

2021 / 2022 Revisions to Lakeside Learning Center Handbook

- **Revised the entire handbook.**
- **Cover Sheet for the 2021/2022 school year.**
- **Revised Table of Contents page accordingly.**
- **Revised District Personnel page accordingly.**
- **Revised Johnson O'Malley Student Certification**
- **Revised ED 506 FORM**
- **Replaced School Calendar for 2021/2022 school year.**

Dated: June 2nd, 2021



AREA SCHOOLS
INDEPENDENT SCHOOL DISTRICT #1

LAKESIDE LEARNING CENTER

Tiffany Palmer
Site Administrator
(218) 333-3299

Ashley Rowland
Secretary
(218) 333-3299

BEMIDJI AREA SCHOOLS LAKESIDE LEARNING CENTER

Tiffany Palmer
Special Education Coordinator - Site Administrator

**SCHOOL HANDBOOK
2021 - 2022**

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DISTRICT PERSONNEL

District Office Staff:

Tim Lutz, Superintendent	333-3100 ext. 31120
Lexie Wilde, Director of Special Education	333-3100 ext. 31104
Krisi Fenner, Director of Business Services	333-3100 ext. 31125
Colleen Cardenuto, Director of Curriculum	333-3100 ext. 31103
Jordan Hickman, Director of Human Resources	333-3100 ext. 31113
Sonia Wadena, Indian Education Coordinator	333-3187 ext. 56151
Robert Wicklund, Transportation Coordinator	333-3225 ext. 33191
Tiffany Palmer, Special Education Coordinator	333-3100 ext. 36167

District Site Administrators:

Ami Aalgaard, Gene Dillon	333-3400 ext. 49403
David Gooch, Assist. Site Administrator, Gene Dillon	333-3400 ext. 49404
Kathy VanWert, Horace May Elementary	333-3240 ext. 42203
Patricia Welte, J.W. Smith Elementary	333-3290 ext. 43203
Jason Luksik, Lincoln Elementary	333-3250 ext. 44205
Wendy Templin, Northern Elementary	333-3260 ext. 45202
Brian Stefanich, Solway Elem. & Career Academies	467-3232 ext. 47203
Drew Hildenbrand, Bemidji Middle School	333-3215 ext. 52041
Kyle McMartin, Assist. Site Administrator, Bemidji Middle School	333-3215 ext. 52031
Andra Vaughn, Dean of Students, Bemidji Middle School	333-3215 ext. 52021
Jason Stanoch, Bemidji High School, AEC, Lumberjack	444-1600 ext. 63305
Kyle Resler, Assist. Site Administrator, Bemidji High School	444-1600 ext. 63306
TBD, Assist. Site Administrator, Bemidji High School	444-1600 ext. 63320
Tiffany Palmer, Site Administrator, First City, EIC, Lakeside Learning Center	333-3100 ext. 36167

School Board Members:

Jeff Lind	333-0981
Jeff Haack	444-8127
Carol L. Johnson	751-0415
Gabriel Warren	308-7105
Ann Long Voelkner	333-0510
Sarah Young	333-6959

Lakeside Learning Staff

218-333-3299 Lakeside Learning Center > Option two

Melinda Phillips	Teacher	333-3100 ext 36165	Melinda_Phillips@isd31.net
Betsy Gerard	Teacher	333-3100 ext 36163	Betsy_Gerard@isd31.net
Matt Peabody	Para	333-3100 ext 36166	Matthew_Peabody@isd31.net
Joe Prokop	Para	333-3100 ext 36163	Joseph_Prokop@isd31.net
Ashley Rowland	Secretary	333-3100 ext 36160	Ashley_Rowland @isd31.net

**Lakeside Learning Center
 Bemidji Youth Learning and Working
 Mission Statement**

The mission of the Lakeside Learning Center Program is to assist each student in becoming a productive and contributing member of his/her community.

Lakeside Learning Center Defined

Lakeside Learning Center is a Special Education, Setting 4 Emotional Behavioral Disorder (EBD) program providing full time academic services to students who have not been successful in the traditional school setting. The Bemidji Middle School or High School makes the initial referral to the Lakeside Learning Center Advisory Committee. Students who are placed in the Lakeside Learning Center Program are recommended to the program by a referral from the middle school or high school committee members and agreed by Individual Education Plan teams.

Once students are accepted into the Lakeside Learning Center Program, they are provided an individualized education program tailored to their specific needs and designed to further their abilities in all areas, but focused on improving their math, reading, and written language skills. The prescriptive curriculum stresses the skills necessary to pass the Minnesota Comprehensive Assessment III Exams.

Students, families, and staff are vital members of each student's planning team and earning credits toward graduation, as well as preparing students to function successfully after high school and in the world of work.

The Lakeside Learning Center Program consists of the following:

- Junior Lakeside Learning Center – Middle School Grades 6-8
- Senior Lakeside Learning Center – High School Grades 9-12

Student Change of Placement to District Program

The following information refers to a change of placement for any reason: programming, suspension, expulsion, etc. If there are any questions regarding this process, please contact the Due Process Facilitator OR Special Education Coordinator

Process For Transitioning From a Building Program to a District Program:

1. The sending case manager must complete an Amended IEP, in collaboration with the receiving case manager, and have parent signature prior to the change of placement.
2. Sending case manager will share the student in Sped Forms with the receiving case manager immediately.
3. The current SE file, including current IEP and change of placement documentation, will be hand-carried to the receiving case manager before the student's first day. Arrangements to do so shall be discussed at the Transitional IEP.
4. If an evaluation is in progress, the sending case manager will follow the student through the completion of the evaluation, including the meeting and paperwork. The evaluation will be conducted in cooperation with the receiving case manager. The sending case manager is responsible for making sure a hard copy of the completed evaluation report gets into the student's Special Education file.
5. The receiving case manager will complete the IEP within 30 days of the completed assessment.
6. Receiving case manager will complete a Special Ed Status Change Form when the student starts. The case manager will also do a Special Ed Status Change Form if the student leaves the ISD 31 District.

For a 45-Day (School Days) Evaluation at Lakeside Learning Center:

1. The sending case manager must complete an Amendment to the IEP and have parent signature prior to the change of placement.
2. If an evaluation is in progress or becomes due during the 45-day evaluation period at Lakeside Learning Center, the sending case manager will complete the evaluation. The sending case manager is responsible for making sure a hard copy of the evaluation report gets into the student's Special Education file.
3. Generally, the "eval slots" will not be used to actually conduct a three-year evaluation, but rather to evaluate the appropriateness of the Lakeside Learning Center setting.
4. Lakeside Learning Center is intended for EBD students. Exceptions would only be granted with the involvement of the Special Education Coordinator, Director of Special Education or Superintendent of Schools.

From Another School District:

1. A placement at Sr Lakeside Learning Center or Jr Lakeside Learning Center from another district may occur after consultation between the school social worker, school psychologist, Lakeside Learning Center Site Administrator and Lakeside Learning Center teachers with approval of the Special Education Coordinator or the Director of Special Education

Revised 5/21/2021

Lakeside Learning Center Regulations/Procedures Guide

Effective September 3, 2019

All students attending the Lakeside Learning Center Program have an Individual Education Plan (IEP). Their educational program focuses on the goals and objectives of their IEP. Each student is assigned a case manager who coordinates the special education services.

Materials and assignments may be modified to individual ability levels. Students are expected to follow general school and classroom rules. Incentives are built into the program to encourage positive behaviors.

CLASSROOM PROCEDURES

- Students are expected to follow basic classroom rules and regulations.
- Students are given cues to correct inappropriate behavior.
- If inappropriate behavior continues, the student will receive a warning.
- Following a minimum of two warnings to cue the misbehavior to stop, the student will be removed to an isolated area within or outside of the classroom.
- Dependent on the severity of the behavior, a more immediate consequence may be given without warning.
- If the misbehavior continues to disrupt the learning process, the student may be removed to the Quiet Room.
- Refusal to do work: First a warning will be given. If he/she is disruptive to class, he/she will be sent to the Quiet Room.

POSSIBLE INTERVENTIONS

Depending upon the situation or behavior, a teacher or assistant will attempt to discuss inappropriate behaviors with the student. De-escalation will be attempted to encourage the student to successfully participate in class. Possible interventions include:

- Verbal and non-verbal cues
- Observation
- Quiet Room
- Conference with student

LAKESIDE LEARNING CENTER'S SCHEDULE

8:15-8:50	Breakfast	Breakfast
Period 1 8:50-9:35		
Period 2 9:37-10:23		
Period 3 10:28-11:13		
Period 4 11:15-12:00		
12:00-12:30	Lunch	
Nonperiod 5 12:30-12:55		
Period 6 1:00-1:45		
Period 7 1:50-2:40		
2:40	End of the day bus for students	

Conferences / Open House / Term Dates

Conferences for Lakeside Learning Center are held on the third tuesday of every month (other than December) and are an open house to parents and guardians:

September 22, October 19, November 16, December 14, February 15, March 15, April 19, May 17

Term End Dates

End of 1st Term.....November 10
 End of 2nd Term.....January 21
 End of 3rd Term.....March 25
 End of 4th Term.....June 3

Graduation Requirements

To graduate with a Bemidji High School Diploma, a student needs a total of 28 credits. To graduate with a Bemidji Alternative Programs Diploma, a student needs a total of 22.5 credits. To participate in the graduation ceremony, a senior needs to be within 2 credits of the diploma requirements by May 1st.

Seniors enrolled in the post-secondary program will be evaluated on an individual basis regarding graduation progress.

Bemidji High School Diploma

To earn a Bemidji High School diploma, students will be required to complete the following credits:
 4 credits in English 1 credit in Physical Education 4 credits in Social Studies 1/2 credit in Health 4 credits in Science 1 credit in Arts (visual arts, music 4 credits in Math and performing arts, media arts) Remaining credits in electives

Bemidji Alternative Programs Diploma

To earn a Bemidji Alternative Programs diploma, students will be required to complete the following credits: 4 credits in English 1/2 credit in Physical Education 3.5 credits in Social Studies 1/2 credit in Health 3 credits in Science 1 credit in Arts (visual arts, music 3 credits in Math and performing arts, media arts) Remaining credits in electives

Grading System and Report Cards

Our classes range from one (1) term (9 weeks) up to 4 terms (entire school year). No credit is given until the class is completed. Term Length Credit Value Assigned At completion of 1 term class 1/2 credit - .25 At completion of 2 term class .5 credit At completion of 3 term class .75 credits At completion of 4 term class 2 credits - 1.0

The method of calculating grade point averages (GPA's) for students will be based on the following system:
A = 90-100, B = 80-90, C = 70-80, D = 60-70, F = 0-59

****Only grades generated from Lakeside Learning Center will be factored into our GPA/Ranking system. **Extenuating circumstances may allow a P (passing grade). The Pass/No Pass system does not affect GPA.**

Addendum

This handbook may be updated during the school year. Teachers, parents and students will be made aware of specific changes, by the building Site Administrator, before the rule/policy goes into effect.

ACADEMIC DISHONESTY

Academic dishonesty is the act of participating in obtaining or attempting to obtain credit for work by the use of dishonest, deceptive, fraudulent, or unauthorized means. Consequences may occur following the Code of Conduct.

Plagiarism

Using someone else's thoughts, words, or actions without letting others know that these are not your own is not legal in business, and it is not permitted at this high school. Students who choose to plagiarize may lose credit or fail the course. Here is a definition of plagiarism. It was taken from the University of Michigan's undergraduate policy statement:

Plagiarism occurs when the student...

- 1) Does not properly attribute [give credit for] words or ideas to a source.
- 2) Quotes from another author's writing without citing that author's work.
- 3) Cites, with quotation marks, portions of another author's work, but uses more of that work without quotation marks and without attribution.
- 4) Takes a paper in whole or in part, from a site on the Web or a "library" of already written papers.
- 5) Steals a paper from another student and then submits that paper as coursework.
- 6) Submits the same paper twice for two different assignments.
- 7) Takes the results of another's research and attempts to pass: those results off as his or her own work.

**John Kucich
Director of Undergraduate Studies English*

INSTRUCTION - K-12 ATTENDANCE POLICY

Philosophy

Attendance is critical to student achievement. Classroom instruction and participation are essential parts of the learning process. Regular attendance in all classes is vital to ensuring a quality learning experience for all students. Regular class attendance instills self-discipline and exposes students to group interactions with teachers and peers. It enables students to hear and participate in class discussion and involves them in educational environments not available elsewhere. Make-up assignments can never fully replace the learning experience students miss when they are absent from class.

The federal **Every Student Succeeds** legislation insists upon good attendance and holds public schools accountable for improving student attendance. Minnesota state law specifically outlines the expectation for all students to attend school:

In accordance with the regulations of the Minnesota Department of Education and the Minnesota Compulsory Instruction Law, M.S. 120A.22, the students of the school district are required to attend all assigned classes every day school is in session.

Bemidji Area Schools takes on the responsibility of encouraging high rates of attendance in a user friendly environment. The Bemidji School District recognizes that daily attendance and participation are strong indicators of student success and academic achievement. Frequent absences interfere with learning and leave students at high risk for educational failure. Attendance requirements at the various grade levels are a reflection of the age of the students and the needs of that educational environment. This attendance policy respects those requirements and needs.

This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher and administrator. Attendance habits begin in the primary grades. Frequent absences interfere with the learning process and leave students at high risk for educational failure. Students at the elementary level have limited control over circumstances in the home that may prevent them from getting to school regularly and on time. It is the belief of the Bemidji Area Schools that the primary responsibility for student attendance at the elementary level falls on the parents/guardians.

