

**NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138  
NORTH BRANCH AREA MIDDLE SCHOOL, MEDIA CENTER  
38705 GRAND AVENUE  
NORTH BRANCH, MN 55056  
REGULAR SCHOOL BOARD MEETING  
JULY 9, 2020  
5:30 PM**

**AGENDA**

- I. Call to Order
- II. Oath of Office for New School Board Member
- III. Roll Call
- IV. Pledge of Allegiance
- V. Approval of Agenda
- VI. School Board Recognition
  - A. Introduction of New Superintendent
- VII. Superintendent's Report
  - A. Introduction of New Activities Director
- VIII. Removal of Consent Items for Discussion
- IX. Approval of Consent Items
  - A. Minutes of June 11, 2020 Special School Board Meeting
  - B. Minutes of June 11, 2020 Public Meeting on Student Fees
  - C. Minutes of June 11, 2020 Regular School Board Meeting
  - D. Authorization of Payments, Transfers, and Investment Activity
  - E. Personnel
    - 1. Andrea Schmidt, employment effective July 1, 2020, as Activities Director at North Branch Area Public Schools
    - 2. Michelle Tabor, BS, Step 1, as Distance Learning Teacher at North Branch Area Public Schools
    - 3. Dylan Walker, MEd, Step 9, LTS for Kelly Coleman, for the 2020-21 school year, as English Teacher at North Branch Area High School
    - 4. Julie Demo, change of position from Schoolkeeper to Custodian effective July 1, 2020 at North Branch Area Public Schools
    - 5. Anthony Sletten, change of position from Schoolkeeper to Custodian effective July 1, 2020 at North Branch Area Public Schools
    - 6. Peter DeCrans, request to be released from his contract for the upcoming 2020-21 school year, contingent upon the district hiring a suitable replacement, as Art Teacher at North Branch Area High School
    - 7. Samantha Bartz, leave request effective approximately October 19, 2020 to January 8, 2021, as Second Grade Teacher at Sunrise River Elementary School
    - 8. William Weinreis, rescinded district's offer of employment effective July 1, 2020 as Groundskeeper at North Branch Area Public Schools
  - F. Designation of Identified Official with Authority for the MDE External User Access Recertification System
    - The Minnesota Department of Education (MDE) requires that school districts annually designate an Identified Official with Authority to comply with the MNIT

Enterprise Identity and Access Management Standard which states that all user access rights to Minnesota state systems must be reviewed and recertified at least annually. The Identified Official with Authority will assign job duties and authorize external user's access to MDE secure systems for their local education agency (LEA). The Board recommends to authorize Sara Paul to act as the Identified Official with Authority (IOwA) and Arle Chambers to act as the IOwA to add and remove names only for LEA for North Branch Area Public Schools.

G. Acceptance of Donations

Minnesota Statute 123B.02 permits school boards to "...receive, for the benefit of the district, bequests, donations, or gifts for any proper purpose and apply the same to the purpose designated. In that behalf, the board may act as trustee of any trust created for the benefit of the district, and for the benefit of pupils thereof."

Therefore, the Superintendent recommends the following resolution:

BE IT RESOLVED by the School Board of Independent School District No. 138 that the School Board accept with appreciation the following contributions and permit their use as designated by the donors.

- X. **Open Mic:** Open mic is available to community members during regular school board meetings. It is not available at special meetings, emergency meetings, or work sessions. Open mic is a time for public comment. However, it is not a means to have issues added to this evening's agenda. It is also not a means to discuss specific individuals negatively in public, either by name or position. If you would like district follow up to comments, please leave appropriate contact information. Open mic comments should be sent to School Board Chair Kirby Ekstrom at [kekstrom@isd138.org](mailto:kekstrom@isd138.org).

XI. Old Business

- A. Consider Acceptance of Bids for Garbage Pickup and Awarding the Contract
- B. Consider Acceptance of Bids for Diesel Fuel and Gasoline and Awarding the Contract

XII. New Business

- A. Consider Resolution Establishing Dates for Filing Affidavits of Candidacy
- B. Consider Approval of the Long-Term Facilities Maintenance Plan
- C. Consider Renewal of Membership in Minnesota School Boards Association (MSBA) - \$9,051.00
- D. Consider Resolution of an Agreement Between St. Cloud State University and North Branch Area Public Schools for the Purpose of Providing Supervisory Services for Students from St. Cloud State University
- E. Consider Approval of 2020-21 Student and Parent Handbook

XIII. Addendum

XIV. Information

- A. Fund Raising Reports for 2019-20
- B. Board & Administrator July 2020 Issue

XV. Board Requests

XVI. Committee Reports

- A. SEE (Schools for Equity in Education)
- B. Negotiations
  - 1. NBSSA
- C. MSBA Update or Report

- D. MSHSL
- E. SCRED Report
- F. Staff Development Report
- G. Community Education Advisory Committee Report
- H. Policy Committee Report

XVII. Dates to Remember

- A. Wednesday, July 15, 2020 OPEB Meeting, 2:00 pm, Virtual
- B. Wednesday, July 15, 2020 Negotiations Committee Meeting, 4:00 pm, Virtual
- C. Wednesday, July 15, 2020 NBSSA Negotiations Session, 4:30 pm, Virtual
- D. Thursday, July 23, 2020 Negotiations Committee Meeting, 4:00 pm, North Branch Area Education Center
- E. Thursday, July 23, 2020 Principal Negotiations Session, 4:30 pm, North Branch Area Education Center
- F. Thursday, August 6, 2020, Work Session, 5:30 pm, Location to be determined
- G. Thursday, August 13, 2020 Regular School Board Meeting, 5:30 pm, Location to be determined

XVIII. Adjournment

## SCHOOL BOARD MEMBER OATH OF OFFICE

It is an honor that you were elected to guide the education of our community's children. As you recite the oath of office, you assume a tremendous responsibility as a director of our school district with the duties empowered by the Minnesota Legislature. This power puts you and the other members of our school board in the position of being both morally and legally responsible for equitable, quality education of every student in the district.

In carrying out this responsibility, you will be asked to fulfill the roles of vision, structure, accountability, and advocacy. In providing vision, the board, with extensive participation of the community, envisions the community's educational future and then formulates the goals, defines the outcomes and sets the course for the public schools.

To achieve the vision, the board establishes a structure and creates an environment designed to ensure all students the opportunity to attain their maximum potential through a sound organizational framework.

Because as a board we must be accountable to the community, we must ensure a continuous assessment of student achievement and all conditions affecting the education of our children.

As board members, we serve as education's key advocate on behalf of students and our community schools to advance the vision for our schools.

Furthermore, we must strive to work together with the superintendent and staff to lead the district toward fulfilling the vision we have created, fostering excellence for every student in the areas of academic skills and knowledge, citizenship and personal development.

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Having signed the acceptance of office and oath of office, I hereby publicly affirm my commitment to the oath of office:

I swear/affirm that I will support the Constitution of the United States and of this state, and that I will discharge faithfully the duties of the office of school board member of Independent School District No. 138 to the best of my judgment and ability.

\_\_\_\_\_

Board Chair

\_\_\_\_\_

Date

\_\_\_\_\_

Member

\_\_\_\_\_

Date

**NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138**  
**SPECIAL SCHOOL BOARD MEETING**  
**June 11, 2020**

The School Board of Independent School District held a Special School Board Meeting at 4:30 p.m. on June 11, 2020, via live streaming.

Board Member Ekstrom called the meeting to order.

**Roll Call:** Kirby Ekstrom, Tim MacMillan, Sarah Grovender, Kevin Bollman, and Heather Osagiede

**Others in Attendance:**

Sara Paul, Pat Tepoorten, and Arle Chambers

**Approval of Agenda**

Moved by MacMillan, seconded by Bollman to approve the agenda.

Voting for: Ekstrom, MacMillan, Grovender, Bollman, Osagiede

Voting against: None

Motion carried.

**New Business**

**A. School Board Candidate Interviews**

The school board interviewed candidates to complete the remainder of former school board member Darryl Goebel's term. Goebel resigned his position in April. The seat comes up for election again this November. School board members interviewed community members Tanya Giese and Chris Kester. School board members would discuss the candidate interviews and make a selection later at its regular meeting.

**Adjournment**

Moved by Grovender, seconded by Osagiede and carried unanimously to adjourn the meeting at 5:13 p.m.

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Sarah Grovender, Clerk  
(Unapproved)

**NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138**  
**JUNE 11, 2020**  
**Public Meeting on Student Fees**

The School Board of Independent School District 138 held a public meeting on student fees on Thursday, June 11, 2020, at 5:30 p.m. via live streaming.

**Board Members Present:** Kirby Ekstrom, Tim MacMillan, Sarah Grovender, Kevin Bollman, Heather Osagiede, and Superintendent Henton

**Others in Attendance:**

Sara Paul, Todd Tetzlaff, Pat Tepoorten, and Arle Chambers

**Approval of Student Fees**

Todd Tetzlaff, Director of Business Services, gave a presentation on the recommendations of student fees beginning with the 2020-21 school year.

The proposal included a \$20 increase to fees for athletics at the high school and middle school and an increase of \$50 to high school robotics fees. Also included was a 10-cent increase to lunch prices.

After the presentation, the public was invited to contact Todd Tetzlaff with questions and comments on the recommendation of student fees.

The public hearing concluded at 5:38 pm.

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Sarah Grovender, Clerk  
(Unapproved)

**NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138  
REGULAR SCHOOL BOARD MEETING  
REMOTE LOCATION  
JUNE 11, 2020**

The School Board of Independent School District 138 met in regular session on Thursday, June 11, 2020, at 5:45 p.m. via live streaming.

Board Chair Ekstrom called the meeting to order.

Roll Call: Kirby Ekstrom, Tim MacMillan, Sarah Grovender, Kevin Bollman, Heather Osagiede, and Superintendent Henton

Others in Attendance:

Sara Paul, Coleman McDonough, Todd Tetzlaff, Pat Tepoorten, and Arle Chambers

The Pledge of Allegiance was said by all.

Approval of Agenda:

Moved by Grovender, seconded by Osagiede and carried unanimously to approve the agenda.

**SUPERINTENDENT'S REPORT**

Superintendent Henton commended high school staff, students, and families for working together and producing a wonderful graduation experience for the Class of 2020. Henton commended teachers, educational assistants, Early Childhood and Community Education staff, Buildings and Grounds staff, the administration, students and families, and district partners Taher and 4.0 Student Services, for all their work to make the spring remote learning time so successful.

Henton also gave updates on summer meal distribution efforts, and summer construction at the high school, which includes major improvements to Technical Education areas such as the wood and metal shop, welding areas, and the addition of a "Fab Lab."

**CONSENT ITEMS**

Moved by MacMillan, seconded by Osagiede to approve the following consent items.

Voting for: Ekstrom, MacMillan, Grovender, Bollman, Osagiede

Voting against: None

Motion carried.

A. Minutes of May 14, 2020 Regular School Board Meeting

B. Authorization of Payments, Transfers, and Investment Activity

- Accounts Payable, Bank 07 – \$1,655,436.43
- Auxiliary, Bank 12 - \$7,184.08
- Payroll, Bank 13 - \$2,175,691.72
- Scholarship, Bank 18 - \$0.00
- High School Student Activities, Bank 31 - \$796.92
- Middle School Student Activities, Bank 32 - \$0.00

C. Personnel

1. Kaytee Broskoff, resignation effective May 19, 2020, as School Age Care Adult Assistant at North Branch Area Education Center
2. Chelsea Halseth, BS+15, Step 1, beginning with the 2020-21 school year, as SPED Teacher at North Branch Area Education Center
3. William Weinreis, employment effective July 1, 2020 as Groundskeeper at North Branch Area Public Schools
4. Jennifer Daas, position change beginning with the 2020-21 school year, from Early Childhood Assistant to Media/Health Clerk at North Branch Area Education Center
5. Matthew Lattimore, position change from Athletic Director to Middle School Assistant Principal effective July 1, 2020
6. Chad DeBruzzi, request to be released from his contract for the upcoming 2020-21 school year, contingent upon the district hiring a suitable replacement, as Math Teacher at the Norse Area Learning Center
7. Tara Posegate, request to be released from her contract for the upcoming 2020-21 school year, contingent upon the district hiring a suitable replacement, as Elementary Teacher at Sunrise River Elementary School
8. Jill Wettschreck, resignation effective the end of the 2019-20 school year, as SPED Assistant at Sunrise River Elementary School
9. Jacob Sayre, BS, Step 1, LTS for Kathryn Amunrud, for the 2020-21 school year, as SPED Teacher at Sunrise River Elementary School

D. Acceptance of Donations

Date	Donation From	Donation To	Amount	Use
5/5/20	Chisago County Chapter of Pheasants Forever – Stacy, MN	NBHS Athletics	\$1,000.00	HS Clay Target Program
5/5/20	Lakes Region EMS – NB, MN	NBHS Scholarship A/C	\$1,000.00	Scholarship Donation
5/12/20	East Central Energy – Braham, MN	NBHS Scholarship A/C	\$4,500.00	Scholarship Donation
5/12/20	Minnco Credit Union – NB, MN	NBHS Scholarship A/C	\$1,000.00	Scholarship Donation
5/12/20	North Branch Lioness Club – NB, MN	NBHS Scholarship A/C	\$500.00	Scholarship Donation
5/12/20	VFW Post 6424 – NB, MN	NBHS Scholarship A/C	\$500.00	Scholarship Donation
5/12/20	VFW Post 6424 – NB, MN	NBHS Scholarship A/C	\$1,000.00	Scholarship Donation

5/13/20	Associated Bank – NB, MN	Sunrise River Elem	\$250.00	FY21 Boosterthon Fun Run
5/14/20	Edelstein Family Foundation – Edina, MN	NBHS Scholarship A/C	\$59,180.00	Scholarship Donation
5/19/20	Chad VanDyke – NB, MN	NBHS Scholarship A/C	\$190.38	Scholarship Donation
		<b>Total</b>	<b>\$69,120.38</b>	
May	County Market – NB, MN – Donated two cases of t-shirt bags (1,000 count each) for school meals			
May	Family Dollar Store – NB, MN – Donated 40 candy bars for school meals			

**OPEN MIC**

No one signed up for open mic.

