suspension and expulsion records pursuant to the federal Every Student Succeeds Act and, if applicable, a student's history of violent behavior.

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

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

C. Notification to Parents or Eligible Students Who are Disabled

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

XX. DESTRUCTION AND RETENTION OF RECORDS

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

XXI. COPIES OF POLICY

Copies of this policy may be obtained by parents and eligible students at the superintendent's office.

520 STUDENT SURVEYS

I. PURPOSE

Occasionally, the school district utilizes surveys to obtain student opinions and information about students. The purpose of this policy is to establish the parameters of information that may be sought in student surveys.

II. GENERAL STATEMENT OF POLICY

Student surveys may be conducted as determined necessary by the school district. Surveys, analyses, and evaluations conducted as part of any program funded through the U.S. Department of Education must comply with 20 U.S.C. § 1232h.

III. STUDENT SURVEYS IN GENERAL

- A. Student surveys will be conducted anonymously and in an indiscernible fashion. No mechanism will be used for identifying the participating student in any way. No attempt will be made in any way to identify a student survey participant. No requirement that the student return the survey shall exist, and no record of the student's returning a survey will be maintained.
- B. The superintendent may choose not to approve any survey that seeks probing personal and/or sensitive information that could result in identifying the survey participant, or is discriminatory in nature based on age, race, color, sex, disability, religion, or national origin.
- C. Surveys containing questions pertaining to the student's or the student's parent(s) or guardian(s) personal beliefs or practices in sex, family life, morality, and religion will not be administered to any student unless the parent or guardian of the student is notified in writing that such survey is to be administered and the parent or guardian of the student gives written permission for the student to participate or has the opportunity to opt out of the survey depending upon how the survey is funded. Any and all documents containing the written permission of a parent for a student to participate in a survey will be maintained by the school district in a file separate from the survey responses.
- D. Although the survey is conducted anonymously, potential exists for personally identifiable information to be provided in response thereto. To the extent that personally identifiable information of a student is contained in his or her responses to a survey, the school district will take appropriate steps to ensure the data is protected in accordance with Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act), 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act) and 34 C.F.R. Part 99.
- E. The school district must not impose an academic or other penalty on a student who opts out of participating in a student survey.

IV. STUDENT SURVEYS CONDUCTED AS PART OF DEPARTMENT OF EDUCATION PROGRAM

- A. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be available for

inspection by the parents or guardians of the students.

- B. No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, without the prior consent of the student (if the student is an adult or emancipated minor), or, in the case of an unemancipated minor, without the prior written consent of the parent, to submit to a survey that reveals information concerning:

1. political affiliations or beliefs of the student or the student's parent;
2. mental and psychological problems of the student or the student's family;
3. sex behavior or attitudes;
4. illegal, antisocial, self-incriminating, or demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. religious practices, affiliations, or beliefs of the student or the student's parent; or
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

- C. A school district that receives funds under any program funded by the U.S. Department of Education shall develop local policies consistent with Sections IV.A. and IV.B., above, concerning student privacy, parental access to information, and administration of certain physical examinations to minors.

1. The following policies are to be adopted in consultation with parents:

- a. The right of a parent to inspect, on request, a survey, including an evaluation, created by a third party before the survey is administered or distributed by a school to a student, including procedures for granting a parent's request for reasonable access to such survey within a reasonable period of time after the request is received.

"Parent" means a legal guardian or other person acting *in loco parentis* (in place of a parent), such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child.

- b. Arrangements to protect student privacy in the event of the administration or distribution of a survey, including an evaluation, to a student which contains

one or more of the items listed in Section IV.B., above, including the right of a parent of a student to inspect, on request, any such survey.

- c. The right of a parent of a student to inspect, on request, any instructional material used as part of the educational curriculum for the student and procedures for granting a request by a parent for such access within a reasonable period of time after the request is received.

"Instructional material" means instructional content that is provided to a student, regardless of format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (i.e., materials accessible through the Internet). The term does not include academic tests or academic assessments.

- d. The administration of physical examinations or screenings that the school district

may administer to a student. This provision does not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. § 1400, *et seq.*).