Attendance Incentives

Each school is encouraged to develop an internal attendance incentive program. The program will include strategies for encouraging students to attend school regularly and reward those with good attendance records. The incentive program shall also include strategies to assist students who have attendance problems. The incentive programs will focus on students, but may also include parent or family rewards or incentives.

Minnesota Department of Children, Families and Learning Requirements: In accordance within the regulations of the Minnesota Department of Education and the Minnesota Compulsory Instruction Law, M.S. 120.101, the students of the school district are required to attend all assigned classes every day school is in session.

Truancy and Educational Neglect: Minnesota Compulsory Attendance Laws

According to Minnesota State Statute (260C.007, Subd. 19), "habitual truant" means a child under the age of 16 years who is absent from attendance at school without lawful excuse for seven school days if the child is elementary school or for one or more class periods on seven school days if the child is in Lakeside Learning Center, middle school, school, or high school, or a child who is 16 or 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days and who has not lawfully withdrawn from school under section 120A.22, subdivision 8."

As per Minnesota Statute 260A.01, an elementary student is considered continuing truant when there have been three or more unexcused absences without a lawful excuse. Parents who do not send their children to school regularly may be charged with educational neglect. Educational neglect is legally defined as a parent's failure to ensure the child's regular attendance at school. See more information at <https://www.revisor.mn.gov/statutes/cite/260C.007>

Truancy

Students who are under the age of 17 will be referred to the truancy intervention program and/or to county social services for educational neglect.

Minnesota Statute 260A.02 defines a student with unexcused absences in three (3) or more classes on three (3) different days as a "Continuing Truant". Students meeting the Continuing Truant criteria may be referred to the county attorney media program.

Minnesota Statute 260C.007 defines a student with an unexcused absence from one or more class periods on seven (7) different school days as an "Habitual Truant". Students meeting the Habitual Truant criteria may be referred to the county attorney media program.

Lakeside Learning Center is required to send truancy letters to parents when students reach 3 unexcused absences, 5 unexcused absences, and 7 unexcused absences. Lakeside Learning Center will work with students and families to support their attendance needs.

PROCEDURES FOR COMMUNICATING WITH PARENTS REGARDING EXCESSIVE ABSENCES AND POSSIBLE LOSS OF CREDIT

1. The school will attempt to report any unexcused absences to parents/guardians through family access, phone calls, emails, and letters. Parents may call the secretary's office at any time during the school day to inquire about their child's attendance.
2. Teachers are the first line of information when it comes to a student's attendance. Teachers are expected to talk to students if they see poor attendance becoming a habit. Poor attendance can include both excused and unexcused absenteeism from class. Teachers will use email, phone calls, direct conversations and school resources such as attendance interventions, automated calls and attendance tracking systems to help provide attendance information to families. If absenteeism continues, per the Minnesota State Law, the truancy process will be implemented.

Consistent attendance will always be supportive to each student's academic success. However, habitual absenteeism for any reason may result in undesired classroom grades or results. When communication about habitual absenteeism is not clear or consistent between the teacher, student, family and administration, students run the risk of not receiving credit for the class.

LAKESIDE LEARNING CENTER ATTENDANCE PROCEDURES

Absences

Classifications for "Excused" and "Unexcused" absences exist for the purpose of tracking truantries and for determining whether a student is eligible to appeal a loss of credit.

An "Excused" absence is any absence excused by the parent/guardian ahead of time, the day of the absence, or up until 10:00 a.m. the day following the absence.

Excused Absences

The excused absence is for all legitimate reasons. The administration will determine the legitimacy of all absences. The following reasons shall be sufficient to constitute excused absences.

1. Illness – physician verification will be required for illnesses beyond three (3) consecutive days.
2. Serious illness or emergency in a student's immediate family.
3. A death or funeral in the student's immediate family or of a close friend or relative.
4. Medical or dental appointments.
5. Quarantine in the home - This is limited to the length of quarantine set by the proper health official.
6. Legal appointments.
7. Religious observance.
8. Official school field trip or other school sponsored outing.
9. Family vacation – must be pre-excused and limited to seven (7) consecutive days of absence.

Parents may not excuse a student to be on campus but not attend scheduled classes.

Absences not authorized by the student's parent/guardian and/or by the school district will be termed "Unexcused". Failure to notify the Student Management Office by 10:00 a.m. the day following the absence will result in an unexcused absence.

Unexcused Absences

Unexcused absences are all absences that can be avoided or delayed, and for which prior arrangements and/or approval have not been made through the Site Administrator's office. These absences indicate the student is absent from school with or without the consent of parent/guardian, but the excuse given is not acceptable to the school administration. Unexcused absences or truancy receive no daily credit for work missed.

These are some examples of absences that will not be excused:

1. Any absence where the student/family failed to comply with any reporting requirements of the school district's attendance procedures including, but not limited to, missing the bus, work, extra sleep, babysitting, hair appointments, shopping, etc.
2. Family vacations that are not pre-excused.
3. Skipping class or leaving class/campus without permission.

To report an absence, call: 333-3299 option 2 > option 1 for the Secretary

ATTENDANCE KEY

- TARDY – a student will be considered tardy to class if he/she is less than 7 minutes late.
- UNEXCUSED – Absent without being excused.
- TRUANT – any unexcused absence i.e. skipping without legal cause.
- KEY to attendance codes: U=unexcused, N=nurse, D=dismissed, A=excused, L=tardy, S=out of school suspension, H=homebound, T=truancy

APPOINTMENTS (DENTIST/ORTHODONTIC/DOCTOR'S) and MESSAGES

Only Parents/Guardians listed in our Student Database are allowed to pick up children from school. If other arrangements need to be made, a note or phone call from the parent/guardian is required. Students will be called to the office once the parent/guardian arrives to sign them out. Students may not leave the school building during the regular school day on their own.

Any change of plans by parents that must be communicated to their son/daughter, should be made to LLC Staff prior to 2:00 P.M.

Complaints or Concerns

If a student or parent/guardian has a concern about a school policy or an employee, the following procedure should be followed in order to resolve the problem as quickly as possible:

1. Contact the person whom you have a complaint with and discuss both sides of the story.
2. If the problem still exists, contact the designated assistant Site Administrator.
3. If still unresolved, contact the Site Administrator's office.

Dress Guidelines

The dress and grooming of students becomes the concern of the school if it causes disruption of the educational program or is offensive or inappropriate to others. Students should dress in a manner that takes into consideration the educational environment, safety, health and welfare of others. Student dress should allow the student a full range of participation in the classroom and school events and activities.

LLC students are expected to adhere to the following guidelines: · Students cannot wear garments that are likely to cause a material or substantial disruption to the school environment or that could be considered offensive.

- A. Examples include, but are not limited to, references to drugs, alcohol, tobacco, sex, weapons, violence, vulgar, obscene, or profane language or images, and/or insults to race, religion, gender, or ethnicity.
- B. Bar and Grill clothing should not be worn at school unless it is part of a school approved uniform or spiritwear.
- C. A student shall be prohibited from wearing any form of dress or accessory identifying him/her with a gang as identified by the local gang task force.
- D. All dresses, skirts and shorts must be mid-thigh in length unless it meets individual class exceptions (i.e. physical education).
- E. Students are prohibited from wearing saggy pants/shorts that reveal underwear.
- F. Students are not allowed to wear backless, low cut, tube tops, midriff shirts, strapless tops or see-through clothing.
 - a. No clothing with revealing holes or cutouts is allowed or clothing that is considered too revealing.
 - b. Jeans must have no holes in them above mid-thigh.
 - c. Tops must have mid-back coverage.
- G. Underclothing, including bra straps and briefs, should not be visible.
- H. Hats inappropriate for school with language, symbols or other factors will not be allowed. Students who do not follow the dress expectation may lose this privilege or other privileges.

Safety and security are a top priority for our students and staff at LLC. We want to make sure we are providing a safe space for all students to grow. A team composed of teachers, support staff, security, parents, administration, with a consultation with the LLC student body, has discussed the option of wearing a hood in the building during school hours. For the upcoming school year, students will **NOT** be allowed to wear a hood in the building during school hours.

- I. Head coverings not to be worn, but not limited to, are scarves, do-rags, sweatbands, bandanas and hoods. Sunglasses should not be worn covering the eyes or face in any way in school.
- J. Footwear with soles must be worn at all times. Noisy, distracting jewelry or accessories are prohibited, including those that promote chemical usage. Pocket chains can be no longer than 12 inches in cumulative length. · We take pride in preparing our students for the professional world and LLC/BHS/LHS/AEC want to make sure their students feel safe and secure at all times. Because of security reasons, students are not allowed to wear any type of material that covers a large portion of their bodies. Material and clothing, which include, but are not limited to, blankets, capes and flags are not to be worn in school. Students are expected to put them in their lockers. Students participating in school-sponsored activities, such as extra-curricular or other special functions, may have different dress required by the sponsor, coach or administration.
- K. Large backpacks are prohibited in the classroom and backpacks must fit under the student's desk to allow unobstructed walkways in case of an emergency.

Violation of Dress Code

Students will be asked to change their clothing. If the student refuses, they could receive consequences such as, but not limited to, a phone call to their parent/guardian, assigned time in the Restorative Room, assigned to lunch detention, a meeting with administration or other loss of privilege.

CRIMINAL HISTORY BACKGROUND CHECKS

In order to maintain a safe and healthy environment and to promote the physical, social and psychological well-being of students, the school district has implemented policy SBR 200-90-16 requiring a criminal history background check for applicants who receive an offer of employment. Minnesota law requires a school hiring authority to request a criminal history background check from the superintendent of the Bureau of Criminal Apprehension on all individuals who are offered employment in a school and on all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular services to a school, regardless of whether any compensation is paid. In accordance with the established policy, the district may also elect to request background checks of volunteers, independent contractors and student employees.

Questions about criminal history background check requirements can be referred to the Human Resources Department at (218) 3333-3100, ext. 31111. A copy of the policy can be obtained by contacting the Human Resources Department or viewed on the district website at www.bemidji.k12.mn.us.

DELIVERIES

Students will not receive deliveries from local businesses or individuals during the school day, i.e. flowers, coffee, balloons, etc. Students will be notified that they may pick up the delivery at the end of the day.

Intellectual Property

All materials produced in or outside of LLC, with the use of the school's technology (including but not limited to, Wifi, Cameras, Computers, Video/Audio Equipment), is owned by the school. Students will need to acquire permission to post, share, or link to any platform that makes the material either private or public for other parties to see. All materials produced with the use of LLC technology requires verbal or written permission to be posted online. This includes student work on school provided platforms, public platforms, or personal platforms.

Family Access

The Family Access portal allows parents and guardians to view information related to their student's school experience. Among other things, the portal currently features Student Demographic information, Attendance, Discipline, Test Score date, Food Service information, and the ability to set up email notifications when an attendance event occurs, or when your food service balance is low. To sign up for Family Access, call 218-333-3299.

FOOD SERVICE PROGRAM – LAKESIDE LEARNING CENTER 2021/2022

Breakfast and lunch are available daily to all students. The price of breakfast at LLC is \$2.00 and the price of lunch is \$3.10. There is no cost for a reduced-price breakfast or a reduced-price lunch. Using credit/debit cards online at our school district website: <http://bemidji.revtrak.net/tek9.asp>
Applications for Educational Benefits are sent out to the district residents in August. Applications **MUST** be completed and returned **EACH YEAR** to determine eligibility. Please return these applications as soon as possible

MEAL SERVICE

Our school menus provide a variety of choices that accommodate student preferences as well as meeting the guidelines established by USDA. The intent of the breakfast and lunch meal guidelines is to promote the consumption of fruits, vegetables, legumes and whole grains. All the menus are analyzed to ensure they meet the established USDA guidelines. The monthly menus are available to view on the district's website. Elementary menus are also sent home each month.

All students, (K-12), when the "Application for Educational Benefits" has determined reduced-price eligibility for 2021-2022, will receive their lunch free of charge. In the past, breakfast has been offered free of charge when students have been eligible for reduced price meals. Now breakfast AND lunch will be free of charge. Also, please note meal prices are subject to change for the 21/22 school year:

Elementary:	Breakfast \$ 0	Lunch \$2.80
Middle School:	Breakfast \$2.00	Lunch \$3.00
BHS/LLC:	Breakfast \$2.00	Lunch \$3.10
Adult:	Breakfast \$2.50	Lunch \$4.25

Food Allergies

If parents have a concern regarding their child's food allergies, please contact the food service office at 333-3100 ext. 31141. It is important that we have this information prior to your child beginning school.

When a physician's assessment reveals that food allergies may result in severe, life threatening reactions (anaphylactic reaction), the student is considered to be disabled and substitutions prescribed by the physician will be provided. Substitutions will be made on a case-by-case basis when supported by a statement signed by a recognized medical authority. In Minnesota, recognized medical authorities include physicians, physician's assistants, certified nurse practitioners and registered dietitians. The information received by the school from the medical authority needs to include:

- The student's disability and an explanation of why the handicap restricts the student's diet.
- The major life activity affected by the disability.
- The food or foods to be omitted from the student's diet, and the food or choice of foods that must be substituted.

The statement does not have to be renewed each year as long as there are no changes.

Many students with food allergies, food intolerances or obesity are not considered to be persons with disabilities as defined above. Each case will be handled on an individual basis depending upon the medical authority support. Forms available on website

Lactose Intolerance

State law specifies the responsibility of a school to provide substitutes for any child with lactose intolerance. With a written request from a parent/guardian, a lactose-reduced milk will be provided. (The school will not make any other substitutions, such as juice, for lactose intolerant students).