**OLD BUSINESS**

There was no old business to discuss.

**NEW BUSINESS**

A. Approval of Revisions to the 2019-20 Budget and Adoption of 2020-21 Budget

Moved by Bollman, seconded by MacMillan to approve the revisions to the 2019-20 budget and adoption of the 2020-21 budget.

Voting for: Ekstrom, MacMillan, Grovender, Bollman, Osagiede

Voting against: None

Motion carried.

B. Approval of Establishment of Committed and Assigned Fund Balances

Moved by Bollman, seconded by Grovender to establish fund balances for the Committed fund balance for severance and Assigned fund balance for Q Comp.

Voting for: Ekstrom, MacMillan, Grovender, Bollman, Osagiede

Voting against: None

Motion carried.

C. Coaches Pay

Based on the school district's improved budget position, Board Member Bollman made a motion, seconded by MacMillan to rescind its previous vote from the May 14 regular school board meeting to suspend coaches' pay for the second half of the spring activities season.

Voting for: Ekstrom, MacMillan, Grovender, Bollman, Osagiede

Voting against: None

Motion carried.

Moved by Bollman, seconded by MacMillan to reinstate full pay for spring coaches for the 2<sup>nd</sup> half stipend.

Voting for: Ekstrom, MacMillan, Grovender, Bollman, Osagiede

Voting against: None

Motion carried.

D. Approval of Student Fees for 2020-21

Moved by MacMillan, seconded by Bollman and carried unanimously to approve student fees for 2020-21.

Voting for: Ekstrom, MacMillan, Grovender, Bollman, Osagiede

Voting against: None

Motion carried.

E. Approval of Resolution Regarding Fund Balance Transfers

The following resolution was moved by MacMillan and seconded by

Bollman:

**RESOLUTION REGARDING FUND BALANCE TRANSFERS**

WHEREAS, Minnesota Governor Tim Walz issued Emergency Executive Order 20-19 on March 25, 2020, which stated in part:

Paragraph 21. Upon approval by the Executive Council, school districts and schools are authorized to transfer operating funds from certain programs that are not already assigned to or encumbered by staff salary and benefits, or otherwise encumbered by federal law, for the following purposes:

- A. to provide care to Eligible Children during the school day.
- B. To pay additional transportation costs incurred between March 30, 2020 and April 30, 2020 needed to implement this Executive Order in providing distance learning instruction.

WHEREAS, a fund transfer is allowed if the transfer meets the criteria set forth in Paragraph 21(c) of Emergency Executive Order 20-19:

- 1. The transfer does not increase state aid obligations to the district or result in additional property tax authority for the district or charter school.
- 2. A transfer is limited to the operating funds of a district or charter school.
- 3. A school board must approve a fund transfer by the fiscal year reporting deadline.
- 4. A district or charter school must maintain accounting records for the purpose of this Executive Order that are sufficient to document both the specific funds transferred and use of those funds. Such accounting records are subject to auditor review.

5. Any execution of this flexibility must not interfere with or jeopardize funding per federal requirements.
6. Any transfer must not interfere with the equitable delivery of distance learning or social distancing models

WHEREAS, the School Board of North Branch Area Public Schools, Independent School District 138, has determined that that the criteria identified under Paragraph 21(c) have been satisfied for a fund transfer pursuant to Emergency Executive Order 20-19;

WHEREAS, the School Board of Independent School District has reviewed and approved the attached *Request for Fund Transfer*

THEREFORE, BE IT RESOLVED, that the School Board of Independent School District 138 authorizes the School District administration to submit the attached *Request for Fund Transfer*.

The vote on adoption of the Resolution was as follows:

Aye: Ekstrom, MacMillan, Grovender, Bollman, Osagiede

Nay: None

Absent: None

Whereupon, said Resolution was declared duly adopted.

F. Approval of Letter of Agreement Regarding Discontinuation of Paid-Up Life Insurance

Moved by Bollman, seconded by MacMillan to approve the letter of agreements regarding discontinuation of paid-up life insurance from the following groups:

1. North Branch Education Association (NBEA)
2. North Branch Support Staff Association (NBSSA)
3. North Branch Principals Association
4. Local No. 284 (Custodians)

Voting for: Ekstrom, MacMillan, Grovender, Bollman, Osagiede

Voting against: None

Motion carried.

G. Approval of 2020-2021 Resolution for Membership in the Minnesota State High School League

Moved by Ekstrom, seconded by MacMillan to approve the following resolution of the MSHSL:

**2020-2021 Resolution for Membership in the  
Minnesota State High School League**

RESOLVED, that the Governing Board of School District Number 138, County of Chisago, State of Minnesota delegates the control, supervision and regulation of interscholastic athletic and fine arts events (referred to in MN Statutes, Section 128C.01) to the Minnesota State High School League, and so hereby certifies to the State Commissioner of Education as provided for by Minnesota Statutes.

FURTHER RESOLVED, that the North Branch High School is authorized by this, the Governing Board of said school district or school to:  
Renew its membership in the Minnesota State High School League; and participate in the approved interschool activities sponsored by said League and its various subdivisions.

FURTHER RESOLVED, that this Governing Board hereby adopts the Constitution, Bylaws, Rules and Regulations of said League and all amendments thereto as the same as are published in the latest edition of the League's Official Handbook, on file at the office of the school district or as appears on the League's website, as the minimum standards governing participation in said League-sponsored activities, and that the administration and responsibility for determining student eligibility and for the supervision of such activities are assigned to the official representative identified by the Governing Board.

Signing the Resolution for Membership affirms that this Governing Board has viewed the WHY WE PLAY training video which defines the purpose and value of education-based athletic and activity programs and assists school communities in communicating a shared common language.

Member schools must develop and publicize administrative procedures to address eligibility suspensions related to Code of Student Conduct violations for students participating in activity programs by member schools.

The above Resolution was adopted by the Governing Board of this school district and is recorded in the official minutes of said Board and hereby is certified to the State Commissioner of Education as provided for by law.

Voting for: Ekstrom, MacMillan, Grovender, Bollman, Osagiede

Voting against: None

Motion carried.

H. Approval of Renewal of Membership in Minnesota Rural Education Association (MREA)

Moved by Grovender, seconded by Bollman and carried unanimously to approve the renewal of membership in the Minnesota Rural Education Association (MREA) in the amount of \$ 2,500.00.

Voting for: Ekstrom, MacMillan, Grovender, Bollman, Osagiede

Voting against: None

Motion carried.

I. Approval of Renewal of Membership in Schools for Equity in Education (SEE)

Moved by MacMillan, seconded by Osagiede to renew membership with Schools for Equity in Education (SEE) in the amount of \$3,881.00.

Voting for: Ekstrom, MacMillan, Grovender, Bollman, Osagiede

Voting against: None

Motion carried.

J. Request to Bid for Garbage Services

Moved by Bollman, seconded by Grovender to request bids for garbage services.

Voting for: Ekstrom, MacMillan, Grovender, Bollman, Osagiede

Voting against: None

Motion carried.

K. Request to Bid for Fuel and Gasoline

Moved by Bollman, seconded by Grovender to request bids for fuel and gasoline.

Voting for: Ekstrom, MacMillan, Grovender, Bollman, Osagiede

Voting against: None

Motion carried.

L. Approval of Resolution Relating to the Termination and Nonrenewal of the Following Probationary Teacher

Moved by MacMillan, seconded by Grovender to approve the resolution relating to the termination and nonrenewal of the following probationary teacher.

1. Amanda Fredlund – Community Education Early Childhood Instructor – North Branch Area Education Center

Member MacMillan introduced the following resolution and moved its adoption:

**RESOLUTION RELATING TO THE TERMINATION  
AND NONRENEWAL OF THE TEACHING CONTRACT**

**OF AMANDA FREDLUND, A  
PROBATIONARY TEACHER.**

WHEREAS, Amanda Fredlund is a probationary teacher in Independent School District No. 138.

BE IT RESOLVED, by the School Board of Independent School District No. 138, that pursuant to Minnesota Statutes 122A.40, Subdivision 5, that the teaching contract of Amanda Fredlund, a probationary teacher in Independent School District No. 138, is hereby terminated at the close of the current 2019-20 school year.

BE IT FURTHER RESOLVED that written notice be sent to said teacher regarding termination and non-renewal of her contract as provided by law, and that said notice shall be in substantially the following form:

**NOTICE OF TERMINATION  
AND NON-RENEWAL**

Ms. Amanda Fredlund  
Address  
City, State, Zip Code

Dear Ms. Fredlund:

You are hereby notified that at a regular meeting of the School Board of Independent School District No. 138 held on June 11, 2020, a resolution was adopted by a majority roll call vote to terminate your contract effective at the end of the current school year and not to renew your contract for the 2020-21 school year. Said action of the board is taken pursuant to M.S. 122A.40, Subd. 5.

You may officially request that the school board give its reasons for the non-renewal of your teaching contract. For your information, however, this action is taken because of the financial condition of the school district and decrease in enrollment.

Yours very truly,

SCHOOL BOARD OF  
INDEPENDENT SCHOOL DISTRICT NO. 138

Sarah Grovender  
Clerk of the School Board

The motion for the adoption of the foregoing resolution was duly seconded by Grovender and upon vote being taken thereon, the following voted in favor thereof: Ekstrom, MacMillan, Grovender, Bollman, and the following voted against the same: None and the following abstained: Osagiede whereupon said resolution was declared duly passed and adopted.

M. Approval of Resolution Approving and Authorizing the Execution of a State and Local Government Single Schedule Lease Purchase Agreement and Supplements Thereto, and Related Documents and Certificates

Member Bollman introduced the following resolution and moved its adoption:

**RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A STATE AND LOCAL GOVERNMENT SINGLE SCHEDULE LEASE PURCHASE AGREEMENT AND SUPPLEMENTS THERETO, AND RELATED DOCUMENTS AND CERTIFICATES**

BE IT RESOLVED by the School Board of Independent School District No. 138 (North Branch Area Public Schools), State of Minnesota, as follows:

1.) The State and Local Government Single Schedule Lease Purchase Agreement with Hewlett-Packard Financial Services Company (the "Agreement") and the equipment schedule to be appended to the Agreement, as well as supplements and related documents and certificates thereto are hereby approved substantially in the form presented to the Board and on file in the office of the Clerk, with such further changes as may be required by the District's legal counsel.

2.) The Superintendent and Director of Business Services are hereby authorized to execute and deliver the Agreement on behalf of the District, and to execute and deliver such other certificates and documents as may be necessary and appropriate to effectuate the transactions contemplated by the Agreement. The Agreement, the equipment schedule, and the related documents and certificates may contain such necessary and appropriate variations, omissions and insertions as the Superintendent, the Director of Business Services, or the District's legal counsel shall determine to be necessary, and the execution thereof by the Superintendent or the Director of Business Services shall be conclusive evidence of such determination and its approval by the Board.

3.) The District, as Lessee under the Agreement, reasonably anticipates that it will not issue tax-exempt obligations (not including "private activity bonds" as defined in Section 141 of the Internal Revenue Code of 1986, as amended) in an aggregate amount in excess of \$10 million during the calendar year in which the Agreement referenced herein commences. The Agreement is designated as

a qualified tax-exempt obligation for purposes of Section 265(b)(c) of the Internal Revenue Code of 1986, as amended, relating to deductibility of interest by financial institutions.

The motion for the adoption of the foregoing resolution was duly seconded by Member Grovender and upon roll call vote the following voted in favor thereof: Ekstrom, MacMillan, Grovender, Bollman, Osagiede and the following voted against the same: None whereupon said resolution was declared duly passed adopted.

N. Approval of Selection of School Board Candidate and Resolution Filling School Board Vacancy by Appointment

Following school board discussion, Board Member MacMillan made a motion, seconded by Board Member Grovender to approve the selection of Tanya Giese to fill the vacant school board seat until the next election. School board members expressed appreciation for both candidates and the hope that both would consider running for election later this year.

Voting for: Ekstrom, MacMillan, Grovender, Bollman, Osagiede  
Voting against: None  
Motion carried.

Moved by Grovender, seconded by Ekstrom to approve the resolution filling the school board vacancy by appointment.

Voting for: Ekstrom, MacMillan, Grovender, Bollman, Osagiede  
Voting against: None  
Motion carried.

**RESOLUTION FILLING SCHOOL BOARD VACANCY BY APPOINTMENT**

WHEREAS, a vacancy exists in the office of school board member with a term expiring the first Monday in January, 2021; and

WHEREAS, the vacancy occurred more than ninety (90) days prior to the first Tuesday after the first Monday in November in the year the vacancy occurred and prior to the fourth year of the vacant term;

NOW THEREFORE BE IT RESOLVED by the School Board of Independent School District No. 138, State of Minnesota, as follows:

Pursuant to Minnesota Statutes, Section 123B.09, Subd. 5b, Tanya Giese is hereby appointed to fill the vacancy and to serve until a successor is elected and qualified. The appointment shall be effective thirty (30) days after the adoption of

this resolution unless a valid petition to reject the appointee is filed with the school district clerk pursuant to Minnesota Statutes, Section 123B.09, Subd. 5b(b) within that thirty (30) day time period.