- e. The collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing the information to others for that purpose), including arrangements to protect student privacy that are provided by the school district in the event of such collection, disclosure, or use.

- (1) "Personal information" means individually identifiable information including a student or parent's first and last name; a home or other physical address (including street name and the name of the city or town); a telephone number; or a Social Security identification number.
- (2) This provision does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as:
 - (a) college or other post-secondary education recruitment or military;
 - (b) book clubs, magazines, and programs providing access to low cost literary products;
 - (c) curriculum and instructional materials used by elementary and secondary schools;
 - (d) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students, or to generate other statistically useful data for the purpose of securing such tests and assessments and the subsequent analysis and public release of the aggregate data from such tests and assessments;
 - (e) the sale by students of products or services to raise funds for school-related or education-related activities; and
 - (f) student recognition programs.
- (3) The right of a parent to inspect, on request, any instrument used in the collection of information, as described in Section IV.C.1., Subparagraph e., above, before the instrument is administered or distributed to a student and procedures for granting a request by a parent for reasonable access to such an instrument within a reasonable period of time after the request is received.

- 2. The policies adopted under Section IV.C., Subparagraph 1., above, shall provide for reasonable notice of the adoption or continued use of such policies directly to parents of students enrolled in or served by the school district.

- a. The notice will be provided at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in a policy.
- b. The notice will provide parents with an opportunity to opt out of participation in the following activities:
 - (1) Activities involving the collection, disclosure, or use of personal

information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.

- (2) The administration of any third-party survey (non-Department of Education funded) containing one or more of the items contained in Section IV.B., above.
- (3) Any nonemergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school and scheduled by the school in advance, and not necessary to protect the immediate health and safety of the student or other students.

“Invasive physical examination” means any medical examination that involves the exposure of private body parts, or act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

- c. The notice will advise students of the specific or approximate dates during the school year when the activities in Section IV.C.2., Subparagraph b., above, are scheduled, or expected to be scheduled.
- d. The notice provisions shall not be construed to preempt applicable provisions of state law that require parental notification and do not apply to any physical examination or screening that is permitted or required by applicable state law, including physical examinations or screenings that are permitted without parental notification.

V. NOTICE

- A. The school district must give parents and students notice of this policy at the beginning of each school year and after making substantive changes to this policy.
- B. The school district must inform parents at the beginning of the school year if the district or school has identified specific or approximate dates for administering surveys and give parents reasonable notice of planned surveys scheduled after the start of the school year. The school district must give parents direct, timely notice when their students are scheduled to participate in a student survey by United States mail, e-mail, or another direct form of communication.
- C. The school district must give parents the opportunity to review the survey and to opt their students out of participating in the survey.

419 TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the school district, or person smokes or uses tobacco, tobacco-related devices, or carries or uses an activated electronic delivery device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present.

This prohibition includes all school district property and all off-campus events sponsored by the school district.

- B. A violation of this policy occurs when any elementary school, middle school, or secondary school student possesses any type of tobacco, tobacco-related devices, or electronic delivery devices in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.

III. DEFINITIONS

- A. "Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of aerosol or vapor from the product. Electronic delivery devices includes but is not limited to devices manufactured, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- B. "Heated tobacco product" means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.
- C. "Tobacco" means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- D. "Tobacco-related devices" means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- E. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.
- F. "Vaping" means using an activated electronic delivery device or heated tobacco product."

IV. EXCEPTIONS

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

It shall not be a violation of this policy for an Indian adult or student to carry loose tobacco in a tobacco pouch intended for spiritual or cultural ceremonial support with the permission of the student's parent or guardian and the written or verbal notice to the site administrator.

V. VAPING PREVENTION INSTRUCTION

- A. The school district must provide vaping prevention instruction at least once to students in grades 6 through 8.
- B. The school district may use instructional materials based upon the Minnesota Department of Health's school e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as part of the school district's locally developed health standards.

VI. ENFORCEMENT

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.
- C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.
- D. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and school district policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other school district supervisory personnel responsible for the area or program at which the violation occurred.
- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.
- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

VII. DISSEMINATION OF POLICY

- A. This policy shall appear in the student handbook.
- B. The school district will develop a method of discussing this policy with students and employees.