Milk

The breakfast and lunch program regulations include fluid milk as a component in both meals. Choices of skim, 1% and chocolate skim milk are offered with those meals. As stated previously, if your child has a lactose intolerance, please submit a request to provide the alternative lactose-free milk.

HEALTH SERVICES

Students should report to their teacher if they are not feeling well. Staff will take the students temperature and assess symptoms, contacting the District Nurse if needed. Parents/guardians will be notified if a student has a fever or is too ill to remain in school. Students may not leave the school for illness until first reporting to the teacher and receiving a permit to leave the building.

Immunizations: Must be in compliance prior to the beginning of school, the student will be excluded until immunization requirements are up to date. When Students are "Too Ill" to be in School Often an early morning decision that parents have to make is whether their child is well enough to go to school. Not only may the child feel too sick to learn very much on those days, but they are also infecting other students and staff. Below are some guidelines, which will help you decide whether to send them or keep them home.

Fever: If a student has a temperature of 100 degrees or more, parents should keep their children home. If they have 100 degrees or more fever at school, parents will be called to come to pick up their child. They need to be fever-free for 24 hours before returning to school. Tylenol, Ibuprofen, and other similar medications will bring a fever down, but it does not mean that the child is still not sick. They need to be fever free without taking medication for 24 hours. Often temperature rises during the day. A slight fever in the morning will get much higher by noon. Often with a borderline temperature (99-100), kids might feel quite ill. Use your judgment about sending them when their fever is less than 100.

Vomiting and diarrhea: Keep them home! Vomiting and diarrhea are not considered "normal". Often children will feel better after vomiting, but will quickly become ill again. Keep them home until they are free of symptoms for at least 24 hours after the last episode of vomiting and/or diarrhea.

Antibiotic treatment: If your child is on antibiotics for a communicable disease, such as strep throat, pink eye, etc, keep them home until they have been on the antibiotics for 24 hours. The exception would be for pertussis (whooping cough). They need to stay home for 5 full days of antibiotic treatment before returning to school. If they are going to continue on antibiotic treatment at school, be sure to follow the school's medication policy. Please follow your doctor's orders for antibiotics. Stopping them when the child feels better may cause the child to become sick again. Giving them for the entire time the doctor prescribes will help insure that the infection has been treated.

Chicken pox: Students with chicken pox need to stay home until all of the pox marks have scabbed over-generally 7 days. If the student gets chicken pox from the vaccine, it is usually a mild case. But they still need to stay home until the pox marks are all scabbed over.

Pink eye: Students could have either viral or bacterial pink eye. Bacterial pink eye needs to be treated with antibiotics-usually eye drops-for 24 hours before returning to school. No exclusion is necessary for viral pink eye, but only a doctor can diagnose whether it is viral or bacterial.

Head lice: Once children with head lice have been treated and had the nits carefully removed from their heads, they can return to school. When they return, parents are to bring them to the health office to have their heads checked before going to class. They will be examined again at intervals to make sure no head lice were missed. Head lice are very treatable. Everyone in the family and close contacts should be checked for head lice and treated if found. Many different treatment methods are available. Pamphlets on treatment are available in the school health offices or contact the district school nurse. Bemidji School district allows only 2 days of absence for treatment of head lice. Many parents are able to treat the children and return them the next day. Head lice are a bother, but in the scheme of things, temporary. Anyone can get head lice, although head lice do not jump from one person to another. Encourage your children not to share combs, brushes, hats, headbands, or other hair clips. .

Keeping healthy: For further information, please check out their website at <http://www.health.state.mn.us/divs/idepc/dtopics/infectioncontrol/cover/>

HOMEBOUND INSTRUCTION

Homebound instruction may be available for students who are absent from school for more than fifteen (15) days due to medical reasons. A signed letter from the student's doctor, recommending homebound instruction, must be submitted to the Site Administrator before homebound instruction will be considered.

INDIAN EDUCATION

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

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

Lakeside Learning Field Trips

Each year the Lakeside Learning Center may plan field trips and activities throughout the school year. There will be no cost for the students, therefore money will not be needed. Lunch will be provided by the school. These will be wonderful experiences for the students in addition to being great opportunities to learn about the outdoors. There are no set dates, as weather will play a factor in our ability to enjoy and participate in some of the activities.

Each student is expected to meet two requirements to be eligible for these opportunities.

1. This permission slip must be returned to school as soon as possible. I have enclosed a self-addressed stamped envelope for you to mail it back. Or you can send it back to school with your student. Students will not be able to participate in field trips unless we have a signed permission slip on file in the school office.
2. Good behavior is expected during the time prior to any activities. If your student is suspended or has continual behavioral issues, he or she will remain at the school for academic class work.

These events will occur during normal school hours. Students will return to the building by 2:40 pm to be dismissed at the regularly scheduled time.

MID-TERM REPORTS

Mid-term Reports will be given to all students. *Families are encouraged to follow student progress on Family Access.

NON-INSTRUCTIONAL MATERIALS

Items that are not tied to student learning and may be a distraction to other students are to be left at home or in the student's locker unless they are a sensory item written in a student's IEP. If the item in question becomes a classroom distraction the item may be confiscated by the classroom teacher or case manager. Examples include: fidget spinners, Yo-Yos, slime, playing cards, etc.

Student Records

Parents/guardians and students are allowed to inspect and review any and all official student records, files, and data including all material in the cumulative record. An appointment must be made with a counselor by those wishing to examine records.

All permanent student records (i.e. transcripts, health records, IEPs) are on file and are available upon request. Students needing any of these documents may secure them by filling out a request form in the Registrar's Office or by calling (218) 333-3299 option two.

Student Record Information Determined to be Public

In accordance with Public Law 93-38, Section 513, Section 438, General Education Provisions Act, as amended; Public Law 93-563; Public Law 101-476; 45 CFR Sections 99, 1-99.67; P. L. 99-457, Section 619, P. L. 89-313, P. L. 98-199 (Part H) and/or SBR 700-60-1, dated 27 February 2012, notice is hereby given that Bemidji Area Schools, Independent School District No. 31, Bemidji, Minnesota collects, maintains and stores Educational Data and Personnel Data (as defined in statute) upon individuals.

Said data is classified as private data, unless specifically prohibited by law. The following has been designated as directory information: student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, dates of attendance, grade level, enrollment status, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received, and the most recent educational agency or institution attended. It also includes the name, address, and telephone number of the student's parent(s).

Said directory information will be released upon request and without notice to the subject of said data, unless specifically prohibited to do so by the subject and/or his/her parent or guardian. Parents of students, eligible students, and other subjects of said data have the right to refuse to permit designation of directory information of any or all of the categories of personally identifiable information with respect to the student or themselves. Said refusal must be in writing, specify any or all such information for which permission to disclose is refused, and be delivered to the Superintendent of Schools, at 502 Minnesota Avenue NW, Bemidji, MN, and designated responsible authority, no later than 4:30 p.m. (cst), 30 September 2019. Individuals (as defined in statute) have the right to be informed of: 1) the purpose and intended use of the requested data; 2) whether she/he may refuse or is legally required to supply requested data; 3) any known consequence arising from supplying or refusing to supply private data; 4) whether she/he is the subject of stored data and classification of said data; and 5) certain other rights (as defined in statute) relating to copies of said data.

Copies of school district policy relating to Student Records may be obtained from the School District Superintendent's Office or the office of any elementary or secondary school in the district during the regular business hours upon payment of the current charges for such copies. Copies of said policy may be viewed without charge during regular business hours.

Student Behavior and Discipline

Quiet Room Philosophy

The Quiet Room is used as a technique to teach students to take responsibility for their behaviors and to help them follow school rules and expectations. The Quiet Room provides a supervised, safe, non-punitive atmosphere that allows students to prepare themselves to return to class as quickly as possible. Misbehavior deserving of the Quiet Room may include, but is not limited to, one or more of the following:

- ◆ Refusal to follow the teacher's directions
- ◆ Swearing or threatening
- ◆ Choosing not to be where assigned to be
- ◆ Leaving without permission
- ◆ Noncompliance with classroom rules
- ◆ Throwing objects

USE OF THE QUIET ROOM

- Quiet Room is not a punitive consequence.
- Quiet Room does not begin until the student is following the Quiet Room rules.
- Quiet Room is not a place to counsel or talk to the student. Do not engage in a dialog.
- Quiet Room is an opportunity for the student to cool down and de-escalate him/herself.
- The Quiet Room is a place for the student to vent.
- Documentation in the log should detail what the student said and did in the room. For example: Verbal venting, pacing in the room, hitting the walls.

QUIET ROOM RULES

- ◆ There will be no talking in the Quiet Room.
- ◆ Students need to stand or sit away from the door.
- ◆ Students need a plan to re-enter class. The plan needs to be accepted by the teacher.
- ◆ If disruptive behaviors continue, the student will be given another assignment to the Quiet Room.
- ◆ When the student is able to regain composure and make a positive commitment to return to class, the student will be allowed to re-enter the classroom.
- ◆ For continual disruptive behaviors, the student may be assigned Out of School Suspension
- ◆ Crisis prevention may be used if a student becomes physically aggressive or displays self-harming behaviors.
- ◆ Documentation in the Quiet Room log should detail what the student said and did in the Quiet Room. (i.e., verbally venting, pacing, hitting the walls, etc.)
- ◆ If a student is unable to use the Quiet Room effectively, he/she may move into disciplinary mode.

Use of Nonviolent Physical Intervention

Physical intervention is used only when the behavior of a student endangers the health and safety of him/herself, other students, or staff. The National Crisis Prevention Institute's program, Nonviolent Crisis Intervention, is followed for all physical control situations. Only staff certified in CPI techniques may be involved in physical intervention situations. The CPI team will be staff members first on the scene of the out-of-control student. Physical intervention is done with only as much force as is necessary to protect the student and others. Proper documentation must be maintained for each occurrence.

- A. Reasonable force may be used without consent when the following circumstances exist or there is reason to believe they exist. A school employee, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.

DISCIPLINARY ACTION

- A. Disciplinary action may include, but is not limited to:
1. Meeting with teacher, counselor or Site Administrator;
 2. Detention;
 3. Loss of school privileges;
 4. Parental conference with school staff;
 5. Modified school programs;
 6. Removal from class;
 7. Suspension;
 8. Exclusion; and
 9. Expulsion.

B. Copies of this policy, together with "The Pupil Fair Dismissal Act" shall be published in the student handbook and distributed to all students during the first month of the school year. Nothing in this policy is intended to conflict with "The Pupil Fair Dismissal Act."

C. Parents 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." Students shall be notified of violations of the rules of conduct and resulting disciplinary actions verbally as provided otherwise by "The Pupil Fair Dismissal Act."

D. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the pupil to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.

Code of Conduct

The Code of Conduct is designed to be fair, firm, and consistent for all students in the Bemidji Area Schools. This applies to Bemidji Area Schools students in any school or other district building, on district property, in district vehicles, and at school or district events. A complete copy of the Code of Conduct is published in the district newsletter prior to the start of each school year. (**Codes of Conduct are covered under SBR 700-40-4**)

The SBR 700-40-4 Code of Conduct rules and regulations are enforced at Lakeside Learning Center. (See School Board Regulation SBR 700-40-4.) The Code of Conduct addresses the most serious behaviors and places a student who has violated the "code" on a three-year continuum. Violation of any school discipline rule may result in loss of privileges, detention, suspension, or other consequences as assigned by the Site Administrator.

Students who enroll after the first week of school will be oriented to the Student Handbook, by their counselor, upon registration. All students are responsible for the information in the Student Handbook and in the Code of Conduct. The Code of Conduct can be found online at <https://www.bemidji.k12.mn.us/parent/code-of-conduct>.

Breaking the Law

Students will be referred to law enforcement anytime they break the law at school. This includes, but is not limited to, reckless driving, vandalism, theft, assault, disorderly conduct, underage consumption, drug and tobacco use (tobacco includes vaping, cartridges, juice, etc).

Detection/Protection Canines

To maintain a safe, drug-free environment at Lakeside Learning Center Detection and Protection Canines will make unannounced visits to buildings and grounds including parking lots. Students (self) and possessions may be searched when the canine detects an illegal/banned substance. While on campus, a vehicle, including the interior, may be inspected by school authorities for any reason, at any time, without student consent or parent consent, and without a search warrant. Lakeside Learning Center utilizes detection working dogs in lockers and empty classrooms to assist in keeping our school safe and drug free. Protection canines may, on occasion, accompany K-9 trained Law enforcement officials at Lakeside Learning Center.

Disruptive Devices

Various other items that may be disruptive or unsafe should not be brought to school; including, but not limited to, water guns, water balloons, toys, laser pointers, or other noise, smell, or smoke producing devices. Many of these items fall under the guidelines of the District Weapons Policy, and appropriate administrative action will be taken.

Drug and Alcohol Abuse

Please refer to the Code of Conduct.

Electronic Devices

LLC staff understands that many students have cell phones, cameras, and other electronic devices. Students may appropriately use cell phones, iPods, headphones, etc. before 8:45 a.m. and after 2:40 p.m. in the school building. If an item is confiscated, the school will not be responsible for theft or damage of the item. We encourage students to leave cell phones at home, but if brought to school, it is strongly encouraged that devices be turned off and kept in the student's

locker during the school day. If a student is using their electronic device/cell phone, it will be confiscated and brought to the school office. Parents are asked to pick up their child's cell phone from the office, during regular office hours if needed.