### **INFORMATION**

The board reviewed the May and June 2020 issues of the Board and Administrator.

### **BOARD REQUESTS**

None

### **COMMITTEE REPORTS**

- A. SEE (Schools for Equity in Education) – Board Member MacMillan reported that SEE held some zoom meetings in June but was unable to participate.
- B. Negotiations – Board Member MacMillan reported they met with the North Branch Support Staff Association for the first time on May 27. The next meeting has yet to be scheduled.
- C. MSBA Report – Board Member Ekstrom reported that MSBA has been holding the regional meetings via video.
- D. MSHSL – Board Member Ekstrom reported that MSHSL has been holding the regional meetings via video.
- E. SCRED Report – Board Member Grovender reported on the June 9 SCRED meeting which was held virtually.
- F. Staff Development Report – None
- G. Community Education – None
- H. Policy Committee Report – None

### **DATES TO REMEMBER**

- A. July 9, 2020 Regular School Board Meeting, 5:30 pm, Location to be determined
- B. July 15, 2020 OPEB Meeting, 2:00 pm, Location to be determined

#### **Adjournment to Go Into a Closed Meeting**

Moved by Bollman, seconded by Grovender and carried unanimously to adjourn the meeting at 7:12 p.m. to go into a closed session to discuss NBSSA negotiations.

#### **Adjourn Closed Meeting**

Moved by Osagiede, seconded by MacMillan to adjourn the closed meeting at 8:19 pm.

Voting for: Ekstrom, MacMillan, Grovender, Bollman, Osagiede  
Voting against: None  
Motion carried.

Reopen Meeting

Chair Ekstrom reopened the regular meeting.

Adjournment

Moved by Bollman, seconded by MacMillan to adjourn the regular meeting at 8:20 pm.

Voting for: Ekstrom, MacMillan, Grovender, Bollman, Osagiede  
Voting against: None  
Motion carried.

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Sarah Grovender, Clerk  
(Unapproved)

**ELECTRONIC FUND TRANSFERS  
JUNE 2020**

Direct Dep Cks	\$1,389,695.71		
ACHS	<u>\$20,485.42</u>		
	<b>\$1,410,181.13</b>		
General Operating Investments:		6/12/2020	<b>\$1,995,600.00</b>
Other Electronic Fund Transfers:		6/1/2020	\$95,019.50
Federal/FICA Taxes		6/8/2020	\$65,887.28
(Also reflected in P/R info)		6/15/2020	\$262,048.12
		6/22/2020	\$57,088.22
		6/29/2020	\$75,092.61
		6/30/2020	<u>\$19,553.54</u>
			<b>\$574,689.27</b>
Minnesota Withholding Taxes		6/2/2020	\$16,887.46
(Also reflected in P/R info)		6/9/2020	\$10,902.30
		6/16/2020	\$42,820.14
		6/23/2020	\$9,081.93
		6/30/2020	<u>\$12,536.95</u>
			<b>\$92,228.78</b>
Economic Service (EBC)		6/8/2020	\$12,250.99
(Also reflected in P/R info)		6/15/2020	\$86,249.78
		6/22/2020	\$11,678.84
		6/29/2020	<u>\$16,229.12</u>
			<b>\$126,408.73</b>
MII LIFE-F S A	PEIP	6/1/2020	\$531.29
	PEIP	6/8/2020	\$254.79
	PEIP	6/15/2020	\$271.50
	PEIP	6/22/2020	\$386.53
	PEIP	6/29/2020	<u>\$225.45</u>
			<b>\$1,669.56</b>
MII LIFE-M S A		6/9/2020	\$7,095.09
(Also reflected in P/R info)		6/17/2020	\$7,776.34
		6/23/2020	<u>\$7,095.09</u>
			<b>\$21,966.52</b>
Minnesota Teachers Retirement		6/5/2020	\$6,931.03
		6/12/2020	\$175,677.16
		6/19/2020	\$6,546.49
		6/26/2020	\$50,698.01
		6/30/2020	<u>\$6,100.66</u>
			<b>\$245,953.35</b>
PERA		6/5/2020	\$29,380.52
		6/19/2020	\$28,812.13
		6/30/2020	<u>\$4,493.82</u>
			<b>\$62,686.47</b>
Delta Dental Plan		6/23/2020	<b>\$7,616.54</b>
Neopost Pstg		6/11/2020	<b>\$5,000.00</b>

JUNE 2020

DATE	DONATION FROM	DONATION TO	AMOUNT	USE
6/2/20	ECMC Foundation, Attn: Danielle Carrillo Dcarrillo@ecmc.org	NBHS Athletics	\$5,000.00	FRC Robotics Program Donation
6/15/20	Lions Club of North Branch, P.O. Box 172, North Branch, MN 55056	NBHS Scholarship A/C	\$1,500.00	Scholarship Donation
6/15/20	Sons of The American Legion, P.O. Box 87, North Branch, MN 55056	NBHS Scholarship A/C	\$1,000.00	Scholarship Donation
6/15/20	Jasper Lodge No 164, Box 454, Rush City, MN 55069	NBHS Scholarship A/C	\$1,000.00	Scholarship Donation
6/26/20	Andy Spofford, 7605 387th Street, North Branch, MN 55056	NBHS Athletics	\$1,000.00	Tennis Program Donation
6/30/20	Steve Thorp, 3170 Stark Road, Harris, MN 55032	NBAPS	\$60.25	Donated Lunch Balance to Another Family in District
			\$9,560.25	

# **BID SUMMATION**

**Board Meeting of July 9, 2020**

## **GARBAGE HAULING**

	<b>Price/Month</b>
Waste Management	\$ 6,397.15
Waste Management Alternate Bid	\$ 5,984.00
Terry's Disposal	\$ 3,071.25

## **RECOMMENDED AWARD**

### **GARBAGE HAULING**

	<b>Price/Month</b>
Terry's Disposal	\$ 3,071.25

# **BID SUMMATION**

**Board Meeting of July 9, 2020**

## **GASOLINE AND DIESEL FUEL**

**Prices Per Gallon**

<b>Bidder</b>	<b>July 1, 2020 Base Price</b>	<b>Delivered Price</b>	<b>Difference</b>
Petroleum Traders Corp.			
Gasoline	1.1734	1.1587	-0.0147
Diesel	1.2035	1.1888	-0.0147
Beaudry Oil & Propane			
Gasoline	1.1975	1.1875	-0.0100
Diesel	1.2135	1.2035	-0.0100
Federated Coops			
Gasoline	1.2418	1.3600	0.1182
Diesel	1.2674	1.3900	0.1226

## **RECOMMENDED AWARD**

### **GASOLINE/DIESEL FUEL**

<b>Bidder</b>	<b>July 1, 2020 Base Price</b>	<b>Delivered Price</b>	<b>Difference</b>
Petroleum Traders Corp.			
Gasoline	1.1734	1.1587	-0.0147
Diesel	1.2035	1.1888	-0.0147

EXTRACT OF MINUTES OF MEETING  
OF SCHOOL BOARD  
OF INDEPENDENT SCHOOL DISTRICT NO. 138  
(NORTH BRANCH AREA PUBLIC SCHOOLS)  
STATE OF MINNESOTA

HELD: JULY 9, 2020

Pursuant to due call and notice thereof, a regular meeting of the School Board of Independent School District No. 138 (North Branch Area Public Schools), State of Minnesota, was held in said school district on July 9 2020, at 5:30 o'clock p.m., for the purpose, in part, of establishing dates for filing affidavits of candidacy for the 2020 school district general election.

The following members were present:

and the following were absent:

Member \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION ESTABLISHING DATES  
FOR FILING AFFIDAVITS OF CANDIDACY**

BE IT RESOLVED by the School Board of Independent School District No. 138, State of Minnesota, as follows:

1. The period for filing affidavits of candidacy for the office of school board member of Independent School District No. 138 shall begin on July 28, 2020, and shall close on August 11, 2020. An affidavit of candidacy must be filed in the office of the school district clerk and the \$2 filing fee paid prior to 5:00 o'clock p.m. on August 11, 2020.

2. The clerk is hereby authorized and directed to cause notice of said filing dates to be published in the official newspaper of the district, at least two (2) weeks prior to the first day to file affidavits of candidacy. Publication of said notice prior to the date of adoption of this resolution is hereby ratified and approved in all respects.

3. The clerk is hereby authorized and directed to cause notice of said filing dates to be posted at the administrative offices of the school district at least ten (10) days prior to the first day to file affidavits of candidacy.

4. The notice of said filing dates shall be in substantially the following form:

**NOTICE OF FILING DATES FOR ELECTION TO THE SCHOOL BOARD  
INDEPENDENT SCHOOL DISTRICT NO. 138  
(NORTH BRANCH AREA PUBLIC SCHOOLS)  
STATE OF MINNESOTA**

NOTICE IS HEREBY GIVEN that the period for filing affidavits of candidacy for the office of school board member of Independent School District No. 138 shall begin on July 28, 2020, and shall close at 5:00 o'clock p.m. on August 11, 2020.

The general election shall be held on Tuesday, November 3, 2020. At that election, three (3) members will be elected to the School Board for terms of four (4) years each.

Affidavits of Candidacy are available from the school district clerk, Independent School District No. 138, 38705 Grand Ave, North Branch, MN 55056. The filing fee for this office is \$2. A candidate for this office must be an eligible voter, must be 21 years of age or more on assuming office, must have been a resident of the school district from which the candidate seeks election for thirty (30) days before the general election, and must have no other affidavit on file for any other office at the same primary or general election.

The affidavits of candidacy must be filed in the office of the school district clerk and the filing fee paid prior to 5:00 o'clock p.m. on August 11, 2020.

Dated: July 9, 2020

BY ORDER OF THE SCHOOL BOARD

/s/

\_\_\_\_\_  
School District Clerk  
Independent School District No. 138  
(North Branch Area Public Schools)  
State of Minnesota

The motion for the adoption of the foregoing resolution was duly seconded by

\_\_\_\_\_. On a roll call vote, the following voted in favor:

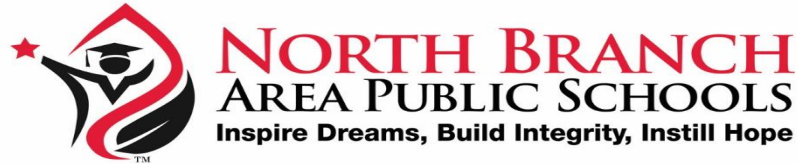
and the following voted against:

whereupon said resolution was declared duly passed and adopted.



# *Long-Term Facilities Maintenance*

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*Presented to School Board on July 9, 2020*

# Overview

---

- ❑ LTFM funds are designated for the maintenance of school buildings.
- ❑ Revenue and Expenditure projections need to be approved by the school board and submitted to MDE by the end of July.
- ❑ The majority of our LTFM funds are designated to debt service until 2030.

# LTFM 10-year Revenue Projection

<b>NORTH BRANCH PUBLIC SCHOOLS</b>			Change only										
			if requiring levy	Payable 2020									
<i>Calculations for Ten Year Projection</i>		<b>Pay 20</b>	adjustments	LLC Certification	Current Estimate								
	<b>LLC #</b>	<b>FY 2020</b>	<b>FY 2021</b>	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
1	Type your district number in cell A2 (Minneapolis = 1.2)												
2	Type APU, health and safety and alternative facilities project, and bond estimates in lines 6a, 14, 16b to 18, 20, 21, 26, 27 and 50b												
3	Type debt excess, intermediate/coop district, and revenue reduction data in lines 13, 15, 23, 31, and 33												
4	Look-up data from following tabs												
5	<b>Initial Formula Revenue</b>												
6	Current year APU	57	2,965.80	2,976.56	2,939.96	2,939.96	2,939.96	2,939.96	2,939.96	2,939.96	2,939.96	2,939.96	2,939.96
6a	Additional Pre-K Pupil Units ( line 19 of Pre-K application)												
6b	Total Adjusted Pupil Units = (6) + (6a)			2,976.56	2,939.96	2,939.96	2,939.96	2,939.96	2,939.96	2,939.96	2,939.96	2,939.96	2,939.96
7	District average building age (uncapped)	451	31.55	30.15	31.15	32.15	33.15	34.15	35.15	36.15	37.15	38.15	39.15
8	Formula allowance		\$ 380.00	\$ 380.00	\$ 380.00	\$ 380.00	\$ 380.00	\$ 380.00	\$ 380.00	\$ 380.00	\$ 380.00	\$ 380.00	\$ 380.00
9	Building age ratio = (Lesser of 1 or (7) / 35)	452		0.86143	0.89000	0.91857	0.94714	0.97571	1.00000	1.00000	1.00000	1.00000	1.00000
10	Initial revenue = (6) * (8) * (9)	453	1,015,914	974,354	994,294	1,026,213	1,058,133	1,090,052	1,117,184	1,117,184	1,117,184	1,117,184	1,117,184