534 SCHOOL MEALS POLICY

I. PURPOSE

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

II. PAYMENT OF MEALS

If the school district participates in the United States Department of Agriculture National School Lunch program and has an Identified Student Percentage below the federal percentage determined for all meals to be reimbursed at the free rate via the Community Eligibility Provision must participate in the free school meals program.

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

III. UNPAID MEAL CHARGES

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free and reduced-price meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than \$200, not paid prior to the end of the school year, will be turned over to the superintendent or superintendent's designee for collection. In some instances, the school district does use a collection agency to collect unpaid school meal debts after reasonable efforts first have been made by the school district to collect the debt. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.
- E. The school district will not impose any other restriction prohibited under Minnesota Statutes, section 123B.37 due to unpaid student meal balances. The school district will not limit a student's participation in any school activities, graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities or access to materials, technology, or other items provided to students due to an unpaid student meal balance.

IV. COMMUNICATION OF POLICY

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

Pesticide Application Notice

The school district may plan to apply pesticide(s) on school property. To the extent the school district applies certain pesticides, the school district will provide a notice by September 15 as to the school district's plan to use these pesticides. A parent may request to be notified prior to the application of certain pesticides on days different from those specified in the notice. Additional information regarding what pesticides are used, an estimated schedule of pesticide applications (which will be available for review or copying at the school office), and the long-term health effects of the class of pesticide on children can be requested by contacting Seth Putz.

Language Access for Families

We are committed to making sure every student and family has access to important school information. If your family speaks a language other than English, we are here to help you understand and participate fully in your child's education.

- **Interpreters Are Available:** You have the right to an interpreter for important conversations about your child's education, including meetings about:
 - Academic progress
 - Special education services
 - Student placement in programs
 - Behavior or discipline concerns
 - Graduation or course planning
- **Trained Staff:** Our district has trained Spanish and Somali-speaking liaisons to help with interpreting. If you speak another language, we will connect with a professional interpreter through our language-line service.
- **Written Translations:** Important documents—like report cards, special education notices, enrollment forms, and discipline policies—will be translated into your preferred language whenever possible. If something isn't translated, we'll provide an interpreter to explain it to you.

If you need an interpreter or translation, please tell your child's teacher, principal, or school office staff.

Statewide Assessments: Parent/Guardian Participation Guide and Refusal Information

(an editable form can be found at <https://education.mn.gov/MDE/fam/tests/StudentParticipation/>)



Statewide Assessments:

Parent/Guardian Participation Guide and Refusal Information

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

Assessments Connect to Standards

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

Minnesota Comprehensive Assessments (MCA)

MCA and the alternate assessments (Minnesota Test of Academic Skills (MTAS)/Alternate MCA) are the annual assessments in reading, mathematics and science that measure a snapshot of student learning of the Minnesota K–12 Academic Standards.

ACCESS and WIDA Alternate ACCESS for English Learners

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

Statewide Assessments Help Families and Students

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

- For Postsecondary Enrollment Options (PSEO) in grade 10.
- For course placement at a Minnesota State college or university. If students receive a college-ready score, they may not need to take a remedial, noncredit course for that subject.

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

Taking Statewide Assessments Helps Your Student's School

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

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

Student Participation in Statewide Assessments

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

Consequences of Not Participating in Statewide Assessments

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

Explore the
[Statewide
Testing page](#)
for more
information.

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

(education.mn.gov > Students and Families > Programs and Initiatives > Statewide Testing)

Additional Information

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

Statewide Assessment: Parent/Guardian Decision Not to Participate

By completing this form, you are acknowledging that your student will not participate in statewide assessments and will not receive individual assessment results.

First Name: _____ Middle Initial: _____ Last Name: _____

Date of Birth: _____ Current Grade in School: _____ Student ID Number (if known): _____

School: _____ District: _____

Parent/Guardian Name (print): _____

Parent/Guardian Signature: _____ Date: _____

Reason for Refusal: _____

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

☐

MCA/MTAS Reading

☐

MCA/Alternate MCA Science

☐

MCA/MTAS Mathematics

☐

ACCESS/WIDA Alternate ACCESS

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

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