Any inappropriate movies, pictures of teachers, students or school activities are prohibited. It is a violation to photograph or videotape anyone without his or her permission. The use of camera phones is strictly forbidden in private areas, such as locker rooms, washrooms, dressing areas, classrooms, and offices at any time. Camera phone violations may be referred to the Code of Conduct when necessary. Such use may also be in violation of the criminal code.

LLC will send out a notice of unclaimed electronic devices at the end of the school year. Electronic devices unclaimed by July 1 of each year will be donated to a charitable cause.

***GANG BEHAVIOR and GANG GRAFFITI**

Please refer to Code of Conduct.

Group Disorderly Conduct

Group disorderly conduct is defined as riotous, rowdy, disruptive or unruly conduct that breaks up the order or progress of the educational process, or school sponsored or directed activities, where two or more persons are involved and/or act in concert including gang related behavior or attire.

Tennessee Warning to Students and Parents

Minnesota law requires that the school district provide the following warning or notice to parents and students. Parents and students should be advised that:

1. Students attending school in the school district, or their parents, will be asked to supply information to school personnel in the ordinary course of school business. This may include information requests such as: homework assignments or tests, questions asked of students during classroom discussions or other classroom activities, information requested of students or parents relating to a student's participation in school-related athletic or extra curricular activities, or questions asked of students or parents during a scheduled or an informal conference with a teacher or administrator, either by telephone or in person, relating to the student's behavior or academic performance.
2. The information will be collected by the school district in order to evaluate the student's current level of performance with respect to educational programs, to maintain discipline within the school, and to determine the student's needs and preferences relating to the education program. The education program includes athletic or extra-curricular activities, for purposes of this notice.
3. Students or parents are not required by any law or regulation to supply the information requested. However, the school.

SUSPENSION PHILOSOPHY

The consequence for misbehavior that results in a suspension from school is consistent with the Code of Consequences for the Bemidji Area Schools. A student, including an identified special education student, may be suspended for up to 10 days according to the Pupil Fair Dismissal Act. The following behaviors could result in a suspension from school:

- **Physical Assault:** We believe all students and staff must be safe. Physical aggressive acts toward another with the intent to harm will not be tolerated. Spitting at staff will be considered an assault.
- **Weapons Possession:** Any weapon, device, material, etc. that is capable of causing death or serious bodily injury will not be allowed.
- **Property Destruction:** Any willful damage of property or vandalism will not be tolerated. Restitution may be required.
- **Substance or Tobacco Use/Possession:** Possessing or using any narcotics, inhalants, or controlled substances are prohibited by Minnesota and federal law.
- **Sexual Violence:** Sexual violence toward another person is prohibited.

OUT OF SCHOOL SUSPENSION

If a student's behavior and conduct are determined by an administrator to warrant removal from the school building, the student will be suspended from school. Students who are suspended will be issued a formal suspension notice that will be sent to their parent/guardian. A conference with the issuing site Administrator, the student, and the parent/guardian may be required for re-admittance to the school. Students suspended out of school are not to be on school grounds or at school events.

Skipping Classes

If it is verified that a student is skipping school or classes, their parent/guardian will be notified and they will be assigned to a day of Room 1003, after school detention or out of school suspension.

***Smoking**

Please refer to Code of Conduct.

Social Media

Social Media accounts should not be accessed during school hours.

121A.40 CITATION.

Sections 121A.40 to 121A.56 may be cited as the "Pupil Fair Dismissal Act."

121A.41 DEFINITIONS.

Subdivision 1. **Applicability.** As used in sections 121A.40 to 121A.56, the terms defined in this section shall have the meanings assigned them.

Subd. 2. **Dismissal.** "Dismissal" means the denial of the current educational program to any pupil, including exclusion, expulsion, and suspension. It does not include removal from class.

Subd. 3. **District.** "District" means any school district.

Subd. 4. **Exclusion.** "Exclusion" means an action taken by the school board to prevent enrollment or reenrollment of a pupil for a period that shall not extend beyond the school year.

Subd. 5. **Expulsion.** "Expulsion" means a school board action to prohibit an enrolled pupil from further attendance for up to 12 months from the date the pupil is expelled.

Subd. 6. **Parent.** "Parent" means (a) one of the pupil's parents, (b) in the case of divorce or legal separation, the parent or parents with physical custody of the pupil, including a noncustodial parent with legal custody who has provided the district with a current address and telephone number, or (c) a legally appointed guardian. In the case of a pupil with a disability under the age of 18, parent may include a district-appointed surrogate parent.

Subd. 7. **Pupil.** (a) "Pupil" means any student:

- (1) without a disability under 21 years of age; or
 - (2) with a disability under 21 years old who has not received a regular high school diploma or for a child with a disability who becomes 21 years old during the school year but has not received a regular high school diploma, until the end of that school year; and
 - (3) who remains eligible to attend a public elementary or secondary school.
- (b) A "student with a disability" or a "pupil with a disability" has the same meaning as a "child with a disability" under section 125A.02.

Subd. 8. **School.** "School" means any school defined in section 120A.05, subdivisions 9, 11, 13 and 17.

Subd. 9. **School board.** "School board" means the governing body of any school district.

Subd. 10. **Suspension.** "Suspension" means an action by the school administration, under rules promulgated by the school board, prohibiting a pupil from attending school for a period of no more than ten school days. If a suspension is longer than five days, the suspending administrator must provide the superintendent with a reason for the longer suspension. This definition does not apply to dismissal from school for one school day or less, except as provided in federal law for a student with a disability. Each suspension action may include a readmission plan. The readmission plan shall include, where appropriate, a provision for implementing

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alternative educational services upon readmission and may not be used to extend the current suspension.

Consistent with section 125A.091, subdivision 5, the readmission plan must not obligate a parent to provide a sympathomimetic medication for the parent's child as a condition of readmission. The school administration may not impose consecutive suspensions against the same pupil for the same course of conduct, or incident of misconduct, except where the pupil will create an immediate and substantial danger to self or to surrounding persons or property, or where the district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of 15 school days.

Subd. 11. **Alternative educational services.** "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 assessment, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under section 123A.05 selected to allow the pupil to progress toward meeting graduation standards under section 120B.02, although in a different setting.

121A.42 POLICY.

No public school shall deny due process or equal protection of the law to any public school pupil involved in a dismissal proceeding which may result in suspension, exclusion, or expulsion.

121A.43 EXCLUSION AND EXPULSION OF PUPILS WITH A DISABILITY.

(a) Consistent with federal law governing days of removal and section 121A.46, school personnel may suspend a child with a disability. When a child with a disability has been suspended for more than five consecutive school days or ten cumulative school days in the same school year, and that suspension does not involve a recommendation for expulsion or exclusion or other change of placement under federal law, relevant members of the child's individualized education program 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 individualized education program. That meeting must occur as soon as possible, but no more than ten days after the sixth consecutive day of suspension or the tenth cumulative day of suspension has elapsed.

(b) A dismissal for one school day or less is a day or a partial day of suspension if the child with a disability does not receive regular or special education instruction during that dismissal period. The notice requirements under section 121A.46 do not apply to a dismissal of one day or less.

(c) A child with a disability shall be provided alternative educational services to the extent a suspension exceeds five consecutive school days.

(d) Before initiating an expulsion or exclusion under sections 121A.40 to 121A.56, the district, relevant members of the child's individualized education program team, and the child's parent shall, consistent with federal law, determine whether the child's behavior was caused by or had a direct and substantial relationship to the child's disability and whether the child's conduct was a direct result of a failure to implement the child's individualized education program. When a child with a disability who has an individualized education program is excluded or expelled under sections 121A.40 to 121A.56 for misbehavior that is not a manifestation of the child's disability, the district shall continue to provide special education and related services during the exclusion or expulsion.

121A.44 EXPULSION FOR POSSESSION OF FIREARM.

(a) Notwithstanding the time limitation in section 121A.41, subdivision 5, a school board must expel for a period of at least one year a pupil who is determined to have brought a firearm to school except the board may modify this expulsion requirement for a pupil on a case-by-case basis. For the purposes of this section, firearm is as defined in United States Code, title 18, section 921.

(b) Notwithstanding chapter 13, a student's expulsion or withdrawal or transfer from a school after an expulsion action is initiated against the student for a weapons violation under paragraph (a) may be disclosed by the school district initiating the expulsion proceeding. Unless the information is otherwise public, the disclosure may be made only to another school district in connection with the possible admission of the student to the other district.

121A.45 GROUNDS FOR DISMISSAL.

Subdivision 1. Provision of alternative programs. No school shall dismiss any pupil without attempting to provide alternative educational services before dismissal proceedings, except where it appears that the pupil will create an immediate and substantial danger to self or to surrounding persons or property.

Subd. 2. Grounds for dismissal. A pupil may be dismissed on any of the following grounds:

(a) willful violation of any reasonable school board regulation. Such regulation must be clear and definite to provide notice to pupils that they must conform their conduct to its requirements;

(b) 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

(c) willful conduct that endangers the pupil or other pupils, or surrounding persons, including school district employees, or property of the school.

Subd. 3. Parent notification and meeting. If a pupil's total days of removal from school exceeds ten cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the pupil and the pupil's parent or guardian before subsequently removing the pupil from school and, with the permission of the parent or guardian, arrange for a mental health screening for the pupil. The district is not required to pay for the mental health screening. The purpose of this meeting is to attempt to determine the pupil's need for assessment or other services or whether the parent or guardian should have the pupil assessed or diagnosed to determine whether the pupil needs treatment for a mental health disorder.

121A.46 SUSPENSION PROCEDURES.

Subdivision 1. Informal administrative conference before suspension. The school administration shall not suspend a pupil from school without an informal administrative conference with the pupil. The informal administrative conference shall take place before the suspension, except where it appears that the pupil 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.

Subd. 2. Administrator notifies pupil of grounds for suspension. At the informal administrative conference, a school administrator shall notify the pupil of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the pupil may present the pupil's version of the facts.

Subd. 3. Written notice of grounds for suspension. 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 sections 121A.40 to 121A.56, shall be personally served upon the pupil at or before the time the suspension is to take effect, and upon the pupil's parent or guardian by mail within 48 hours of the conference. The district shall make reasonable efforts to notify the parents of the suspension by telephone as soon as possible following suspension. In the event a pupil is suspended without an informal administrative conference on the grounds that the pupil will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the pupil and the pupil's parent or guardian within 48 hours of the suspension. Service by mail is complete upon mailing.

Subd. 4. Suspension pending expulsion or exclusion hearing. Notwithstanding the provisions of subdivisions 1 and 3, the pupil may be suspended pending the school board's decision in the expulsion or exclusion hearing; provided that alternative educational services are implemented to the extent that suspension exceeds five days.

121A.47 EXCLUSION AND EXPULSION PROCEDURES.

Subdivision 1. Requiring a hearing; pupil may waive hearing. No exclusion or expulsion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the pupil and parent or guardian. The action shall be initiated by the school board or its agent.

Subd. 2. Written notice. Written notice of intent to take action shall:

(a) be served upon the pupil and the pupil's parent or guardian personally or by mail;

(b) contain a complete statement of the facts, a list of the witnesses and a description of their testimony;

(c) state the date, time, and place of the hearing;

(d) be accompanied by a copy of sections 121A.40 to 121A.56;

- (e) describe alternative educational services accorded the pupil in an attempt to avoid the expulsion proceedings; and
- (f) inform the pupil and parent or guardian of the right to:
 - (1) have a representative of the pupil's own choosing, including legal counsel, at the hearing. The district shall advise the pupil'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 Department of Education;
 - (2) examine the pupil's records before the hearing;
 - (3) present evidence; and
 - (4) confront and cross-examine witnesses.

Subd. 3. Hearing schedule. The hearing shall be scheduled within ten days of the service of the written notice unless an extension, not to exceed five days, is requested for good cause by the school board, pupil, parent or guardian.

Subd. 4. Convenient time and place of hearing. The hearing shall be at a time and place reasonably convenient to pupil, parent or guardian.

Subd. 5. Closed or open hearing. The hearing shall be closed unless the pupil, parent or guardian requests an open hearing.

Subd. 6. Impartial hearer. The hearing shall take place before:

- (1) an independent hearing officer;
- (2) a member of the school board;
- (3) a committee of the school board; or (4) the full school board;

as determined by the school board. The hearing shall be conducted in a fair and impartial manner.

Subd. 7. Creating hearing record. The school board shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense. Testimony shall be given under oath. The hearing officer or a member of the school board shall have the power to issue subpoenas and administer oaths.

Subd. 8. Access to pupil's records. At a reasonable time prior to the hearing, the pupil, parent or guardian, or representative, shall be given access to all public school system records pertaining to the pupil, including any tests or reports upon which the proposed action may be based.

Subd. 9. Pupil's right to compel testimony. The pupil, parent or guardian, or representative, shall have the right to compel the attendance of any official employee or agent of the public school system or any public employee or any other person who may have evidence upon which the proposed action may be based, and to confront and to cross-examine any witness testifying for the public school system.

Subd. 10. Pupil's right to present evidence and testimony. The pupil, parent or guardian, or representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.

Subd. 11. Pupil not compelled to testify. The pupil cannot be compelled to testify in the dismissal proceedings.

Subd. 12. Hearer's recommendation limited to evidence at hearing; service within two days. The recommendation of the hearing officer or school board member or committee shall be based solely upon substantial evidence presented at the hearing and must be made to the school board and served upon the parties within two days of the end of the hearing.

Subd. 13. Basis of school board decision; opportunity for comment. The school board shall base its decision upon the recommendation of the hearing officer or school board member or committee and shall render its decision at a meeting held within five days after receiving the recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's recommendations 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 of the basis and reason for the decision.