## LTFM 10-year Expenditure Projection

Expenditure Categories		Fiscal Year (FY) Ending June 30										
		2020 (base year)	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Health and Safety - this section excludes project costs in Category 2 of \$100,000 or more for which additional revenue is requested for Finance Codes 358, 363 and 366.												
Finance Code	Category (1)											
347	Physical Hazards	\$14,112	\$14,394	\$14,682	\$14,976	\$15,275	\$15,581	\$15,892	\$16,210	\$16,534	\$16,865	\$17,202
349	Other Hazardous Materials	\$9,200	\$9,384	\$9,572	\$9,763	\$9,958	\$10,158	\$10,361	\$10,568	\$10,779	\$10,995	\$11,215
352	Environmental Health and Safety Management	\$23,899	\$48,679	\$49,652	\$50,645	\$51,658	\$52,691	\$53,745	\$54,820	\$55,917	\$57,035	\$58,176
358	Asbestos Removal and Encapsulation	\$3,121	\$3,183	\$3,247	\$3,312	\$3,378	\$3,446	\$3,515	\$3,585	\$3,657	\$3,730	\$3,804
363	Fire Safety	\$37,776	\$18,532	\$18,902	\$19,280	\$19,666	\$20,059	\$20,460	\$20,870	\$21,287	\$21,713	\$22,147
366	Indoor Air Quality	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Health and Safety Capital Projects</b>		\$88,108	\$94,172	\$96,055	\$97,977	\$99,936	\$101,935	\$103,973	\$106,053	\$108,174	\$110,337	\$112,544
Health and Safety - Projects Costing \$100,000 or more per Project/Site/Year												

# LTFM 10-year Expenditure Projection

		FY 20	21	22	23	24	25	26	27	28	29	30
<b>Deferred Capital Expenditures and Maintenance Projects</b>												
<b>Finance Code</b>	<b>Category (5)</b>											
368	Building Envelope	\$174,859	\$22,559	\$0	\$0	\$0	\$0	\$0	\$0	\$50,000	\$50,000	\$300,000
369	Building Hardware and Equipment	\$263,702	\$19,269	\$14,000	\$9,000	\$25,000	\$25,000	\$24,000	\$24,000	\$25,000	\$25,000	\$25,000
370	Electrical	\$69,337	\$26,202	\$25,000	\$30,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$40,000
379	Interior Surfaces	\$318,427	\$55,180	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$50,000	\$200,000
380	Mechanical Systems	\$870,700	\$343,433	\$50,000	\$50,000	\$50,000	\$70,000	\$120,000	\$120,000	\$50,000	\$50,000	\$405,000
381	Plumbing	\$1,061,798	\$72,865	\$0	\$0	\$25,000	\$0	\$0	\$25,000	\$50,000	\$0	\$0
382	Professional Services and Salary	\$536,714	\$44,063	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$28,000	\$25,000	\$25,000	\$28,000
383	Roof Systems	\$130,052	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
384	Site Projects	\$293,896	\$52,468	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Deferred Capital Expense and Maintenance</b>		\$3,719,485	\$636,039	\$109,000	\$109,000	\$145,000	\$140,000	\$189,000	\$222,000	\$225,000	\$225,000	\$998,000
<b>Total Annual 10-Year Plan Expenditures</b>		<b>\$3,807,593</b>	<b>\$730,211</b>	<b>\$205,055</b>	<b>\$206,977</b>	<b>\$244,936</b>	<b>\$241,935</b>	<b>\$292,973</b>	<b>\$328,053</b>	<b>\$333,174</b>	<b>\$335,337</b>	<b>\$1,110,544</b>

# Long Term Facilities Maintenance Ten Year Plan

---

- ❑ Updated needs identified as part of capital planning
- ❑ Plan must be adopted by the school board for submission to MDE to access funding through levy certification process
- ❑ Plan reflects General Obligation Long-Term Facilities Maintenance Bonds, Series 2018A

# Debt Service - Bond Payments

---

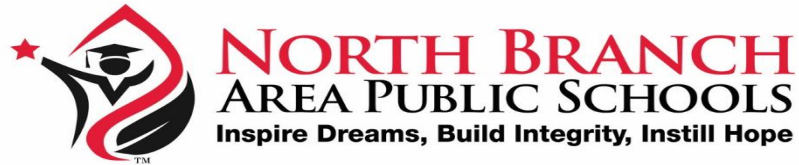
Bond Series	Bond Amount	Bond Type	Final Maturity
2012A	17,435,000	Gen Obligation	2/1/2022
2016A	1,770,000	Facility	2/1/2031
2017A	67,590,000	Gen Obligation	2/1/2043
2017B	2,260,000	OBEB	2/1/2025
2018A	6,385,000	Facility	2/1/2029

# School Board Action

---

- Action to adopt the revised 10 year Long-Term Facility Maintenance Revenue and Expenditure plans

# *Questions?*



*Presented to School Board on July 9, 2020*



*Where Minnesota School Boards Learn to Lead*

June 2020

Dear Superintendent:

Thank you for your membership in the Minnesota School Boards Association for the past year. MSBA's Board and staff have worked hard to become your go-to organization. MSBA will always go the extra mile for our members:

- Our dedicated staff prides itself on anticipating member needs through engagement, analyzing national and state directives, working with other educational organizations, and providing training to build high-performing boards.
- If you have a question, you can call or email MSBA's professional staff. We will find the answer promptly or get you to someone with the answer. In all our interactions, we strive to make your board a high-performing board that can meet the high expectations of your staff, students, and community.
- Legal and legislative advocacy are essential services of MSBA. As a statewide organization, we pride ourselves in finding a path forward that benefits all our school districts, regardless of shape and size.
- Like you, we care deeply about the success of all Minnesota's public school students. Through our collective, member-driven mission, our goal is to support, promote, and strengthen the work of our public school boards.

Our Association is stronger when our members are stronger. Now is the time to continue investing in your future. Your dues invoice is enclosed, along with a renewal notice for those districts in MSBA's Policy Services. We wish you a successful 2020-2021 school year and hope to continue as your valued and trusted Association. If you have any questions, please don't hesitate to call your Association office at 800-324-4459.

Sincerely,

Kirk Schneidawind  
MSBA Executive Director  
[kschneidawind@mnmsba.org](mailto:kschneidawind@mnmsba.org)

Deborah Pauly  
MSBA President  
[dpauly@isd717.org](mailto:dpauly@isd717.org)

enc.

**MINNESOTA SCHOOL BOARDS ASSOCIATION**

1900 West Jefferson Avenue, St. Peter, MN 56082-3015 Phone: 507-934-2450 or 800-324-4459  
[www.mnmsba.org](http://www.mnmsba.org)

## THE POWER OF MEMBERSHIP

In 2019, MSBA:

1.



Responded to more than 15,000 calls and emails, and logged 638,354 web views

---

2.



Provided timely and relevant communication to 3,811 members who subscribe to the Journal magazine, 3,233 who subscribe to The Leader and 1,912 who subscribe to eClippings

---

3.



Trained 1,072 members in our Learning to Lead (Phase) workshops

---

4.



Protected 366 school districts, co-ops, and charter schools through the Minnesota School Boards Association Insurance Trust (MSBAIT)

---

5.



Advocated for and against 68 bills through the Legislature and brought 28 resolutions to MSBA's Delegate Assembly

---



Minnesota School Boards Association  
1900 West Jefferson Ave  
St. Peter, MN 56082-3015  
507-934-2450 or 800-324-4459

RECEIVED  
DISTRICT OFFICE

JUN 16 2020

ISD #138  
NORTH BRANCH, MN

# INVOICE

ATTN: Accounts Payable  
I.S.D. 138  
PO BOX 370  
NORTH BRANCH, MN 55056-0370

Invoice No: 25059W3L3M7  
Invoice Date: 6/11/2020  
Acct No: 293  
Due Date: 11/15/2020  
PO Number:

Invoice Item	Qty	Unit Price	Extended
Association Dues (FY 7/1/20 to 6/30/21)	1	\$7,636.00	\$7,636.00
BoardBook Subscription Tier I	1	\$700.00	\$700.00
Policy Services Renewal (FY 7/1/20 to 6/30/21)	1	\$715.00	\$715.00

Subtotal:	\$9,051.00
Amount Paid:	\$0.00
Balance Due:	\$9,051.00

Dues for **ISD #138** are based on 2692.70 "Average Daily Membership of Students Served" for the fiscal year ended June 30, 2019, as provided by the Minnesota Department of Education.

**MSBA is not able to accept Credit, Debit, or Procurement Cards as a method of payment of your 2020-21 Dues Invoice. Please remit payment of this invoice to MSBA by CHECK. Thank you for your cooperation.**

In accordance with IRS Code Sec. 6113, contributions or gifts (including membership dues) to MSBA are not deductible as charitable contributions for Federal income tax purposes.

## RESOLUTION OF SCHOOL DISTRICT

Be it resolved, that this school district enters into an agreement with the State of Minnesota, State MNSCU Board of Trustees (St. Cloud State University), for the purpose of providing supervisory services for students from St. Cloud State University.

Be it further resolved, that the chairperson and clerk be, and they hereby are, authorized to execute such agreement.

## CERTIFICATION

STATE OF MINNESOTA

County of Chisago

I hereby certify that the foregoing resolution is a true and correct copy of resolution adopted by the Board of North Branch Area Public Schools District No.138 at a duly authorized meeting thereof held on the 9th day of July, 2020, as shown by the minutes of said meeting.

---

Clerk



# 2020-2021 Student-Parent Handbook

Independent School District #138  
38705 Grand Ave., North Branch, MN 55056  
651-674-1000/phone | [isd138.org](http://isd138.org)

*Adopted by the School Board – July 9, 2020*



@nbapschools



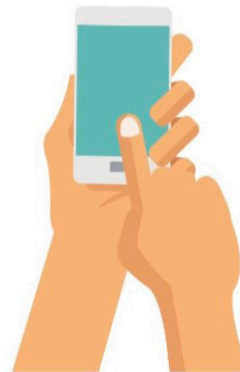
@nbapschools



@nbapschools



Search North Branch Area Public Schools



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## NBAPS School Calendar 2020 – 2021

### August 2020

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	<del>31</del>					

25-26 New Teacher Workshop  
27 New and 2<sup>nd</sup> Year Tchr Wkshp  
31 Prof Dev Day  
T=(1) S=(0)

### February 2021

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	<del>12</del>	13
14	<del>15</del>	16	17	18	19	20
21	22	23	24	25	26	27
28						

12 Prof Dev Day  
15 President's Day  
T=(19) S=(18)

### September 2020

S	M	T	W	T	F	S
		<del>1</del>	<del>2</del>	<del>3</del>	4	5
6	<del>7</del>	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	<del>25</del>	26
27	28	29	30			

1-3 Prof Dev Days  
7 Labor Day  
8 School Begins  
25 Prof Dev Day  
T=(20) S=(16)

### March 2021

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	<del>12</del>	13
14	<del>15</del>	<del>16</del>	<del>17</del>	<del>18</del>	<del>19</del>	20
21	22	23	24	25	26	27
28	29	30	31			

11 End of Trimester 2  
12 Prof Dev Day  
15-19 Spring Break  
T=(18) S=(17)

### October 2020

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	<del>15</del>	<del>16</del>	17
18	<del>19</del>	20	21	22	23	24
25	26	27	28	29	30	31

15-16 Minnesota Ed Academy  
19 Prof Dev Day  
T=(20) S=(19)

### April 2021

S	M	T	W	T	F	S
				1	<del>2</del>	3
4	<del>5</del>	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	

2 Good Friday  
5 Prof Dev Day  
T=(21) S=(20)

### November 2020

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	<del>26</del>	<del>27</del>	28
29	30					

26-27 Thanksgiving Break  
T=(19) S=(19)

### May 2021

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	<del>31</del>					

31 Memorial Day  
T=(20) S=(20)

### December 2020

S	M	T	W	T	F	S
		1	2	3	<del>4</del>	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	<del>23</del>	<del>24</del>	<del>25</del>	26
27	<del>28</del>	<del>29</del>	<del>30</del>	<del>31</del>		

3 End of Trimester 1  
4 Prof Dev Day  
23-31 Holiday Break  
T=(16) S=(15)

### June 2021

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	<del>15</del>	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

13 Graduation Day  
14 Last Day for Students  
15 Teacher Workshop Day  
T=(11) S=(10)  
T=(184) S=(172)  
Teachers=186 w/conferences

### January 2021

S	M	T	W	T	F	S
					<del>1</del>	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	<del>18</del>	19	20	21	22	23
24	25	26	27	28	<del>29</del>	30
31						

1 Holiday Break  
18 Martin Luther King Day  
28 End of Semester 1  
29 Prof Dev Day  
T=(19) S=(18)

### July 2021

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	31

4 Independence Day

**North Branch Area High School and Sunrise Elementary**  
 Trimester 1: September 8 – December 3 = 57 days  
 Trimester 2: December 7 – March 11 = 57 days  
 Trimester 3: March 22 – June 14 = 58 days  
**North Branch Area Middle School**  
 Semester 1: September 8 – January 28 = 87 days  
 Semester 2: February 1 – June 14 = 85 days

No School: ☒  
 T = Teacher Days  
 S = Student Days  
 Adopted by School Board: 4/11/19

The School Board reserves the right to adjust the school calendar based upon legislature related to education when it is available. The classified staff professional development days will be determined on a yearly basis.

**NORTH BRANCH AREA PUBLIC SCHOOLS  
GENERAL INFORMATION**

<p><b>NORTH BRANCH AREA EDUCATION CENTER</b> 38705 Grand Ave, PO Box 370 Grades – EC-Kindergarten Principal – Lori Zimmerman Phone Number – 651-674-1200 School Hours: 8:05 am – 2:40 pm</p> <p><b>SUNRISE RIVER ELEMENTARY SCHOOL</b> 38705 Grand Ave, PO Box 370 Grades 1-5 Principal – Lori Zimmerman Phone Number – 651-674-1100 School Hours: 7:50 am – 2:25 pm</p> <p><b>NORTH BRANCH AREA MIDDLE SCHOOL</b> 38431 Lincoln Trail, PO Box 370 Grades 6-8 Principal – Kelly Detzler Assistant Principal – Matt Lattimore Phone Number – 651-674-1300 School Hours – 8:05 am – 2:40 pm</p> <p><b>NORTH BRANCH AREA HIGH SCHOOL</b> 38175 Grand Ave, PO Box 370 Grades 9-12 Principal – Coleman McDonough Assistant Principal – Glen Stevens Director of Activities – Andrea Schmidt Phone Number – 651-674-1500 School Hours – 7:55 am – 2:25 pm</p> <p><b>OFFICE OF TEACHING AND LEARNING</b> Curriculum, Instruction, Assessment, ALC/Distance Learning, and Staff Development 38705 Grand Ave, PO Box 370 Director – David Treichel Phone Number – 651-674-1050</p> <p><b>ALC/DISTANCE LEARNING</b> 38423 Lincoln Trail, PO Box 370 (Brooker Building) Grades – 7-12 Principal – David Treichel Phone Number – 651-674-1050 School Hours – 7:55 am – 2:25 pm</p> <p><b>LIFE WORK CENTER</b> 38431 Lincoln Trail, PO Box 370 Grades 12+ Principal – Kelly Detzler Phone Number – 651-674-1300 School Hours – 8:00 am – 2:35 pm</p>	<p><b>COMMUNITY EDUCATION</b> 38705 Grand Ave, PO Box 370 Director of Community Education – Brett Carlson Phone Number – 651-674-1025</p> <p><b>SCHOOL AGE CARE</b> 38705 Grand Ave, PO Box 370 Director of Community Education – Brett Carlson Phone Number – 651-674-1025 Hours of Operation – 5:45 am – 6:00 pm School Age Care – 651-674-1029</p> <p><b>DISTRICT OFFICE</b> 38705 Grand Ave, PO Box 370 Superintendent – Sara Paul Director of Finance and Human Resources – Todd Tetzlaff Community Relations/Grants – Pat Tepoorten Phone Number – 651-674-1000 Office Hours – 7:00 am – 3:30 pm</p> <p><b>TRANSPORTATION DEPARTMENT</b> 38150 Grand Avenue, PO Box 370 Director – Lonnie Hansen Phone Number – 651-674-1030 Office Hours – 6:00 am – 4:30 pm</p> <p><b>BUILDINGS AND GROUNDS DEPARTMENT</b> 38705 Grand Ave, PO Box 370 Director – Art Tobin Phone Number – 651-674-1091 Office Hours – 6:00 am – 2:30 pm</p> <p><b>FOOD SERVICE – TAHER DINING</b> 38175 Grand Ave, PO Box 370 Manager – Sharon Thompson Phone Number – 651-674-1520 Office Hours – 6:00 am – 3:00 pm</p> <p><b>SPECIAL EDUCATION</b> 38705 Grand Ave, PO Box 370 Special Services Supervisor – Jennifer Danielson Phone Number – 651-674-1016</p> <p><b>HEARING IMPAIRED – Call 711</b></p>
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SCHOOL WEB SITE: [isd138.org](http://isd138.org)

Twitter: <http://twitter.com/nbaps>

Superintendent Blog: <http://supeoftheday.blogspot.com>

Facebook – [www.facebook.com/pages/North-Branch-MN/North-Branch-Area-Public-Schools/88416309480](http://www.facebook.com/pages/North-Branch-MN/North-Branch-Area-Public-Schools/88416309480)

# NORTH BRANCH AREA PUBLIC SCHOOLS STUDENT AND PARENT HANDBOOK 2020-2021

## ACCIDENT INSURANCE

We wish to emphasize that the school district **does not** provide any type of health or accident insurance for injuries incurred by your child at school. We encourage parents to review their present policies to determine if coverage is adequate.

## ACTIVITIES

North Branch Area Public Schools offers a far-ranging variety of extracurricular activities in both fine arts and sports. The goal of the Activities Department is to have every student in grades 7-12 involved in at least one co-curricular activity. Fees will be charged for all activities and must be paid before the first day of practice. Special consideration will be given to those students financially unable to pay. Students may participate in one sport per season. Prorated refunds will be issued when a student must resign from an activity due to cutting, a medical condition, or transfer. There are no refunds for rules violations or arbitrary resignations.

To pay for activity fees online, see "Paying Fees Online" on page 16.

### Fee Schedule:

High School Fee Schedule		Middle School Fee Schedule	
Boys and Girls Hockey	\$545	Boys and Girls Hockey	\$455
Grades 9 – 12	\$230	Grades 7 – 8	\$140
Grades 7 – 8: playing 7 – 12 sport	\$140		
<b>Activities</b>		<b>Activities</b>	
Speech	\$150	Grades 7 – 8: Speech	\$95
Fall Musical	\$150	Grades 7 – 8: Knowledge Bowl	\$95
Math League	\$150	Grades 7 – 8: Math League	\$95
Knowledge Bowl	\$150	Jazz Band	\$95
Jazz Band	\$150	Show Choir	\$95
Harmonaires	\$150	Robotics	\$100
DECA, ProStart	\$150		
Robotics	\$150		
Clay Target	\$235		
Weight Room Fees per trimester (Free during season with athletic registration)	\$40		
Family Cap: \$900.00			

Eligibility standards have been set by the school district for participation in any co-curricular activity. These standards apply to athletics, competitive organizations, fine arts, and clubs. The Co-Curricular Registration Handout contains detailed explanations of eligibility standards, academic probation, etc.

## ADDRESS CHANGES

Please notify the district office clerk at 651-674-1001 with address changes.

## ATTENDANCE

Students are to be in attendance each day in which school is in session. If a student is absent from school, a parent must call the school to inform us of the reason for the absence. Each school has its own attendance clerk and telephone number for parents to call. A note from parents is also acceptable on the day the student returns.

- Sunrise River School Attendance Number      651-674-1107
- Middle School Attendance Number              651-674-1303
- High School Attendance Number                651-674-1503

- Norse Area Learning Center Attendance Number 651-674-1031

Students are expected to make up work missed.

Unexcused absences are considered truancy, whether for a whole day or any part of it. Consequences of truancy may include a parent conference, in-school suspension or loss of credits (See policy 503). Repeated incidents of truancy will be reported to truancy intervention personnel.

## **AVAILABLE SERVICES**

### **Chemical Health Services**

Chemical health services promotes healthy lifestyles through classroom presentation and support through the district's health curriculum. Prevention efforts and intervention services are addressed through support programs provided by school counselors and social workers.

#### Resources for Parents

- ◆ Chisago County Chemical Health Unit 651-213-5600
- ◆ Fairview Behavioral Services 651-982-7000
- ◆ Hazelden 1-855-563-7364
- ◆ Lakes Area Human Services 651-464-2194
- ◆ Youth Service Bureau 651-464-3685
- ◆ MN Department of Health at [www.health.state.mn.us](http://www.health.state.mn.us)

### **Counseling Services**

A counselor, social worker, or mental health worker is available at the Middle School, High School, and Sunrise River School to work with students relating to their intellectual, physical, emotional, and social development. They provide a channel of communication where students can express their concerns about academics, friendships, feelings about themselves, and family.

### **Media Centers**

The North Branch Area Public Schools provides a media center in each building for student use. The books and other media are borrowed property and deserve the respect of the borrower. Each media center has its own rules and behavior expectations and it is the student's responsibility to know and respect both.

### **Use Of School Buildings**

The North Branch Area Public Schools Community Education Office is responsible for scheduling all buildings and athletic facilities, etc. used by interested parties. Groups should contact Community Education at 651-674-1025.

## **COMMUNITY EDUCATION**

Community Education is part of North Branch Area Public Schools #138. Community Education offers a wide variety of programs, including:

- Adult Basic Education and General Education Development
- Adult Enrichment and Recreation Classes and Leagues
- Arts Fest
- Craft Classes
- Computer Courses and Online Classes
- Early Childhood Family Education and Community Preschool
- Early Childhood Screening and Special Education Support Services
- Facility Use Scheduling for After School Hours
- Parenting Classes
- School Age Care Service
- School Readiness
- Summer Trips, Sports Camps, and Classes

Community Education and Early Childhood Family Education brochures are mailed to all residents of the school district three times a year. Youth and adults are invited to serve on the advisory councils to offer suggestions and support for the various programs sponsored by Community Education. For more information about Community Education, call 651-674-1025. For information about Early Childhood Family Education, call 651-674-1220. You may also visit the district's website under the Community Education tab.

## **COMMUNITY EDUCATION SCHOOL-AGE CARE PROGRAM**

Youth Connections is community education's child care program. We serve students ages 3 through 6th grade from 5:45 am - 6:00 pm at the North Branch Area Education Center and St. John's Lutheran Church in Stacy. Grades are combined at one site for convenient pick-up; with special activities and spaces for ages 3-5 year olds, K-3rd graders, and 4th-6th graders. Youth Connections is open on all school days and most days when school is not in session and in the summer. For more information, registration information and fees, contact Community Education at 651-674-1025 or visit the district's website under the Community Education tab.

## **CONSENT TO RELEASE EDUCATIONAL INFORMATION**

Data privacy laws do not allow the release of educational information except to parents and other educational institutions. If you would like educational information shared with other individuals (step-parents, grandparents, etc.), you need to sign a Consent to Release Educational Information form. These forms are available in the school offices.

## **DISTRIBUTION OF MATERIALS**

It is the policy of North Branch Area Public Schools to assist organizations in the promotion of their youth activities. The district will permit non-school related materials to be distributed to school aged children when it meets certain criteria. See Policy 505 – Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees and Policy 904 – Distribution of Materials on School District Property by Nonschool Personnel.

## **ELIGIBILITY REQUIREMENTS FOR EXTRA CURRICULAR ACTIVITIES**

### **A. ACADEMIC REQUIREMENTS**

1. Minnesota State High School League (MSHSL) Bylaw 108
  - a. Students must be making satisfactory progress towards the school's requirement for graduation. The school where the student is fully enrolled and regularly attends shall determine satisfactory progress.
  - b. Students in special classes must be making satisfactory progress toward the student's Individual Education Plan (IEP)
2. North Branch Area Public Schools Procedures
  - a. To be scholastically eligible, a student must be making satisfactory progress towards graduation. A grade-point average of C (2.0) shall be used as a guideline for eligibility. Students falling below the guideline will be reviewed on an individual basis.
  - b. General Practice. A student must have a cumulative GPA of 2.0 or above to be fully eligible for participation. A student with a cumulative GPA of 1.50 – 1.99 will be placed on academic probation. A student with a cumulative GPA of 1.0 – 1.49 may attend practice, but will be ineligible for competition until the next grading period. A student below 1.0 will be ineligible for practice and competition. Each case will be handled on an individual basis.
  - c. A student on academic probation must turn in weekly eligibility sheets to his or her coach in order to be eligible for competition. Failure to turn in probation sheets will make a student ineligible for competition for one week. If a student continually fails to turn in academic probation sheets, the student will be dismissed from the team.
  - d. Students on IEP's or a 504 Plan are reviewed on a case by case basis.

### **B. ATTENDANCE REQUIREMENTS**

1. Students are expected to attend all practices and contests.
2. Absences due to personal reasons will be handled by each coach according to pre-established team rules and guidelines.
3. Students suspended from school will be ineligible for contests, practices or any team functions during the time of the suspension. Days missed will be considered unexcused by the coach or advisor. Students suspended from school are also ineligible for the next scheduled competition.
4. A student who skips any part of a school day is ineligible for participation that day. If the absence is not discovered until a later date, the student will be ineligible for participation as soon as the information is received.
5. Students involved in PSEO are not excused from practices or games. Schedules should be arranged to accommodate practices and contests.

6. A student must be in attendance in school to practice or play in a contest. A student may miss one-half the school day for reasons acceptable to the principal's office and still participate. If a student is absent and does not present an approved reason, he/she will not be able to participate on that day. Due to an emergency situation at home, a student may be allowed to participate in a contest if it is approved by the Activities Director and the building principal.

**C. CHEMICAL ELIGIBILITY AND THE USE OF MOOD ALTERING CHEMICALS.**

All student athletes are subject to the Minnesota State High School League's chemical eligibility and use of mood altering chemicals bylaw (205.00). The use or possession of alcohol, tobacco and nicotine-related products, and mind-altering substances, at any time during the calendar year can have serious repercussions for athletes. Families are encouraged to become familiar with these rules. They can be reviewed in the MSHSL handbook at <http://www.mshsl.org/mshsl/Publications/code/handbook/200%20Bylaws.pdf>.

## **EMERGENCY CARDS**

Each year parents are asked to review student emergency contact information in ParentVUE. This access allows parents to review, add, or update any emergency contact information for their child at all school locations. North Branch Area Public Schools staff members cannot be designated an emergency contact. Staff members are not available in an emergency to leave work to take care of a friend's sick child and/or to take children to receive medical attention. Please list only those people who are available to come and pick up a child and/or take a child to the hospital if the need arises. If you do not have access to your ParentVUE account, please contact the office at which your child attends. You will not need to contact all buildings if you have a child in multiple school buildings.

Our procedure will be to contact the parent at home or at work. You will be asked to pick up the child and provide proper care. If we cannot reach you, we will call the friend, relative, or neighbor that you have listed on your emergency form and ask them to care for your child. In extreme emergency, an ambulance will be called and your child will be taken to the nearest hospital. The cost of this will be covered by the parent.

## **FINES FOR LOST OR DAMAGED BOOKS**

Students who lose or destroy textbooks, workbooks, library books, etc. will be charged the replacement cost of the item. A letter will be sent to the parents either when the book is reported lost or destroyed or at the end of the trimester or school year indicating the amount that is owed if the book is not returned.