Subd. 14. Admission or readmission plan. (a) A school administrator shall prepare and enforce an admission or readmission plan for any pupil who is excluded or expelled from school. The plan may include measures to improve the pupil's behavior, including completing a character education program, consistent with section 120B.232, subdivision 1, and require parental involvement in the admission or readmission process, and may indicate the consequences to the pupil of not improving the pupil's behavior.

(b) The definition of suspension under section 121A.41, subdivision 10, does not apply to a student's dismissal from school for one school day or less, except as provided under federal law for a student with a disability. Each suspension action may include a readmission plan. A readmission plan must provide, where appropriate, alternative education services, which must not be used to extend the student's current suspension period. Consistent with section 125A.091, subdivision 5, a readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School officials 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.

121A.48 GOOD FAITH EXCEPTION.

A violation of the technical provisions of the Pupil Fair Dismissal Act, made in good faith, is not a defense to a disciplinary procedure under the act unless the pupil can demonstrate actual prejudice as a result of the violation.

121A.49 APPEAL.

A party to an exclusion or expulsion decision made under sections 121A.40 to 121A.56 may appeal the decision to the commissioner of education within 21 calendar days of school board action. Upon being served with a notice of appeal, the district shall provide the commissioner and the parent or guardian with a complete copy of the hearing record within five days of its receipt of the notice of appeal. All written submissions by the appellant must be submitted and served on the respondent

within ten days of its actual receipt of the transcript. All written submissions by the respondent must be submitted and served on the appellant within ten days of its actual receipt of the written submissions of the appellant. The decision of the school board must be implemented during the appeal to the commissioner.

In an appeal under this section, the commissioner may affirm the decision of the agency, may remand the decision for additional findings, or may reverse or modify the decision if the substantial rights of the petitioners have been prejudiced because the administrative findings, inferences, conclusions, or decisions are:

- (1) in violation of constitutional provisions;
- (2) in excess of the statutory authority or jurisdiction of the school district;
- (3) made upon unlawful procedure, except as provided in section 121A.48;
- (4) affected by other error of law;
- (5) unsupported by substantial evidence in view of the entire record submitted; or
- (6) arbitrary or capricious.

The commissioner or the commissioner's representative shall make a final decision based upon the record. The commissioner shall issue a decision within 30 calendar days of receiving the entire record and the parties' written submission on appeal. The commissioner's decision shall be final and binding upon the parties after the time for appeal expires under section 121A.50.

121A.50 JUDICIAL REVIEW.

The decision of the commissioner of education made under sections 121A.40 to 121A.56 is subject to judicial review under sections 14.63 to 14.69. The decision of the commissioner is stayed pending an appeal under this section.

121A.51 REPORTS TO SERVICE AGENCY.

The school board shall report any action taken pursuant to sections 121A.40 to 121A.56 to the appropriate public service agency, when the pupil is under the supervision of such agency.

121A.52 NONAPPLICATION OF COMPULSORY ATTENDANCE LAW.

The provisions of section 120A.22, subdivision 5, shall not apply to any pupil during a dismissal pursuant to sections 121A.40 to 121A.56.

121A.53 REPORT TO COMMISSIONER OF EDUCATION.

Subdivision 1. Exclusions and expulsions; physical assaults. The school board must report through the department electronic reporting system each exclusion or expulsion and each physical assault of a district employee by a student within 30 days of the effective date of the dismissal action or assault to the commissioner of education. This report must include a statement of alternative educational services, or other sanction, intervention, or resolution in response to the assault given 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 student's age, grade, gender, race, and special education status.

Subd. 2. Report. (a) The school board must include state student identification numbers of affected pupils on all dismissal and other disciplinary reports required by the department. The department must report annually to the commissioner summary data on the number of dismissals and physical assaults of district employees by a student by age, grade, gender, race, and special education status of the affected pupils. All dismissal and other disciplinary reports must be submitted through the department electronic reporting system.

(b) The commissioner must aggregate the district data reported under this section and include the aggregated data, including aggregated data on physical assaults of a district employee by a student, in the annual school performance reports under section 120B.36.

121A.54 NOTICE OF RIGHT TO BE REINSTATED.

Whenever a pupil fails to return to school within ten school days of the termination of dismissal, a school administrator shall inform the pupil and the pupil's parents by mail of the pupil's right to attend and to be reinstated in the public school.

121A.55 POLICIES TO BE ESTABLISHED.

(a) The commissioner of education shall promulgate guidelines to assist each school board. Each school board shall establish uniform criteria for dismissal and adopt written policies and rules to effectuate the purposes of sections 121A.40 to 121A.56. The policies shall emphasize preventing dismissals through early detection of problems and shall be designed to address students' inappropriate behavior from recurring. The policies shall recognize the continuing responsibility of the school for the education of the pupil during the dismissal period. The alternative educational services, if the pupil wishes to take advantage of them, must be adequate to allow the pupil to make progress towards meeting the graduation standards adopted under section 120B.02 and help prepare the pupil for readmission.

(b) An area learning center under section 123A.05 may not prohibit an expelled or excluded pupil from enrolling solely because a district expelled or excluded the pupil. The board of the area learning center may use the provisions of the Pupil Fair Dismissal Act to exclude a pupil or to require an admission plan.

(c) Each school district shall develop a policy and report it to the commissioner on the appropriate use of peace officers and crisis teams to remove students who have an individualized education program from school grounds.

121A.56 APPLICATION.

Subdivision 1. Prohibition against discrimination remains in effect. Sections 121A.40 to 121A.56 shall not be deemed to amend or otherwise affect or change section 363A.13, subdivision 2.

Subd. 2. Portions of school program for credit. Sections 121A.40 to 121A.56 shall apply only to those portions of the school program for which credit is granted.

SEARCH OF STUDENTS AND PROPERTY OF STUDENTS

Lakeside Learning Center's Site Administration and other district administrators have a right to search students and their property according to the administrative procedures only after they have established reasonable suspicion. Reasonable suspicion is defined below.

Reasonable Suspicion: Reasonable suspicion is the standard for a search on school property or at school-related events and is based on the school official's specific reasonable inferences that he or she is entitled to draw from the facts in light of the school official's experience. Specific reasonable inferences may be drawn from instances including but not limited to a tip from a reliable student, suspicious behavior which suggests that contraband is present, smell indicating the presence of contraband, or a bulge in a pocket, etc. Reasonable suspicion should not be based on mere hunch.

*TRESPASSING

Please refer to the Code of Conduct. **Suspended students are not allowed on school grounds.**

*WEAPONS Please refer to the Code of Conduct.

School Weapons Policy

In accordance with state law and to provide a safe environment for students, staff, and the public, weapons are not allowed in school buildings or on school grounds. This policy does not apply to licensed peace officers and military personnel. If anyone finds himself/herself by accident to be in possession of a weapon, the individual needs to report immediately to the Site Administrator's office. (School Board Policy 900- 30-1)

STUDENT PERSONNEL BULLYING PROHIBITION POLICY

I. PURPOSE

STUDENT PERSONNEL BULLYING PROHIBITION POLICY

A safe and civil environment is needed for students to learn and attain high academic standards and to promote healthy human relationships.

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

II. GENERAL STATEMENT OF POLICY

A. An act of bullying, by either an individual student or a group of students, is expressly prohibited on school premises, on district property or at school-related functions, or on school transportation. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, of other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources.

B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.

C. Apparent permission or consent by a student being bullied does not lessen the prohibitions contained in this policy. D. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.

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

F. A person who engages in an act of bullying, reprisal, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with school district's policies and procedures, including the school district's discipline policy.

The school district may take into account the following factors:

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

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

Consequences for employees who permit, condone, or tolerate bullying or engage in an act of reprisal or intentional false reporting of bullying may result in disciplinary action up to and including termination or discharge. Consequences for other individuals engaging in prohibited acts of bullying may include, but not be limited to, exclusion from school district property and events and/or termination of services and/or contracts. G. The school district will act to investigate all complaints of bullying reported to the school district and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.

III. DEFINITIONS

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

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

B. materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

The term, "bullying" specifically includes cyberbullying as defined in this policy.

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

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

D. "intimidating, threatening, abusive, or harmful conduct" means, but is not limited to, conduct that does the following: a. causes physical harm to a student or a student's property or causes a student to be in reasonable fear of harm to person or property; b. under Minnesota common law, violates a student's reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or

- c. is directed at any student or students, including those based on a person's actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age, or any additional characteristic defines in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.
- E. "On school premises, on school district property, at school functions or activities, or on school transportation" means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for 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.
- F. "Prohibited conduct" means bullying or cyberbullying as defined in this policy or retaliation or reprisal for asserting, reporting, or providing information about such conduct or knowingly making a false report about bullying. G. "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct. H. "Student" means a student enrolled in a public school or a charter school.

IV. REPORTING PROCEDURE

- A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A student may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the Site Administrator or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.
- C. The building Site Administrator, the Site Administrator's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as the primary contact on policy and procedural matters. The building report taker or a third party designated by the school district shall be responsible for the investigation. The building report taker shall
- provide information about available community resources to the target or victim of the bullying or other prohibited conduct, the perpetrator, and other affected individuals as appropriate.
- D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.
- E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the reasonable authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.
- F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, or work assignments, or educational or work environment. G. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

V. SCHOOL DISTRICT ACTION

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

VI. RETALIATION OR REPRISAL

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged bullying or prohibited conduct, who provides information about bullying or prohibited conduct, who testifies, assists, or 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, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the

factors specified in Section II.F. of this policy.

VII. TRAINING AND EDUCATION

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

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

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

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

VIII. NOTICE

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

IX. POLICY REVIEW

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

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definition of Public School)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.03 (Sexual, Religious and Racial Harassment and Violence)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.031 (Notice of Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act) Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.69 (Hazing Policy)
Minn. Stat. § 124D.10 (Charter School)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. § 1232g et seq. (Family Educational Rights and Privacy Act)
34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees) MSBA/MASA Model Policy 413 (Harassment and Violence) MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse) MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults) MSBA/MASA Model Policy 423 (Employee-Student Relationships)
MSBA/MASA Model Policy 501 (School Weapons Policy)

STUDENT PERSONNEL MISCELLANEOUS – SCHOOL DISCIPLINE POLICY

I. STATEMENT OF POLICY

It is the responsibility of the School Board, administrators and staff to safeguard the health and safety of each student. The School Board and district administrators will support district personnel who, in dealing with students on disciplinary matters, act in accordance with state statute, State Board of Education regulations and this policy.

Further, it is the position of the school district that a fair and equitable district-wide school discipline policy will contribute to the quality of a student's educational experience. Without discipline in the schools, learning cannot occur. Therefore, this district-wide school discipline policy has been adopted.

The Rules of Conduct listed below under Section 1 will be uniformly enforced with consistent consequences in all district buildings and programs. The Rules of Conduct listed under Section 2 will be uniformly enforced, but the consequences may vary according to the age of the student.

II. RULES OF CONDUCT

Section 1. Disciplinary action may be taken against students for any behavior which is disruptive of good order or violates the rights of others. The following acts are unacceptable behavior subject to disciplinary action in the school district.

A. Dangerous, Harmful and Nuisance Substances and Articles

1. Alcohol: Students are prohibited from using, possessing or being under the influence of alcoholic beverages at school, at school-sponsored activities or on school grounds.
2. Drugs: Students are prohibited from using, possessing, distributing or being under the influence of illegal drugs or narcotics at school, school-sponsored activities or on school grounds.
3. Use or Possession of Tobacco: Tobacco use or possession by students is prohibited at school, at school sponsored activities and on school grounds.
4. Harmful or Nuisance Articles: The possession or use of articles that are nuisances, illegal or that may cause harm to persons or property is prohibited at school and school-sponsored activities.
5. Weapons: Anyone bringing a weapon on school grounds shall be subject to disciplinary action. The use of a weapon to provide a threat to anyone shall be punishable to the fullest extent of school board policy and the law.

B. Physical Assault: Physical assault is an act which intentionally inflicts or attempts to inflict bodily harm upon another.

C. Verbal Assaults: Verbal assaults are abusive, threatening, profane or obscene language either oral or written by a student toward a staff member of another student including conduct which degrades people because of their race, religion, ethnic background, gender or physical or mental disability.

D. Threats: Threats to normal school operations or school activities, including but not limited to, the reporting of dangerous or hazardous situations that do not exist are unacceptable behavior.

Section 2.

A. Truancy and Unauthorized Absences

1. As required by current statutes, regulations of the Department of Education and the School Board of this district, students shall be in attendance each day that school is in session. The authority to decide whether an absence is excused or unexcused rests with the building Site Administrator. Students returning to school following an absence will be expected to complete all missed assignments within a reasonable period of time.
2. Truancy, for purposes of this policy, is the absention of one's self from school or class without the approval of the school. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission.
3. If a student develops a pattern of tardiness to school or class, disciplinary action will be taken.
4. The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minn. Stat. § 124D.03) or Enrollment in Nonresident District (Minn. Stat. § 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minn. Stat. Ch. 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of 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.

III. DISCIPLINARY ACTION

A. Disciplinary action may include, but is not limited to:

1. Meeting with teacher, counselor or Site Administrator;
2. Detention;
3. Loss of school privileges;
4. Parental conference with school staff;
5. Modified school programs;
6. Removal from class;
7. Suspension;
8. Exclusion; and
9. Expulsion.

B. Copies of this policy, together with "The Pupil Fair Dismissal Act" shall be published in the student handbook and distributed to all students during

- the first month of the school year. Nothing in this policy is intended to conflict with "The Pupil Fair Dismissal Act."
- C. Parents 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." Students shall be notified of violations of the rules of conduct and resulting disciplinary actions verbally as provided otherwise by "The Pupil Fair Dismissal Act."
- D. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the pupil to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.

IV. SPECIAL EDUCATION

- A. Any student suspected of having a behavioral disability condition should be referred to the Building Child Study Team and elementary/secondary Child Find Facilitator when:
1. Disciplinary action is being considered against the student; or
 2. Consideration is being given to removing the student from school.
- B. Exception: Any student with a disability exhibiting unacceptable behavior at a level which is threatening to self or others shall immediately be dealt with according to the policy statements for all students. It is not necessary to first refer the student to the Building Child Study Team and/or Child Find Facilitator. In such cases, primary consideration must be given to the safety of students and others.
- C. A child with a disability is subject to the same expectations and the Code of Conduct as other students. All due process procedures regarding students with disabilities must be followed.
1. When a child with a disability is expelled, excluded, or suspended for more than five (5) consecutive days, or suspended for ten (10) cumulative days in the same year, an IEP team/manifestation determination must occur as follows:
 - a. The IEP team meeting must occur as soon as possible but no more than ten (10) days after the sixth consecutive day of suspension/expulsion or the tenth cumulative day of suspension has elapsed.
 - b. Relevant members of the child's IEP team, including at least one of the child's teachers, shall meet.
 - c. The IEP team must review:
 1. All relevant information in the student's file, including the student's IEP.
 2. Any teacher observations.
 3. Any relevant information provided by the parents.
 - d. The IEP team must determine:
 1. If the conduct in question was caused by, or had a direct and substantial relationship, to the student's disability. If the conduct in question was the direct result of the school's failure to implement the IEP.
 - e. The IEP team may:
 1. Determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although services may be provided in another setting, and to progress towards meeting the goals in the child's IEP;
 2. Review any assessment and determine the needs for further assessment; and
 3. Review the IEP plan and amend goals and objectives or develop an alternative IEP plan.

VII. THE FOLLOWING SBR'S ARE FOR REFERENCE AND REINFORCE THE DISTRICT- WIDE DISCIPLINE POLICY

- A. SBR 500-10-2
- B. SBR 600-40-2
- C. SBR 700-40-1
- D. SBR 700-40-4

VIII. REVIEW OF POLICY

- A. The Site Administrator and the licensed employees in a school building shall confer at least annually to review the discipline policy and to assess whether the policy has been enforced.

ISD NO. 31 SBR 700-40-2 ORIGINAL: 16 AUGUST 1993 REVISED: 25 JANUARY 2016 PAGE 6 OF 6

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, or disability.

II. GENERAL STATEMENT OF POLICY

- A. It is the policy of Independent School District No. 31 to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.
- 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 personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability, as defined by this policy. (For purposes of this policy, school district personnel includes school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)
- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who is found to have violated this policy.

III. DEFINITIONS

A. "Assault" is:

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

B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability when the conduct:

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

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

D. Protected Classifications; Definitions

1. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:

- a. has a physical, sensory, or mental impairment which materially limits one or more major life activities; b. has a record of such an impairment; or
- c. is regarded as having such an impairment.

2. "Familial status" means the conditions of one or more minors being domiciled with:

- a. their parent or parents or the minor's legal guardians; 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 education 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 education status; or, f. Unwelcome behavior or words directed at an individual because of gender.

G. Sexual Violence; Definition

a. 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 Minnesota Statute §609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering those areas.

b. Sexual violence may include, but is not limited to:

- i. touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same or the opposite sex;
- ii. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
- iii. coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
- iv. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

H. Violence; Definition

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

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct which may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the Site Administrator 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 Site Administrator, the Site Administrator'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 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 office 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 office. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- G. The School Board hereby designates Jordan Hickman, Director of Human Resources, as the school district human rights officer to receive reports or complaints of harassment and violence prohibited by this policy. If the complaint involves the human rights officer, the complaint shall be filed directly with the superintendent.
- H. The school district shall conspicuously post the name of the human rights officer, including a mailing address and telephone number.
- 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, or 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 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 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 any 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

1. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minnesota Statute §626.556 may be applicable.
2. 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(s).
- D. The school district will develop a method of discussing this policy with students and employees.
- E. The school district may implement violence prevention and character development education programs to prevent and reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

Minn. Stat. § 120B.232 (Character Development Education)

Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy) Minn. Stat. § 121A.031 (School Student Bullying Policy)

Minn. Stat. Ch. 363A (Minnesota Human Rights Act)

Minn. Stat. § 609.341 (Definitions)

Minn. Stat. § 626.556 et seq. (Reporting of Maltreatment of Minors)

20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)

29 U.S.C. § 621 et seq. (Age Discrimination in Employment Act)

29 U.S.C. § 794 (Rehabilitation Act of 1973, § 504)

42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)

42 U.S.C. § 2000d et seq. (Title VI of the Civil Rights Act of 1964)

42 U.S.C. § 2000e et seq. (Title VII of the Civil Rights Act)

42 U.S.C. § 12101 et seq. (Americans with Disabilities Act)

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

General Statement of Policy Prohibiting Harassment and Violence

Independent School District No. 31 maintains a firm policy prohibiting all forms of discrimination. Harassment or violence against students or employees or groups of students or employees on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability is strictly prohibited. All persons are to be treated with respect and dignity. Harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability by any student, teacher, administrator, or other school personnel, which create an intimidating, hostile, or offensive environment will not be tolerated under any circumstances.

Complainant _____

Home Address _____

Work Address _____

Home Phone _____

Work Phone _____

Date of Alleged Incident(s) _____

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

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

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

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

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

List any witnesses that were present _____

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

_____ Complainant Signature Date

_____ Received by Date

STUDENT PERSONNEL 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

1. No student, teacher, administrator, volunteer, contractor or other employee of the school district shall plan, direct, encourage, aid or engage in hazing.
2. No teacher, administrator, volunteer, contractor or other employee of the school district shall permit, condone or tolerate hazing.
3. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.
4. Retaliation against a victim, good faith reporter, or a witness of hazing is prohibited.
5. False accusations or reports of hazing against a student, teacher, administrator, volunteer, contractor, or other employee are prohibited.
6. A person who engages in an act of hazing, reprisal, retaliation, or false reporting of hazing or permits, condones, 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.
7. 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.
8. 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.
9. 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

1. "Hazing" means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term hazing includes, but is not limited to:
 1. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking or placing a harmful substance on the body.
 2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics, or other activity that subjects the students to an unreasonable risk of harm 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 students to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame or humiliation, 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.
 2. "Immediately" means as soon as possible but in no event longer than 24 hours.
 3. "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.
 4. "Remedial response" means a measure to stop and correct hazing, prevent hazing from reoccurring, 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

1. 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 response.
2. The school district encourages the reporting party to use the report form available from the Site Administrator or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well. The building Site Administrator, the Site Administrator'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 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.
3. 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.
4. 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 environments.
5. 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.
6. 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

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.
6. 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, who testifies, assists or participates in a proceeding or hearing relating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment, or intentional disparate treatment. 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 POLICY

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

Legal References: Cross References:

Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.0311 (Notice of the Rights and Responsibilities of Students and Parents Under the Safe and Supportive Minnesota Schools Act)
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.69 (Hazing Policy)

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees) MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 525 (Violence Prevention [Applicable to Students and Staff])

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IT'S OKAY TO ASK FOR HELP



Suicide Prevention:

***National Suicide Prevention Lifeline:**

(800) 273-TALK

***Text "MN" to 741741**

***Cyber Bullying Hotline: (888) 414-7678**

Family Relationship Issues:

***Evergreen House Crisis Hotline: (218) 751-4332**

***Northwoods Battered Women's Shelter**

(218) 751-0211

Substance Abuse:

***Bemidji Area Program for Recovery:(218) 444-5155**

***National Center for Substance Abuse:**

(800) 662-HELP(4357)

Sexual Assault:

***Support Within Reach: (218) 444-9524/1-800-708-2727**

***RAINN/National Sexual Assault Hotline:**

(800) 656-HOPE(4673)

Local Law Enforcement:

***Non Emergency: (218) 333-9111**

***Emergency: 911**

Sprays or Noxious Odors

Information from the Mayo Clinic and the Minnesota Department of Health indicates that spraying or spreading perfumes or noxious sprays or liquids can result in allergic reactions, headaches and/or asthma attacks in students and staff. Such odor causing items should not be brought to school. Students who spray such items will have the item confiscated and may have consequences for their actions.

Textbooks/Library Books

All classroom texts are loaned to the students for their use during the school year. Workbooks and other supplies are paid for by the student. Textbooks are to be kept clean and handled carefully. Please be sure your name, school and grade are written on the book label in case the book is misplaced. The school will charge an appropriate replacement fee for textbooks, workbooks, or library books lost or destroyed by students.

Theft

Theft is the unauthorized taking of the property of another. Taking food from the food service without intending to pay is considered theft. (i.e. putting food in pockets, hiding extra portions, etc.) Taking items from the lost and found, or anywhere in the school building, is considered theft. Thefts are subject to the penalties listed in the Code of Conduct SBR 700-40-4. The Law Enforcement Center will be notified. All students are asked to report any theft of personal or school property to the Student Management (Green) Office immediately and fill out a theft report form. A record of the report will be on file to aid in the investigation.

Visitors

For the safety of all students and staff, we require all visitors to report to the Secretary's Office to sign in and pick up a visitor's pass. Visitor's passes are issued during the school day for pre-arranged appointments/visits.

- Student visitors are not allowed to accompany LLC students to their classes.
- Parents please refrain from going directly to your child's classroom when you arrive to pick up your child from the health office. Please ask the Secretary Office or LLC Staff to coordinate for any homework that your child will miss if they have to go home.

ACADEMIC ELIGIBILITY FOR EXTRACURRICULAR ACTIVITIES

Participation in extracurricular activities is a privilege granted to a student, it is not an inherent student right. It is the belief of the Board of Education that such participation must be earned based on academic performance. To be scholastically eligible for any extracurricular activity, a student must maintain a minimum of a 2.0 Grade Point Average (GPA). The minimum requirement of a 2.0 cumulative GPA will be put into effect following the conclusion of the first quarter of the 7th and 8th grade year. Scholastic eligibility will be determined at the end of each quarter to the remainder of the school year. Students forfeit their eligibility for three weeks as 8th grade students and two weeks as 7th grade students if they do not maintain a minimum grade point average of 2.0 cumulative.

Students and a parent/guardian may apply for a contractual agreement with the Activities Coordinator in an effort to become scholastically eligible. This agreement includes sustained progress (weekly grade checks ensuring a 2.0 cumulative GPA average) for meeting the middle school requirements. This agreement will be in effect after the period of ineligibility until the student/athlete reaches a 2.0 cumulative GPA.

Eligibility Rules

To be eligible to participate and to remain in an extracurricular or a League sponsored activity, students must follow the rules as stated in the Minnesota State High School League "Athletic Eligibility Information Bulletin," and the additional Bemidji Area Schools Eligibility Rules. Sponsored activities: Baseball, Basketball, Cross Country, Dance line, Golf, Gymnastics, Football, Hockey, Swimming, Tennis, Track, Volleyball, Wrestling, Softball, Soccer and Cheerleading.

During the calendar year, regardless of the quantity, a student shall not use or have in possession a beverage containing alcohol; use tobacco; or use or consume, have in possession, buy or sell, or give away marijuana or any substance defined by law as a drug. It is not a violation for a student to be in possession of a legally defined drug specifically prescribed for the students' own use by his/her doctor. Students in attendance at a "kegger," party, nightclub or in a vehicle where alcohol is present without being accompanied by a parent, will be deemed as being in possession of alcohol. Students in attendance at a "kegger," party, nightclub or in a vehicle where any substance defined by law as a drug is present, will be deemed as being in possession of those substances.

Penalties and Recommendations for the Interscholastic Activities:

1. **First Violation:** After confirmation of the first violation, the student shall lose eligibility for the next two (2) 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:** After confirmation of the second violation, the student shall lose eligibility for the next six (6) consecutive interscholastic contests in which the student is a participant or three (3) weeks, whichever is greater. No exception is permitted for a student who becomes a participant in a treatment program.
3. **Third and Subsequent Violations:** After confirmation of the third or subsequent violations, the student shall lose eligibility for the next twelve (12) consecutive interscholastic contests in which the student is a participant or four (4) weeks, whichever is greater. If after the third or subsequent violations, the student has been assessed to be chemically dependent and the student on her/his own volition becomes a participant in a chemical dependency program or treatment program, then the student may be certified for reinstatement in MSHSL activities after a minimum period of six (6) weeks. Such certification must be issued by the director or a counselor of a chemical dependency treatment center.
4. **Penalties shall be accumulative** beginning with the student's first participation at the middle school level.

Bemidji School District Eligibility Rules for District Sponsored Extracurricular Activities (Band, Chorus, SNAP, Robotics, Peer Leaders, and all other extracurricular activities).