## **FOOD TREATS**

North Branch Area Public Schools requires that food, which is served in schools, be commercially prepared. Therefore, we do not allow the distribution of food items including "treats" which are prepared in individual homes. Food treats must be commercially prepared, packaged, or individually wrapped food items such as cookies or other packaged bakery items (e.g. Twinkies), candies, or individually portioned ice cream novelties.

Parents are encouraged to select healthy choices for classroom treats as recommended by the district's Wellness Policy 533. See Policy Section for the policy.

## **FUND RAISING**

The School Board of North Branch Area Public Schools is of the opinion that it is poor policy to use pupils for distributing non-school materials in the community or for soliciting funds or in sales campaigns to finance extracurricular activities. It is, therefore, the policy of the Board to discourage such activities.

Pupils may, however, engage in raising funds, under the control of the school, for certain approved activities and for a limited number of charities, subject to some conditions. (See Policy 511 Fund Raising).

## **GRADUATION CEREMONY REQUIREMENTS**

It is the position of the North Branch Area Public Schools that the graduation ceremony is an exercise for those seniors who have met the state and local requirements for a diploma. It is also important that students and parents be as informed as soon as possible in the event that a student may not qualify to participate in this ceremony. It will be the practice of the district to use the following procedures when determining those seniors who will participate in the graduation ceremony.

- All seniors are expected to have 74 credits including required classes in order to participate in the graduation

ceremony.

- The high school and/or the Office of Teaching and Learning shall notify parents of those seniors who do not have enough credits as soon as the lack of credits is apparent. Generally, this will happen when second trimester grades are official although in most cases, students and parents will have been notified prior to their senior year.
- A final communication will be made to parents/guardians at mid-term of the third trimester. At this point, parents/guardians of seniors who are in jeopardy of not graduating will be notified that their student's participation in the graduation ceremony may be withdrawn.
- The school board may grant exceptions to this practice in cases that are beyond the reasonable control of the student (example, prolonged illness or accidents). If the board cannot address emergency issues due to time restrictions, the superintendent may grant exceptions according to these guidelines.
- Students that fail to meet school behavior expectations up to and including the day of graduation may be suspended and/or removed from the graduation ceremony.
- Students with IEPs who have met district standards for graduation but will stay in the district's transition program after their senior year may participate in the graduation ceremony. The actual awarding of the diploma will be withheld until the student completes the IEP requirements.

## HALL PASS VISITOR MANAGEMENT SYSTEM

NBAPS schools are protected by the Hall Pass visitor management system, which instantly compares school visitor identification data against an integrated, comprehensive database of sex offender registries for every state and the District of Columbia prior to entry into a NBAPS school. To gain admittance to a school district site during school hours, an ID is required. **Anyone planning to visit a NBAPS site when students are in attendance needs to bring identification in the form of a driver's license or state identification card.** NBAPS appreciates your cooperation in helping us make students and staff as safe as possible!

## HERE COMES THE BUS

Here Comes the Bus (HCB) is an extremely helpful application from Synovia Solutions that allows parents/guardians to track student buses in real time. Here Comes the Bus full access subscriptions are free to all parents within the district! For more information, visit the HCB website at: [www.herecomesthebus.com](http://www.herecomesthebus.com)!

## HOT LUNCH PROGRAM/PRICES/NOTICE

A nutritious breakfast and lunch are served each day that school is in session beginning on the first day of school. Subsidized meals are available to families based on income. Free and reduced-price meal applications are mailed to each home before school begins. All applications must be processed and approved before the students can receive the free or reduced meals. If your children were approved for free or reduced last year, they will continue to receive free or reduced meals for the first 30 operating days of school at which time the family account will be changed back to full pay if a new application has not been received. You must provide lunch money or a meal for your children until the application is approved. Parents need only fill out ONE APPLICATION PER FAMILY when applying for free or reduced-priced meals.

Meal prices are:	<u>Grades K-5</u>	<u>Grades 6-12</u>
Lunch	\$2.80	\$3.00
Breakfast	\$1.80	\$1.80
Milk	\$0.60	\$0.60
Adult Lunches:	\$4.20	
Adult Breakfasts	\$2.40	

Lactose milk is available upon request.

In addition, a variety of ala Carte choices are available to secondary students at the middle and high schools.

A computerized accounting system is used which provides for prepaid family accounts. Students are assigned a personal identification number (PIN #). Money must be deposited into your account in advance. Each day as your child eats school breakfast or lunch, the price of the meal will be deducted from your family account. Families may restrict the use of the account for ala Carte items by contacting the food service department. To pay for lunches online, see "Paying Fees Online" on page 16. Meal services are provided by Taher Dining. Call 651-674-1520 if you have questions on food service.

## **ILLNESS AT SCHOOL**

A student who becomes ill while at school may go to the health room. If the student needs to go home, parents will be called. If parents cannot be reached, the person designated by parents on the emergency information card will be notified. Students that leave school due to illness without checking out with the health office, will be marked truant.

## **INDOOR AIR QUALITY**

North Branch Area Public School District has on file an Indoor Air Quality Plan. If you have any IAQ questions or would like to view the IAQ plan, you can contact the IAQ coordinator, Art Tobin, at 651-674-1091.

## **INTERNET ACCEPTABLE USE/TECHNOLOGY**

In making decisions regarding student access to the school district computer system and to the internet, 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 enables students 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 throughout the curriculum and will provide guidance and instruction to students in their use. (See Policy 524 Internet Acceptable Use and Safety Policy.)

## **MEDICATIONS**

All medications consumed by students while at school during normal school hours shall be administered by the nurse's office. Parents or guardians are expected to make appropriate arrangements to have necessary medication for the child delivered to the school health office. The medication must be authorized by the parent/guardian, have been prescribed by a physician, and be in a pharmacy-labeled container. Non-prescription medications must also have physician's approval to be administered. (See Policy 516 Student Medication.)

## **MILITARY PERSONNEL**

The school district must release the names, addresses, and home telephone numbers of secondary students to military recruiting officers within 60 days after the date of the request. If a parent wishes not to provide the military with information on their child, they need to send a letter in writing to the building in which their child is a student expressing their desire to opt out. See Data Privacy Notification, Public Notice, Item 5.

## **MINNESOTA ACADEMIC STANDARDS**

North Branch Area Public Schools has in place Minnesota academic standards in grades K through 12 in the areas of language arts, math, science, and social studies. Academic standards are prescriptive and direct what students should accomplish academically at a particular grade level. While standards are specific, the district has the flexibility to prioritize State standards based on student assessment data. The district continually works to align curriculum with the changing academic standards, assessments, and graduation requirements.

The Minnesota Comprehensive Assessments (MCA) is administered to all students in reading and math grades 3 through 8, reading in grade 10 and math in grade 11. In addition, the science MCA is administered to students in grades 5, 8 and after completing High School Biology. MCAs are required for federal accountability calculations.

Minnesota Statutes section 120B.125 states that students who turn 21 while enrolled and did not meet or exceed the Minnesota Academic Standards as measured by the MCA administered in high school, are to have admission to a public school, which is free and available to any resident under 21 years of age. Students can continue to complete courses for graduation requirements and can graduate from the district. For more information, please contact David Treichel, Director of Teaching and Learning at 651-674-1055.

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. Please see information below regarding Parent/Guardian Guide and Refusal for Student Participation in Statewide Testing.



## 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 children with the education that will ensure a strong workforce and knowledgeable citizens.

### Why does participation matter?

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

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

## Academic Standards and Assessments

### What are academic standards?

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

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

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

<p><b>Minnesota Comprehensive Assessment (MCA) and Minnesota Test of Academic Skills (MTAS)</b></p> <ul style="list-style-type: none"> <li>• Based on the Minnesota Academic Standards; given annually in grades 3-8 and high school in reading and mathematics; given annually in grades 5, 8 and high school for science.</li> <li>• Majority of students take the MCA.</li> <li>• MTAS is an option for students with the most significant cognitive disabilities.</li> </ul>	<p><b>ACCESS and Alternate ACCESS for English Learners</b></p> <ul style="list-style-type: none"> <li>• Based on the WIDA English Language Development Standards.</li> <li>• Given annually to English learners in grades K-12 in reading, writing, listening and speaking.</li> <li>• Majority of English learners take ACCESS for ELLs.</li> <li>• Alternate ACCESS for ELLs is an option for English learners with the most significant cognitive disabilities.</li> </ul>
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### Why are these assessments effective?

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

- To answer questions, students may need to type in answers, drag and drop images and words, or manipulate a graph or information.
- The Reading and Mathematics MCAs 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 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 out of statewide assessments.*

Date \_\_\_\_\_ (This form is **only** applicable for the 20\_\_\_\_ to 20\_\_\_\_ school year.)

Student's Legal First Name \_\_\_\_\_ Student's Legal Middle Initial \_\_\_\_\_

Student's Legal Last Name \_\_\_\_\_ Student's Date of Birth \_\_\_\_\_

Student's District/School \_\_\_\_\_ Grade \_\_\_\_\_

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

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

Reason for refusal:

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

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

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

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

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

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

Parent/Guardian Signature \_\_\_\_\_

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

Based on the revisions to Minnesota Statute 120B.30 and 120B.125, districts have a number of requirements to fulfill for students' career and college planning, but students are not required to achieve a specified score on an assessment in order to graduate or meet graduation assessment requirements.

Districts must assist students with career and college readiness, including the following.

- Offering students in grades 11 an opportunity to participate in a nationally recognized college entrance exam on a school day.
- Monitoring student's development of and growth in career and college readiness.
- Assisting students no later than grade 9 in exploration and planning activities for career interests or postsecondary education.

North Branch Area Public School students must also earn 74 credits in order to meet North Branch Area Public School's School Board approved graduation requirements. Of the 74 credits, 50 credits are required across the content areas of english, social studies, science, math, phyed, health and art. The remaining 24 credits are elective credits.

With teacher collaboration, curriculum review takes place on an on-going basis. Adjustments to curriculum are driven by student achievement data and State legislative requirements. If you have questions regarding state standards, assessments, or graduation requirements, please contact your building principal.

## MOBILE APP

The latest news and information from North Branch Area Public Schools (NBAPS) is now available on smartphones and mobile devices with a new mobile app! Parents and the public are encouraged to download this free mobile app to their smart-devices. The app can be accessed at Google play: <http://bit.do/e5Nah> and Apple: <http://bit.do/e5Nau>.

## ONLINE ACCESS TO STUDENT INFORMATION

North Branch Area Public Schools utilizes Synergy ParentVUE, giving families anywhere, anytime access to school-related information. NBAPS has moved to paperless report cards (paper copies can be made available upon request) and access to ParentVUE will be necessary to view your student's grades.

Maintaining the security of your children's information is a top priority for NBAPS. While setting up your access involves several detailed steps that guarantee this security, once you have completed these, you will only need to enter your username and password to access information.

Each parent/guardian account will require a separate username and password. The username and password needed for Synergy ParentVUE login will be provided by your student's school. Parents/guardians will receive a letter with an activation key that explains how to activate their own login to ParentVUE. You may also get this information at your respective schools open house. For students who enroll in NBAPS after the beginning of the school year, an activation key letter will be issued during the registration process.

To Login to ParentVUE (use the url on your activation letter or go to the school's website)

- Click "I am a Parent"
- Click "I have an activation key and need to create my account."
- Read the privacy statement and click "I Accept."
- Enter your name and activation key exactly as they appear on the activation letter that you received from your school. Click "Continue to Step 3."
- Choose a username and password (at least 6 characters), provide an email address, and click "Complete Account Activation."

The ParentVUE login gives you access to information for all of your children enrolled in NBAPS schools. In rare cases, a parent may have multiple different keys and cannot see all of their students in the same account. Please contact the main office of the school for the student you are unable to see in ParentVUE to fix this issue.

## PARENT LINK

ParentLink is an outgoing mass notification system. North Branch Area Public Schools uses this system to communicate important information to parents and staff, and in emergency situations. The ParentLink system is capable of sending recorded phone messages, text messages and e-mail messages. To date, the district has focused its efforts on the phone and e-mail messaging portions of the system. At the Middle School and High School the system is used to notify parents when their child is not in school.

## PARENT/TEACHER CONFERENCES AND OPEN HOUSE DATES

Sunrise River School		Middle School		High School	
Open House Grades 1-5 – Sept. 1, 4:30 – 6:30 pm Kindergarten- Sept. 2, 4:30 – 6:30 pm		Open House Sept. 2 from 4 – 6 pm		Open House Sept. 2 from 5 – 7 pm	
Oct. 19	11:30-6:30 pm	Oct. 13	3:30-7:00 pm	Oct.8	3:30-7:00 pm
Oct. 22	3:00-6:30 pm	Oct. 19	11:30-3:00 pm	Oct.12	3:30-7:00 pm
Feb. 9	3:00-6:30 pm	Oct. 20	3:30-7:00 pm	Oct. 19	11:30-3:00 pm
Feb. 11	3:00-6:30 pm	Feb. 9	3:30-7:00 pm	Feb. 12	11:30-3:00 pm
Feb. 12	11:30-3:00 pm	Feb. 11	3:30-7:00 pm	Feb. 18	3:30-7:00 pm
		Feb. 12	11:30-3:00 pm	April 22	3:30-7:00 pm

Distance Learning Program		Norse Area Learning Center		Life Work Center	
Open House Sept. 2 from 5 – 7 pm		Open House Sept. 2 from 5 -7 pm		Open House Sept. 3 from 4 – 6 pm	
Oct.8	3:30-7:00 pm	Oct.8	3:30-7:00 pm	Scheduled each trimester	
Oct.12	3:30-7:00 pm	Oct.12	3:30-7:00 pm		
Oct. 19	11:30-3:00 pm	Oct. 19	11:30-3:00 pm		
Feb. 12	11:30-3:00 pm	Feb. 12	11:30-3:00 pm		
Feb. 18	3:30-7:00 pm	Feb. 18	3:30-7:00 pm		
April 22	3:30-7:00 pm	April 22	3:30-7:00 pm		

## PAYING FEES ONLINE

NBAPS offers families the option of paying for lunches, athletics/activities, parking permits, and driver's education online. To pay fees online you will be using the Affinity Activities software located on the school website. Following the simple steps there, you can add to the account balance for each of your students using a credit card or electronic transfer from your checking or savings account.

When you make a payment, a confirmation e-mail is automatically sent to you as a receipt. You can also print out a receipt from the Affinity screen. You also can choose to receive an e-mail alert when balances fall below a specific level that you set.

On the Meal Purchase History page, you can see all the transactions made in each student's account. This is how you can monitor your child's meal purchases.

If you need assistance at any point, call the NBAPS Technology Department at (651) 674-1097 or contact your student's school.

## PERSONAL PORTABLE DIGITAL DEVICES

In 2010-11, NBAPS introduced Discover Digital Devices (D3) at the high school and middle school, which allows the use of personal technology devices such as laptops, tablets, e-readers, cell phones, and smart phones in school. Electronic devices provide a tremendous educational opportunity to use in learning essential skills like collaboration, innovation and decision making. With the use of electronic devices comes added responsibility and users are expected to be good digital citizens through the use of such devices. As with all personal items,

individuals assume full responsibility for devices brought to school. The use of the school district system is at the individual's own risk. Access to these systems through individually owned devices will be allowed through the NBD3 wireless network available within the buildings only. Specific software or program requirements are the responsibility of the individual and not the school district. While in school, students are expected to follow these guidelines:

- Use of personally owned digital devices in the classroom will be at the discretion of the classroom teacher or supervisor.
- Individuals are encouraged to ensure that device(s) are fully charged at the start of the school day.
- NBAPS will not be held responsible for any physical damage, loss or theft of a personally owned digital device.
- Students may be permitted personal use of devices during non-class periods, lunch and during passing times.
- Unless otherwise specified, device ringers and audio must be muted.

### **Electronic Devices Issued to Students or Staff**

The NBAPS believes technology for educational purposes is an essential part of the learning process for students and staff. Part of our year to year process is to issue students in grades 5-12 a Chromebook to use in and out of the classroom. It is expected that guardians of students understand when the device is issued, it is the responsibility of the student to use it appropriately. Below are guidelines and expectations of using the device.

1. Electronic devices loaned or leased to students or staff shall be used only for educational purposes that directly relate to a school project or assignment, unless otherwise explicitly authorized by building administration.
2. Users are responsible for the proper care of electronic devices at all times, whether on or off school property, including costs associated with repairing or replacing the device as described in the Chromebook procedures manual.
3. Users must report a lost or stolen device to the building media centers immediately. If a device is stolen, a report also should be made immediately with local police.
4. The policy and rules apply to the use of the electronic device at any time or place, on or off school property. Students are responsible for obeying any additional rules concerning care of devices issued by school staff.
5. Violation of policies or rules governing the use of electronic devices or any careless use of the device may result in a student's device being confiscated and/or a student only being allowed to use the device under the direct supervision of school staff. The student will also be subject to disciplinary action for any violations of the Appropriate Use Policy and/or Chromebook procedures manual.
6. Parents are responsible for supervising their student's use of the device when not in school.
7. The device configuration shall not be altered in any way by users. No software applications shall be installed, removed, or altered on the device unless permission is explicitly given by the teacher or building administrator.
8. The device is to be used only by the student or staff member to whom it is issued. The person to whom the device is issued will be responsible for any activity or action performed on the device.
9. The device must be returned in acceptable working order by the last day of each school year, upon withdrawal or exit date from the school district, and whenever requested by school staff.
10. Parents and students are required to sign the Chromebook Agreement form either online through the Affinity Activities Portal (<https://family.wordwareinc.com/>) or by paper copy in order to use the school issued device. Paper copies can be found on the district website. Please sign and return to the school's media center.

Guardians: If you do not wish for your student to have a device to take home during the course of the school year or if your student will be bringing in their own device, please contact the school to indicate this request.

For more information about student issued devices, please go to the technology department page at [isd138.org](http://isd138.org).

## PESTICIDE NOTICE TO PARENTS AND GUARDIANS

A Minnesota state law went into effect that requires schools to inform parents and guardians if they apply certain pesticides on school property. Specifically, this law requires schools that apply these pesticides to maintain an estimated schedule of pesticide applications and to make the schedule available to parents and guardians for review or copying at each school office.

The North Branch Schools have lawn treatments done up to 3 times a year. A notification flag with the date of application is put on all our lawns that have been treated notifying people and pets to stay off the lawn for up to 24 hours from noted dates.

Dates for this year will be August 19-20, December 23, 26, 27, March 9-13, and June 10-12.

State law also requires that you be told that the long-term health effects on children from the application of such pesticides or the class of chemicals to which they belong may not be fully understood.

If you would like to be notified prior to pesticide applications made on days other than those specified in the estimated schedule (excluding emergency applications), please contact Art Tobin, Director of Buildings and Grounds, PO Box 370, North Branch MN 55056 for a form to complete requesting pesticide notification. The telephone number is 651-674-1091.

## PLEDGE OF ALLEGIANCE

The school board recognizes the need to provide instruction in the proper etiquette, display, and respect of the United States flag. Students in the school district shall recite the pledge of allegiance to the flag of the United States of America one or more times each week. Anyone who does not wish to participate in reciting the pledge of allegiance for any personal reasons may elect not to do so. Students and school personnel must respect another person's right to make that choice.

## PUBLIC HEALTH GUIDANCE

The Minnesota Dept. of Education is expected to release COVID-19 guidance for schools regarding safe educational delivery by the week of July 27, 2020. An addendum containing that guidance will be added to the student-parent handbook at that time.

## SCHOOL BOARD INFORMATION

North Branch Area Public Schools is governed by a six-member school board. Our regular school board meetings are held on the second Thursday of each month at 5:30 p.m. in Room C120 at the North Branch Area Education Center. Special sessions scheduled by the board will be announced on the web. School Board Contact Information:

Kirby Ekstrom, Chair	651-470-4037	<a href="mailto:kekstrom@isd138.org">kekstrom@isd138.org</a>
Tim MacMillan, Vice Chair	952-457-5464	<a href="mailto:tmacmillan@isd138.org">tmacmillan@isd138.org</a>
Sarah Grovender, Clerk	320-282-8058	<a href="mailto:sgrovender@isd138.org">sgrovender@isd138.org</a>
Kevin Bollman, Treasurer	651-226-4637	<a href="mailto:kbollman@isd138.org">kbollman@isd138.org</a>
Heather Osagiede, Director	612-272-4573	<a href="mailto:hosagiede@isd138.org">hosagiede@isd138.org</a>
Tanya Giese, Director	651-462-5145	<a href="mailto:tgiese@isd138.org">tgiese@isd138.org</a>
Superintendent Sara Paul's e-mail address is:		<a href="mailto:spaul@isd138.org">spaul@isd138.org</a>

## SCHOOL CLOSINGS OR EMERGENCIES

The school district's mass notification system, Parentlink, will be utilized as quickly as possible to notify those affected by weather emergencies. There will always be announcements on radio stations -- WCMP 1350 AM or 100.9 FM, and WCCO 830 AM -- and television stations -- KSTP (Channel 5), KARE (Channel 11), WCCO (Channel 4), KSTC (Channel 45) and KMSP Fox (Channel 9) -- when schools are closed due to severe weather. The North Branch Area Public School District web site and information line (651-674-1411) will also have such information. It is imperative that arrangements be made with neighbors or friends to care for your children should you happen to be away from your home. Be sure your children are familiar with these arrangements and know where they are to go if they are dismissed early from school for an emergency. **It is not possible for us to make telephone contact with every parent in the event of a school closing.**

Children will rarely be sent home once school is in session. An exception to this is if emergency warnings are given, and the superintendent notifies all buildings to send children home at once. In this event, parents may pick their children up at any time.

## **SCHOOL INFORMATION TELEPHONE LINE (651-674-1411)**

In addition to other forms of mass communication around school closings and delays, NBAPS also maintains a telephone information line that provides recorded messages when weather or other situations require a change to the school schedule. These messages are accessible with a touchtone phone.

## **SCHOOL DISTRICT WEBSITE: [isd138.org](http://isd138.org)**

The school district maintains a website that provides a wide variety of information about the school district for those with access to the internet. The website is updated continually with information on district and school programs and activities as well as school board information.

## **STUDENT SAFETY/DISCIPLINE**

The school board is committed to promoting healthy human relationships and learning environments that are physically and psychologically safe for all members of the school community.

The school board has established a number of policies that cover student safety and discipline.

413 Harassment and Violence. The school district strives to maintain a learning and working environment that is free from religious, racial or sexual harassment and violence. The school district prohibits any form of religious, racial, or sexual harassment and violence.

418 Drug-Free Workplace/Drug-Free School. Students are prohibited from using alcohol, toxic and/or controlled substances.

419 Tobacco-Free Environment. Use of tobacco products is prohibited in school buildings, vehicles, and on school grounds.

501 School Weapons Policy. To assure a safe environment, the possession of any weapon on school property is prohibited.

502 Search of Student Lockers, Desks, Personal Possessions and Student's Person. Lockers are provided for student convenience. However, these lockers are the property of the school. Therefore, lockers may be searched based on reasonable suspicion.

504 Student Dress and Appearance. Students are encouraged to dress appropriately for school activities and in keeping with community standards.

506 Student Discipline. All students are expected to behave appropriately and to follow school rules.

514 Bullying Prohibition Policy. The purpose of this policy is to assist the school district in its goal of preventing and responding to acts of bullying, intimidation, violence, and other similar disruptive behavior.

525 Violence Prevention. Students are the district's first priority and they should be protected from physical or emotional harm during school activities, and on school grounds, buses, or field trips while under school district supervision.

526 Hazing Prohibition. Hazing activities of any type are prohibited at all times.

## **TEACHER QUALIFICATIONS NOTICE**

All schools that receive Title I funds, are required to send a notice to the parents each school year. The law requires that schools receiving Title funds inform parents that they can ask for and receive specific information about a teacher's qualifications. Under the law, this notice must be understandable and must contain certain elements. Section § 1111(h)(6), 34 CFR §200.61 lists the items that the notice must provide:

1. At the beginning of the school year, the LEA must notify parents of all students in a Title I school of their rights to access information on the professional qualifications of the educators providing instruction including, at a minimum:

- a. whether the teacher is licensed for the grades and subjects assigned
  - b. whether the teacher is teaching with a waiver
  - c. the academic credentials or preparation of the teacher and
  - d. whether their child is provided services by an assistant and his/her qualifications.
2. The LEA provides timely notification to parents in a Title I school when their child has been taught for four or more consecutive weeks (20 consecutive days) by a teacher who is not highly qualified.
  3. The LEA provides the notice(s) and information to parents in an understandable format and, when practical, in a language that parents can understand.

## TRANSPORTATION

Transportation services are provided to students by North Branch Area Public Schools. Revisions made to the Transportation Policy that took effect in the 2011-2012 school year are:

- No Bus Passes – buses are at capacity.
- Parents should call a minimum of 15 minutes before bell times at each school to have their children excused from riding the bus home that day.
- One pick-up location and one drop-off location ONLY for each student. They may be different locations. Parents may change locations up to two times per year.
- Students new to the district or those requesting a change in pick-up or drop-off location will be assigned a bus within 5 business days. Parents will have to transport students during that time. School-age childcare is available until 6 p.m. for a fee if parent transportation is not available.

### Riding is a Privilege, Not a Right

The North Branch Area Public Schools is concerned with the safety of your child. One of the areas we are especially concerned with is safety while on the school bus. Bus drivers, schools, parents, and the students themselves each have responsibilities in ensuring that buses remain a safe method of transportation for your child.

### Bus Stop Determination

NBAPS strives to keep students grades K-6 from walking more than three-tenths of a mile, and students grades 7-12 from walking more than five-tenths of a mile, on a public road to a designated bus stop. Transportation does not generally send buses into cul de sacs, dead end roads, or driveways due to a lack of safe access and limited ability to turn around; this may increase the distance from home to the bus stop location. Each year, bus stop changes will be adjusted for efficiency. NBAPS chooses the safest pickup location for all students within a pickup area.

### Driver Responsibility and Authority

Drivers assigned to transport students are licensed and certified by the State of Minnesota as “school bus drivers.” In addition, drivers have undergone training in safety, first aid and emergency procedures.

Drivers are authorized to give directions and enforce rules and standards which will promote safety and security for all passengers.

### School and Teacher Responsibility

The first week of school is designated as school bus safety week. To ensure the safety of your child, all students in kindergarten through twelfth grade will be provided with school bus safety training during the first week. All students who wish to remain bus riders **must pass** a school bus safety test. They must know and understand the following concepts:

- Transportation by school bus is a privilege, not a right.
- District policies for student conduct and school bus safety.
- Appropriate conduct while on the bus.
- The danger zones surrounding a school bus.
- Procedures for safely boarding and leaving a school bus.
- Procedures for safe vehicle lane crossing.
- School bus evacuation and other emergency procedures, emergency and vehicle lane crossing.

The school district may deny transportation to those students who fail to demonstrate their knowledge of school bus safety

rules.

### **Student Responsibility**

Students are responsible for maintaining bus safety by following both school bus and bus stop safety rules. Every student who rides the school bus should know and practice the rules of school bus safety.