1. **First Violation:** the student shall lose eligibility for the next two (2) consecutive interscholastic contests or two (2) weeks, 14 calendar days, of a season in which the student is a participant, whichever is greater. Recommendations: 1) It is recommended that the school develop a local education program through which the student would receive information about sexual, racial, religious harassment, violence or hazing. 2) It is recommended that, when appropriate, the school refer a student to a community agency or a professional individual outside the school for counseling.
2. **Second Violation:** the student shall lose eligibility for the next six (6) consecutive interscholastic contests or three (3) weeks, 21 calendar days, whichever is greater, in which the student is a participant. Recommendation: It is recommended that before being re-admitted to activities following suspension for the second violation, the student shall show evidence in writing that the student has received counseling from a community agency or professional individual such as a school counselor, medical doctor, psychiatrist, or psychologist.
3. **Third or Subsequent Violations:** the student shall lose eligibility for the next twelve (12) consecutive interscholastic contests or four (4) weeks, 28 calendar days, whichever is greater, in which the student is a participant.
4. **Penalties shall be accumulative** beginning with the student's first participation at the middle/high school level.

Athletic Event Expectations

The following rules will be adhered to:

1. No throwing objects onto playing surface.
2. All signs and locations for signs must be approved by the home site supervisor or administrator. Only signs of a positive nature will be permitted.
3. No profane or abusive cheers, gestures, spitting, or chanting will be permitted.
4. Fighting is prohibited.
5. Use of drugs or alcohol is prohibited.
6. No noisemakers allowed.

7. Band playing collectively or individually during the game is limited to time outs, intermissions, and quarter breaks. This includes all musical instruments, i.e., drums, trumpets, etc.
8. Official cheerleaders and a mascot only allowed on the floor. Mascot must stay in the area of the cheerleaders. No other leaders of cheers will be allowed on the floor.
9. At events, where a public address is available, the rules for sportsmanship shall be summarized or read.
10. Full-face painting, masks, or costumes that disguise identity are not permitted. The torso must be fully covered

When squads return late at night from games played during the week, the student is expected to be in school, on time, the next morning and attend all classes as usual. A doctor's note or third party appropriate excused appointment will be considered an excused absence for the morning after a sporting event. The student must bring a note from said appointment. Students who participate in activities must maintain a 2.00 cumulative grade point average and be making satisfactory progress toward LLC's requirements for graduation in order to remain eligible. Habitual absenteeism does not support satisfactory progress towards graduation. See Activity Eligibility Bulletin for more information.

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

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

Why statewide testing?

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

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

Why does participation matter?

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

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

Academic Standards and Assessments

What are academic standards?

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

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

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

Minnesota Comprehensive Assessments (MCA) and Minnesota Test of Academic Skills (MTAS)

- Based on the Minnesota Academic Standards; given annually in grades 3–8 and high school in reading and mathematics; given annually in grades 5, 8, and high school for science.
- Majority of students take the MCA.
- MTAS is an option for students with the most significant cognitive disabilities.

ACCESS and Alternate ACCESS for English Learners

- Based on the WIDA English Language Development Standards.
- Given annually to English learners in grades K–12 in reading, writing, listening, and speaking.
- Majority of English learners take ACCESS for ELLs.
- Alternate ACCESS for ELLs is an option for English learners with the most significant cognitive disabilities.

Why are these assessments effective?

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

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

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

Are there limits on local testing?

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

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

What if I choose not to have my student participate?

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

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

When do students take the assessments?

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

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

When do I receive my student's results?

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

How much time is spent on testing?

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

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

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

Where do I get more information?

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



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

Parent/Guardian Refusal for Student Participation in Statewide Assessments

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

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

Date _____ (This form is only applicable for the 20__ to 20__ school year.)

Student's Legal First Name _____ Student's Legal Middle Initial _____

Student's Legal Last Name _____ Student's Date of Birth _____

Student's District/School _____ Grade _____

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

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

Reason for refusal:

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

_____ MCA/MTAS Reading

_____ MCA/MTAS Science

_____ MCA/MTAS Mathematics

_____ ACCESS/Alternate ACCESS for ELLs

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

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

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

Parent/Guardian Name (print) _____

Parent/Guardian Signature _____

To be completed by school or district staff only.

Student ID or MARSS Number _____

Lakeside Learning Center Suspension Form

STUDENT NAME: _____

DATE of Incident: _____ TIME of incident: _____

LOCATION of incident: (can choose more than one):

- Classroom Restroom Parking lot
 Hallway Indoor area Other outdoor area
 Locker School bus Off campus

Total # of days suspended:

(Please note: For special education students, removals from school for any portion of a day must be reported in ½ day increments).

Dates suspended, inclusive:

Student may return to school on:

Type of Incident/Grounds for Suspension: (check at least one)

<input type="checkbox"/> Alcohol	<input type="checkbox"/> Disruptive/Disorderly Cond/Insubordination	<input type="checkbox"/> OTC Meds
<input type="checkbox"/> Arson	<input type="checkbox"/> Extortion	<input type="checkbox"/> Pyrotechnics
<input type="checkbox"/> Assault	<input type="checkbox"/> Fighting	<input type="checkbox"/> Robbery (force)
<input type="checkbox"/> Attendance	<input type="checkbox"/> Gang Activity	<input type="checkbox"/> Terroristic Threats
<input type="checkbox"/> Bomb	<input type="checkbox"/> Harassment	<input type="checkbox"/> Theft
<input type="checkbox"/> Bomb Threat	<input type="checkbox"/> Hazing	<input type="checkbox"/> Threat/Intimidation
<input type="checkbox"/> Bullying (except cyber)	<input type="checkbox"/> Homicide	<input type="checkbox"/> Tobacco
<input type="checkbox"/> Cyber Bullying	<input type="checkbox"/> Illegal Drugs	<input type="checkbox"/> Vandalism/Property
<input type="checkbox"/> Computer		<input type="checkbox"/> Verbal Abuse
<input type="checkbox"/> Controlled Sub		<input type="checkbox"/> Weapon <input type="checkbox"/> Other

STATEMENT of FACTS: Code(s) of Conduct Violation:

Victim Info:

- NO VICTIM(S) Student (MARSS # known)
 Teacher Student (MARSS # unknown)
 District Employee Multiple (i.e.: bus, class, school wide)

Victim Impact:

Did injury occur? yes no
 Medical costs to victim incurred by this event? \$0 \$1-500 over \$500

Teacher / Staff Involved:

Form Completed BY: _____

Use of Restrictive Procedure – Physical Holding

Student Name: _____ ID: _____ DOB: _____ Grade: _____

School: _____ Date of Incident: _____

Ethnicity: Is the student Hispanic/Latino?

Yes No

What is the student's Race? (choose one or more)

American Indian or Alaska Native Asian

Black or African American White

Native Hawaiian or Pacific Islander

Directions: The staff person who implemented or oversaw a physical hold must complete this form each time a physical hold is utilized.

Staff Involved:

Name:	Position	Role	Trained
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

Person completing form: _____ Title: _____

EMERGENCY

Was physical holding used to protect student or others from physical injury: Yes No

Description of the emergency situation:

Description of the incident that led to physical holding:

PHYSICAL HOLDING

Description of the physical holding and a brief description of the student's behavioral and physical status:

Was physical holding the least intrusive intervention to effectively respond to the emergency? Yes No

Explain why a less restrictive intervention failed or was determined by staff to be inappropriate or impractical:

Did physical holding end when the threat of harm ended and staff determined that the student could safely return to the classroom or activity? Yes No

Explain:

Did staff directly observe the child during physical holding? Yes No

Explain:

Did staff sustain an injury as a result of the physical holding: Yes No

Did the student sustain an injury as a result of the physical holding: Yes No

Time physical holding began: _____ Ended: _____ Total time: _____

Removal From School

Was the student removed from school by a police officer at the request of school personnel: Yes No

Parent Notification

Parents must be notified the same day a restrictive procedure is used. A written or electronic notice must be sent home within two (2) days if unable to notify on the same day.

Parent: _____ Date: _____ Time: _____

Notified by: _____

How notified: _____

**Lakeside Learning Center
Quiet Room / Unusual Occurrence**

Date:

Student(s) Involved:

Time of Occurrence:

Classroom / Area:

Form Completed by:

Brief description of occurrence; including student behavior, staff response, consequences, follow up and timeline.

Were staff and student able to agree upon reasons for timeout and future student expectations? Yes / No
Briefly explain:

List staff involved including responsibilities during quiet time. Include begin and end time involved for each staff.

Please indicate:

Site Administrator Notified: _____

Parent/Guardian Notified: _____

Law Enforcement Notified: yes _____ no _____

Nurse Notified: yes _____ no _____

Please Complete:

Of Staff/Total Time: _____
--

* If a physical hold was necessary, please attach a hold report.

Reviewed by Site Administrator: _____

TRANSPORTATION

Student Conduct on Buses and in Loading Zones. Students are expected to follow the same standards of behavior on the school bus as in school. The school bus is school property and the school bus ride is part of the school day. With regard to the well-being of our students, the bus driver has the same responsibility and authority as any other school staff member. Riding the bus is a privilege, not a right.

RULES FOR RIDING ON THE BUS

1. Cooperate with the driver.
2. Stay in your seat with your feet on the floor.
3. Talk quietly and use appropriate language.
4. Keep all parts of your body and objects inside the bus.
5. Keep your whole body, objects and negative comments to yourself.
6. No fighting, harassment, intimidation or horseplay.
7. Do not throw any object.
8. No eating, drinking, or use of alcohol, tobacco or drugs.
9. Keep all harmful objects off the bus.
10. Do not damage the school bus or equipment.
11. Electronic devices may be used without sound or with the use of headphones/earbuds.
12. The driver has the authority to assign seating on the bus.
13. Keep the bus clean.

DISCIPLINE GUIDELINES

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

1. First Offense – Written warning.
2. Second Offense – 5 school day suspension from riding the bus.
3. Third Offense – 10 school day suspension from riding the bus.
4. Fourth Offense – 20 school day suspension from riding the bus and a meeting with parent/guardian.
5. Suspension from riding the bus for the remainder of the school year.

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

ITEMS NOT ALLOWED ON THE BUS

1. Animals or insects (unless necessary to assist a person with a disability, i.e. service animal).
2. Hazardous materials.
3. School projects such as hammers or fishing spears.
4. Non roll-up sleds.
5. Skis*
6. Golf clubs*
7. Baseball bats*
8. Rakes*
9. Balloons
10. External speakers
11. Perfumes
12. Vaping mechanisms, lighters and all other items not permitted on school grounds.

*Items may be transported if approved as a school district sport/activity.

STUDENT TRANSPORTATION SAFETY POLICY

1. Only students assigned to the school bus by the school district shall be transported. The number of students or other authorized passengers shall not be more than the legal capacity for the bus. No person shall be allowed to stand when the bus is in motion.
2. Parents/Guardians may designate, pursuant to school district policy, a day care facility, respite care facility, the residence of a relative, or the residence of a person chosen by the parent/guardian as the address of the student for transportation purposes. The address must be in the attendance area of the assigned school and meet other eligibility requirements.
3. Drivers are to enforce the provision of the school bus and bus stop rules as appropriate. Students may be released from the bus at only two points, the designated bus stop or at school, except in case of emergency or as otherwise authorized.
4. Students who misbehave severely may be returned to the school immediately and reported to the building Site Administrator or other designated individual.
5. The district may adopt such additional operating rules as are deemed necessary to meet local conditions and needs, provided they do not conflict with state laws and regulations.

The complete Transportation Policy can be found on the District Website.

SCHOOL PROPERTIES - INTERNET ACCEPTABLE USE POLICY

I. PURPOSE

The purpose of this policy is to set forth policies and guidelines for access to the school district computer system and acceptable use of the Internet, including electronic communications.

II. GENERAL STATEMENT OF POLICY

In making decisions regarding student and employee access to the school district computer system and to the Internet, including electronic communications, the school district considers its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the school district computer system and to the Internet enables students and employees to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The school district expects that faculty will blend thoughtful use of the school district computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

III. LIMITED EDUCATIONAL PURPOSE

The school district is providing students and employees with access to the school district's computer system, which includes Internet access. The purpose of the system is more specific than providing student and employees with general access to the Internet. The school district system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the school district and school policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited purpose network.

IV. USE OF SYSTEM IS A PRIVILEGE

The use of the school district system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the school district system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate school district policies, including suspension, expulsion, exclusion or termination of employment; or civil or criminal liability under other applicable laws.

V. UNACCEPTABLE USES

A. The following uses of the school district system and Internet resources or accounts are considered unacceptable:

1. Users will not use the school district system to access, review, upload, download store, print, post, receive, transmit, or distribute:
 - a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
 - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
 - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
 - d. information or materials that could cause damage or danger of disruption to the educational process;
 - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
 2. Users will not use the school district system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
 3. Users will not use the school district system to engage in any illegal act or violate any local, state, or federal statute or law.
 4. Users will not use the school district system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the school district system software, hardware, or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
 5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.
 6. Users will not use the school district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, address, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.
 - a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
 - b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:
 - (1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with school board policy, or
 - (2) such information is not classified by the school district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with school board policy.
 - (3) In addition, prior to posting any personal contact or personally identifiable information on a school-related webpage, employees shall obtain written approval of the content of the postings from the building administrator.
 - c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or another individual on social networks, including, but not limited to, social networks as "Twitter", Instagram, "TikTok", "MySpace" and "Facebook."
 7. Users must keep all account information and passwords on file with the designated school district official. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person's account, or use computer accounts, access codes, or network identification other than those assigned to the user. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities.
 8. Users will not use the school district system to violate copyright laws or usage licensing agreements, or otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.
 9. Users will not use the school district system for conducting business, for authorized commercial purposes, or for financial gain unrelated to the mission of the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement. Users will not use the school district system to purchase goods or services for personal use without authorization from the appropriate school district official.
 10. Users will not use the school district system to engage in bullying or cyberbullying in violation of the school district's Bullying Prohibition Policy. This prohibition includes using any technology or other electronic communication off school premises to the extent that student learning or the school environment is substantially and materially disrupted.
- B. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations include, but are not limited to, situations where the school district system is compromised or if a school district employee or student is negatively impacted. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.
- C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate discloser shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has

intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school district employee, the building administrator.

VI. FILTER

- A. With respect to any of its computers with Internet access, the school district will monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:
- 1) Obscene;
 - 2) Child pornography; or
 - 3) Harmful to minors.
 - a) The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:
 - 4) Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
 - 5) Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 - 6) Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
 - a) Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.
 - b) An administrator, supervisor, or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.
 - c) The school district will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

VII. CONSISTENCY WITH OTHER SCHOOL POLICIES

Use of school district computer system and use of the Internet shall be consistent with school district policies and the mission of the school district.

VIII. LIMITED EXPECTATION OF PRIVACY

- A. By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the school district system.
- B. Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.
- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.
- D. Parents have the right to investigate or review the contents of their child's files and email files. Parents have the right to request the termination of their child's individual account at any time.
- E. School district employees should be aware that the school district retains the right at any time to investigate or review the contents of their files and email files. In addition, school district employees should be aware that data and other material in files maintained on the school district system may be subject to review, disclosure, or discovery under Minn. Stat. Ch. 13 (the Minnesota Government Data Practices Act).
- F. The school district will cooperate fully with local, state, and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.

IX. INTERNET USE AGREEMENT

- A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents and employees of the school district.
- B. This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.
- C. The Internet Use Agreement form for students must be read and signed by the user, and a parent or guardian, and the supervising teacher. The Internet Use Agreement form for employees must be signed by the employee. The form must then be filed at the school office. As supervising teachers change, the agreement signed by the new teacher shall be attached to the original agreement.

X. LIMIT ON SCHOOL DISTRICT LIABILITY

Use of the school district system is at the user's own risk. The system is provided on an "as is, as available" basis. The school district will not be responsible for any damage users may suffer, including, but not limited to, loss, damage or unavailability of data stored on school district diskettes, tapes, hard drives or servers, or for delays or changes in or interruptions of service or misdeliveries of information or materials, regardless of the cause. The school district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the school district system. The school district will not be responsible for financial obligations arising through unauthorized use of the school district system or the Internet.

XI. USER NOTIFICATION

All users shall be notified of the school district policies relating to Internet use. This notification shall include the following:

1. Notification that Internet use is subject to compliance with school district policies.
2. Disclaimers limiting the school district's liability relative to:
 - A. Information stored on school district diskettes, hard drives or servers.
 - B. Information retrieved through school district computers, networks or online resources.
 - C. Personal property used to access school district computers, networks or online resources.
 - D. Unauthorized financial obligations resulting from use of school district resources/accounts to access the Internet.
3. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.
4. Notification that, even though the school district may use technical means to limit student Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.

5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the student and/or student's parents.
6. Notification that the collection, creation, reception, maintenance, and dissemination of data via the Internet, including electronic communications, is governed by school board policy.
7. Notification that, should the user violate the school district's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.
8. Notification that all provisions of the acceptable use policy are subordinate to local, state, and federal laws.

XII. PARENT RESPONSIBILITY - NOTIFICATION OF STUDENT INTERNET USE

- A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies and other possibly offensive media. Parents are responsible for monitoring their student's use of the school district system and of the Internet if the student is accessing the school district system from home or a remote location.
- B. Parents will be notified that their students will be using school district resources/accounts to access the Internet and that the school district will provide parents the option to request alternative activities not requiring Internet access. This notification should include:
 1. A copy of the user notification form provided to the student user.
 2. A description of parent/guardian responsibilities.
 3. A notification that the parents have the option to request alternative educational activities not requiring Internet access and the material to exercise this option.
 4. A statement that the Internet Use Agreement must be signed by the user, and the parent or guardian, and the supervising teacher prior to use by the student.
 5. A statement that the school district's Acceptable Use Policy is available for parental review.

XIII. IMPLEMENTATION: POLICY REVIEW

- A. The school district administration may develop appropriate user notification forms, guidelines and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines, forms, and procedures shall be an addendum to this policy.
- B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.
- C. The school district's Internet policies and procedures are available for review by all parents, guardians, staff and members of the community.
- D. Because of the rapid changes in the development of the Internet, the school board shall conduct an annual review of this policy.

Legal References:

15 U.S.C. § 6501 *et seq.* (Children's Online Privacy Protection Act) 17 U.S.C. § 101 *et seq.* (Copyrights) 20 U.S.C. § 6751 *et seq.* (Enhancing Education through Technology Act of 2001) 47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA)) 47 C.F.R. § 54.520 (FCC rules implementing CIPA) Minn. Stat. § 121A.031 (School Student Bullying Policy) Minn. Stat. § 125B.15 (Internet Access for Students) Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act) *Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969) *United States v. Amer. Library Assoc.*, 539 U.S. 194, 123 S.Ct. 2297, 56 L.Ed.2d 221 (2003) *Doninger v. Niehoff*, 527 F.3d 41 (2nd Cir. 2008) *R.S. v. Minnewaska Area Sch. Dist. No. 2149*, No. 12-588, 2012 WL 3870868 (D. Minn. 2012) *Tatro v. Univ. of Minnesota*, 800 N.W.2d 811 (Minn. App. 2011), *aff'd* on other grounds 816 N.W.2d 509 (Minn. 2012) *S.J.W. Lee's Summit R-7 Sch. Dist.*, 696 F.3d 771 (8th Cir. 2012) *Kowalski v. Berkeley County Sch.*, 652 F.3d 656 (4th Cir. 2011) *Layshock v. Hermitage Sch. Dist.*, 650 F.3d 205 (3rd Cir. 2011) *Parents, Families and Friends of Lesbians and Gays, Inc. v. Camden R-III Sch. Dist.*, 853 F.Supp.2d 888 (W.D. Mo. 2012) *M.T. v. Cent. York Sch. Dist.*, 937 A.2d 538 (Pa. Commw. Ct. 2007) *J.S. v. Bethlehem Area Sch. Dist.*, 807 A.2d 847 (Pa. 2002) *Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)* MSBA/MASA Model Policy 406 (Public and Private Personnel Data) MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees) MSBA/MASA Model Policy 506 (Student Discipline) MSBA/MASA Model Policy 514 (Bullying Prohibition Policy) MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records) MSBA/MASA Model Policy 518 (Interviews of Students by Outside Agencies) MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination) MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination) MSBA/MASA Model Policy 603 (Curriculum Development) MSBA/MASA Model Policy 604 (Instructional Curriculum) MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials) MSBA/MASA Model Policy 806 (Crisis Management Policy) MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)

INTERNET USE AGREEMENT - STUDENT

STUDENT

I have read and do understand the school district policies relating to safety and acceptable use of the school district computer system and the Internet and agree to abide by them. I further understand that should I commit any violation, my access privileges may be revoked, school disciplinary action may be taken, and/or appropriate legal action may be taken.

User's Full Name (please print): _____

User Signature: _____

Date: _____

PARENT OR GUARDIAN

As the parent or guardian of this student, I have read the school district policies relating to safety and acceptable use of the school district computer system and the Internet. I understand that this access is designed for educational purposes. The school district has taken precautions to eliminate controversial material. However, I also recognize it is impossible for the school district to restrict access to all controversial materials and I will not hold the school district or its employees or agents responsible for materials acquired on the Internet. Further, I accept full responsibility for supervision if and when my child's use is not in a school setting. I hereby give permission to issue an account for my child and certify that the information contained on this form is correct.

Parent or Guardian's Name (please print): _____

Parent or Guardian's Signature: _____

SUPERVISING TEACHER

(Must be signed if applicant is a student)

I have read the school district policies relating to safety and acceptable use of the school district computer system and the Internet and agree to promote these policies with the student. Because the student may use the Internet on the school district computer system for individual work or in the context of another class, I cannot be held responsible for the student's use of the Internet on network. As the supervising teacher I do agree to instruct the student on acceptable use of the Internet and network and proper network etiquette.

Teacher's Name (please print): _____

Teacher's Signature: _____

JOHNSON O'MALLEY STUDENT CERTIFICATION

All information requested is voluntary. However, failure to fully complete the student/ parent information may result in delays in processing this certification or make it impossible to process.

(TO BE USED FOR EDUCATIONAL PURPOSES ONLY)

SCHOOL: BEMIDJI DISTRICT

STUDENT INFORMATION:

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

PARENT INFORMATION:

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

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

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

Signature of Parent/ Guardian X _____

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

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

TRIBAL OFFICIAL- TYPED/ PRINTED

SIGNATURE OF BIA/ TRIBAL OFFICIAL

DATE

OMB Number: 1810-0021 Expiration Date: 02/29/2020

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

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

Student Information

Name of the Child _____ Date of Birth _____ Grade level _____

Name of School _____ School District _____

Tribal Membership

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

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

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

Name _____ Address _____

City _____ State _____ Zip Code _____

The Tribe or Band is (select only one):

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

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

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

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

Attestation Statement

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

Printed Name of Parent/Guardian _____ Signature _____

Address _____ City _____ State _____ Zip Code _____

Phone Number _____ Email _____ Date _____

INSTRUCTIONS FOR THE ED 506 FORM FOR APPLICANTS:

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

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

FOR PARENTS/GUARDIANS:

For Parent/Guardians:

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

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

Only name one child per form.

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

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

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

Emergency Procedures

Fire Drills / ALICE Drills / Weather Emergency Drills / School Bus Evacuation Drills

Fire drills are held at least five times per year, as required by state statute. It will be each student's responsibility to be familiar with the fire drill procedure. A direction card is posted in each room to show the evacuation route. Everyone must evacuate the building when the fire alarm goes off. Willful tampering with the fire warning system, fire extinguisher and hoses, flashing strobe lights, or the automatic door closer is dangerous and illegal and will be dealt with accordingly.

Lock Down Drills (ALICE) are to be held five times each year, as required by state statute. Each student is responsible for being familiar with the lock down procedure. A direction card is posted in each room to show the evacuation route for taking cover.

Weather Emergency Drills are held once a year, as required by state statute. A direction card for emergency sheltering is posted in each room.

Emergency Closings

The superintendent or designee, after consultation with the Coordinator of Transportation, will make the decision about school closings. The Coordinator of Transportation consults with designated "spotters" in various parts of the school district to ascertain conditions district-wide. Parents and students are encouraged to listen to the local media because schools can close for various reasons. (The most common reasons for school closings are: no heat, water, or electricity at a school; road conditions; storms; weather so cold diesel busses do not operate; conditions deemed unsafe for parents, students, and staff; or acts of violence.)

As part of ISD #31, Lakeside Learning Center is included in all district-wide emergency closings.

Bemidji Area Schools 2021-2022 School Calendar

AUGUST 2021							SEPTEMBER 2021						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7	5	6	7	8	9	10	11
8	9	10	11	12	13	14	12	13	14	15	16	17	18
15	16	17	18	19	20	21	19	20	21	22	23	24	25
22	23	24	25	26	27	28	26	27	28	29	30		
29	30	31											
<i>0 Student/2 Teacher</i>							<i>18 Student/19.5 Teacher</i>						
OCTOBER 2021							NOVEMBER 2021						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2		1	2	3	4	5	6
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30				
31													
<i>18 Student/19 Teacher</i>							<i>18 Student/20 Teacher</i>						
DECEMBER 2021							JANUARY 2022						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4						1	
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30	31					
<i>16 Student/16 Teacher</i>							<i>20 Student/20 Teacher</i>						
FEBRUARY 2022							MARCH 2022						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
		1	2	3	4	5			1	2	3	4	5
6	7	8	9	10	11	12	6	7	8	9	10	11	12
13	14	15	16	17	18	19	13	14	15	16	17	18	19
20	21	22	23	24	25	26	20	21	22	23	24	25	26
27	28						27	28	29	30	31		
<i>18 Student/19 Teacher</i>							<i>21 Student/23 Teacher</i>						
APRIL 2022							MAY 2022						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2	1	2	3	4	5	6	7
3	4	5	6	7	8	9	8	9	10	11	12	13	14
10	11	12	13	14	15	16	15	16	17	18	19	20	21
17	18	19	20	21	22	23	22	23	24	25	26	27	28
24	25	26	27	28	29	30	29	30	31				
<i>20 Student/20 Teacher</i>							<i>21 Student/21 Teacher</i>						
JUNE 2022													
S	M	T	W	T	F	S							
			1	2	3	4							
5	6	7	8	9	10	11							
12	13	14	15	16	17	18							
19	20	21	22	23	24	25							
26	27	28	29	30									
<i>3 Student/3.5 Teacher</i>													

August 30-September 1.....Teacher Days
 September 2.....Teacher Half-Day
 September 6.....Labor Day
 September 7.....Students' First Day

October 4.....Staff Development
 October 21-22.....Education Minnesota
 November 11.....Conferences
 November 12.....No School
 November 25-26.....Thanksgiving

December 23 – January 2.....Winter Break
 January 17.....Martin Luther King Jr Day
(or Snow Make-up Day if Needed)

February 18.....Staff Development
 February 21.....Presidents' Day
(or Snow Make-up Day if Needed)
 March 10.....Conferences
 March 11.....No School

April 15.....Spring Break
 May 28.....BHS Graduation
 May 30.....Memorial Day

June 3.....Students' Last Day
 June 6.....Teachers' Last Half-Day

End of 1st Term.....November 10
End of 2nd Term.....January 21
End of 3rd Term.....March 25
End of 4th Term.....June 3