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

### **Rules at the Bus Stop**

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

### **Rules on the Bus**

1. Immediately follow the directions of the driver.
2. Sit in your seat facing forward.
3. Talk quietly and use appropriate language.
4. Keep all parts of your body inside the bus.
5. Keep your arms, legs, and belongings to yourself.
6. No fighting, harassment, intimidation, or horseplay.
7. Do not throw any object.
8. No eating, drinking, or use of alcohol, tobacco or drugs.
9. Do not bring any weapons or dangerous objects on the school bus.
10. Do not damage the school bus.

### **Parent Responsibility**

For our bus safety policy to be most effective, it is important that every parent cooperate with our bus safety policy. Parents should:

1. Become familiar with school district rules, policies, regulations, and the principles of school bus safety, and thoroughly review them with your children.
2. Support safe riding and walking practices, and recognize that students are responsible for their actions.
3. Communicate safety concerns to the school administrators.
4. Monitor bus stops, if possible.
5. When appropriate, assist student in safely crossing local streets before boarding and after leaving the bus.
6. Have your child to the bus stop 5 minutes before the bus arrives.
7. Have your child properly dressed for the weather.
8. Have a plan in case the bus is late, if school closes early, or if school closes for the day.

### **Consequences**

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

### **Elementary (K – 6<sup>th</sup> Grade) Offenses**

Warning – Mailed to parent or guardian

1<sup>st</sup> Referral: student & parent contact

2<sup>nd</sup> Referral: 3-day suspension

3<sup>rd</sup> Referral: 5-day suspension

4<sup>th</sup> Referral: 10-day suspension. Parent meeting may be held at the discretion of the school district.

Further Referrals: Individually considered. Students may be suspended for longer periods of time, including the remainder of the school year. All referrals will have student and parent contact.

*Note: When any elementary student goes 60 transportation days without a report, the student's consequences may start over at the first offense.*

### **Secondary (7<sup>th</sup> – 12<sup>th</sup> Grade) Offenses**

Warning – Mailed to parent or guardian

1<sup>st</sup> Referral: student & parent contact

2<sup>nd</sup> Referral: 5-day suspension

3<sup>rd</sup> Referral: 10-day suspension

4<sup>th</sup> Referral: 20-day suspension —Parent meeting may be held at the discretion of the school district.

Further offense – remainder of the year.

**Vandalism/Bus Damage:** Students damaging school buses will be responsible for the damages. Failure to pay such damages (or make arrangement to pay) within 2 weeks may result in the loss of bus privileges until damages are paid.

**Criminal Conduct:** In cases involving criminal conduct (for example, assault, weapons, drug possession, or vandalism), the appropriate school district personnel and local law enforcement officials will be informed.

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

## **VIDEO TAPING ON SCHOOL BUSES**

The North Branch Area Public Schools places video tapes on all its school buses. The district believes the transportation of students to and from school is an important function of the school district, and transportation by the school district is a privilege and not a right for an eligible student. The behavior of students on the bus is a significant factor in the safety and efficiency of school bus transportation. Student misbehavior increases the potential risks of injury. Therefore, the school district believes that video-taping student passengers on the school bus will encourage good behavior and, as a result, promote safety. (See Policy 711 Video Recording on School Buses.)

## **VIDEO SURVEILLANCE OTHER THAN ON BUSES**

The North Branch Area Public Schools has video surveillance cameras in its buildings and grounds. Maintaining the health, welfare, and safety of students, staff, and visitors while on school district property and the protection of school district property are important functions of the school district. The behavior of individuals who come on to school property is a significant factor in maintaining order and discipline and protecting students, staff, visitors, and school district property. (See Policy 712 Video Surveillance Other Than on Buses.)

## **VISITOR POLICY**

The school board encourages interest on the part of parents and community members in school programs and student activities. The school board welcomes visits to school buildings and school property by parents and community members provided the visits are consistent with the health, education and safety of students and employees and are conducted within the procedures and requirements established by the school district.

The school board reaffirms its position on the importance of maintaining a school environment that is safe for students and employees and free of activity that may be disruptive to the student learning process or employee working environment. Requests to observe classrooms during the school day are disruptive and will not be approved. Teachers are available to meet with parents to discuss classroom concerns outside of the student school day. Student visitors are not allowed as it adds to the class size and may be disruptive for the host student and the entire classroom.

## **WELLNESS**

All school districts are required by the Child Nutrition and WIC Reauthorization Act of 2004 to have a Wellness Policy adopted by June 30, 2006. The school board adopted the Wellness Policy 533 June 2006. As stated in the policy, "The purpose of this policy is to set forth methods that promote student wellness, prevent and reduce childhood obesity, and assure that school meals and other food and beverages sold and otherwise made available on the school campus during the school day are consistent with applicable minimum local, state, and federal standards." You will find this policy in the policy section of this handbook.

## **NOTICES SECTION**

### **NONDISCRIMINATION ON THE BASIS OF DISABILITY**

Statement of Policy: No qualified disabled person shall, on the basis of disability, be excluded from access to or participation in, be denied the benefits of, or otherwise be subjected to discrimination under any school district program or activity. This policy extends to the education of students and to employment matters.

Designation of Responsible Employee. The Board of Independent School District No. 138, North Branch, Minnesota, has designated the Director of Teaching and Learning, as the employee responsible to coordinate the school district's efforts to comply with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, and its regulations, 34 CFR §104.36. The Director of Teaching and Learning's title is compliance officer.

Notice Regarding Students: Pursuant to 34 CFR §140.36, the school district has established and implemented a system of procedural safeguards regarding the identification, evaluation, or educational placement of students who, because of disability, need or are believed to need special instruction or related systems.

Parents or guardians of such students, upon request, will be afforded an opportunity to examine relevant records. When necessary to resolve issues of identification, evaluation, or educational placement of such students, parents or guardians may request an impartial hearing with opportunity for participation by the parents or guardians and representation by counsel.

Requests for review of records and for hearings shall be made to the compliance officer at Ind. School District 138, North Branch Area Education Center, PO Box 370, North Branch, MN 55056. The compliance officer will determine if the matter is properly handled as a Section 504 complaint or a complaint under IDEA. Hearings must be requested within 10 days of the alleged violation of this policy. Hearings will be conducted by the compliance officer. Upon written request, the school board will review the compliance officer's determination. Requests for review must be mailed, return receipt requested, to the Superintendent of Schools within 10 days of receipt of the compliance officer's determination.

Notice Regarding Employees (Grievance Procedures):

The Board of Independent School District 138 has adopted the following grievance procedures for persons with complaints alleging violation of this policy, Section 504, or its regulations. This procedure is to be used for issues not falling within the grievance procedures of any applicable collective bargaining agreement.

Filing timelines. An employee alleging a violation of this policy, Section 504, or its regulations, may file a grievance in writing with the compliance officer at North Branch Area Education Center, PO Box 370, North Branch, MN 55056. If the grievance is regarding the compliance officer, the grievance shall be filed directly with the Superintendent at Ind. School District No. 138 District Office, 38705 Grand Avenue, North Branch, MN 55056. The grievance must be filed within 10 calendar days of the allegedly discriminatory conduct or it is waived.

Investigation, informal conference. The compliance officer, or when appropriate the Superintendent, shall make a prompt investigation of the complaint. The compliance officer shall inform the employee of his/her determination within 10 calendar days of the date the complaint was filed. If the compliance officer needs further time to investigate the allegations, he/she shall so inform the employee and estimate a date on which the investigation will be completed. When the compliance officer determines that a complaint is substantiated, he/she shall meet informally with the employee and others as appropriate to resolve the issue.

Review time limits. An employee may request that the school board review the compliance officer's determination. Review must be sought within 10 calendar days of the date the employee is informed of the compliance officer's determination. The request must be written, sent to the Board Chairperson, Kirby Ekstrom, 38705 Grand Ave., North Branch MN 55056 return receipt requested, and must state with particularity the basis upon which the employee disagrees with the determination. The board shall review the matter in a manner it deems appropriate. The decision of the board shall be final.

### **NONDISCRIMINATION ON THE BASIS OF GENDER**

No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity. (See Policy 522 Student Sex Nondiscrimination.)

Designation of Responsible Employee: The Board of Independent School District No. 138, North Branch, Minnesota, has

designated, Matt Lattimore, Director of Activities, as the employee responsible to coordinate the school district's efforts to comply with and carry out its responsibilities under Title IX.

## **BULLYING POLICY NOTICE**

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 teachers' 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, it is the school district's intent to prevent bullying and to take action to investigate, respond, remediate, and discipline those acts of bullying which have not been successfully prevented. The purpose of this policy is to assist the school district in its goal of preventing and responding to acts of bullying, intimidation, violence, and other similar disruptive behavior.

## **DATA PRIVACY NOTIFICATION**

### **PUBLIC NOTICE**

Independent School District No. 138 gives notice to parents of students currently in attendance in the District, and eligible students currently in attendance in the District, of their rights regarding pupil records.

1. Parents and eligible students are hereby informed that they have the following rights:
  - a. That a parent or eligible student has a right to inspect and review the student's education records within 45 days after the day the request for access is received by the school district. A parent or eligible student should submit to the school district a written request to inspect education records which identify as precisely as possible the record or records he or she wishes to inspect. The parent or eligible student will be notified of the time and place where the records may be inspected;
  - b. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy rights. A parent or eligible student may ask the school district to amend a record that they believe is inaccurate or misleading. The request shall be in writing, identify the item the parent or eligible student believes to be inaccurate, misleading, or in violation of the privacy rights of the student, shall state the reason for this belief, and shall specify the correction the parent or eligible student wishes the school district to make. The request shall be signed by the parent or eligible student. If the school district decides not to amend the record as requested by the parent or eligible student, the school district will notify the parent or eligible student of the decision and advise him or her of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing;
  - c. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosures without consent;
  - d. That the school district may disclose education records to other school officials within the school district if the school district has determined they have legitimate educational interests. For purposes of such disclosure, a "school official" is a person employed by the school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or other employee; a person serving on the school board; a person or company with whom the school district has consulted to perform a specific task (such as an attorney, auditor, medical consultant, therapist, public information officer, or data practices compliance official); or a parent or student serving on an official committee, such as a disciplinary or grievance committee; or any individual assisting a school official in the performance of his or her tasks. A school official has a "legitimate educational interest" if the individual needs to review an education record in order to fulfill his or her professional responsibility and includes, but is not limited to, an interest directly related to classroom instruction, teaching, student achievement and

progress, discipline of a student, and student health and welfare and the ability to respond to a request for educational data;

- e. That the school district forwards education records on request to a school or post-secondary educational institution in which a student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment, including information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, suspension and expulsion information pursuant to 20 U.S.C. § 7917, part of the federal Every Student Succeeds Act and data regarding a student's history of violent behavior, and any disposition order which adjudicates the student as delinquent for committing an illegal act on school district property and certain other illegal acts;
- f. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of 20 U.S.C. § 1232g and the rules promulgated thereunder. The name and address of the office that administers the Family Education Rights and Privacy Act is:

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

- g. That the parent or eligible student has a right to obtain a copy of the school district's policy regarding the protection and privacy of pupil records; and
  - h. That copies of the school district's policy regarding the protection and privacy of school records are located at all school building offices.
2. Independent School District No. 138 has adopted a school board policy in order to comply with state and federal laws regarding education records. The policy does the following:
- a. It classifies records as public, private, or confidential.
  - b. It establishes procedures and regulations to permit parents or students to inspect and review a student's education records. These procedures include the method of determining fees for copies, a listing of the locations of these education records, and the identity of the individuals in charge of the records.
  - c. It establishes procedures and regulations to allow parents or students to request the amendment of a student's education records to ensure that the records are not inaccurate, misleading, or otherwise in violation of the student's privacy ~~or other~~ rights.
  - d. It establishes procedures and regulations for access to and disclosure of education records.
  - e. It establishes procedures and regulations for safeguarding the privacy of education records and for obtaining prior written consent of the parent or student when required prior to disclosure.
3. Copies of the school board policy and accompanying procedures and regulations are available to parents and students upon written request to the Superintendent.
4. Pursuant to applicable law, Independent School District No. 138 gives notice to parents of students currently in attendance in the school district, and eligible students currently in attendance in the school district, of their rights regarding "directory information."
- "Directory information" includes the following information relating to a student: the student's name; address; telephone number; 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; the most recent educational agency or institution attended by the student; and other similar information. "Directory information" also includes the name, address, and telephone number of the student's parent(s). "Directory information" does not include a student's social security number or a student's identification number (ID) if the ID may be used to access education records without use of one or more factors that authenticate the student's identity such as a personal identification number, password, or other factor known or possessed only by the authorized user. It also does not include identifying information on a student's religion, race, color, social position, or nationality.
- a. THE INFORMATION LISTED ABOVE SHALL BE PUBLIC INFORMATION WHICH THE SCHOOL DISTRICT MAY DISCLOSE FROM THE EDUCATION RECORDS OF A STUDENT OR INFORMATION REGARDING A PARENT.
  - b. SHOULD THE PARENT OF A STUDENT OR THE STUDENT SO DESIRE, ANY OR ALL OF THE LISTED INFORMATION WILL NOT BE DISCLOSED WITHOUT THE PARENT'S

OR ELIGIBLE STUDENT'S PRIOR WRITTEN CONSENT EXCEPT TO SCHOOL OFFICIALS AS PROVIDED UNDER FEDERAL LAW.

- c. IN ORDER TO MAKE ANY OR ALL OF THE DIRECTORY INFORMATION LISTED ABOVE "PRIVATE" (I.E., SUBJECT TO CONSENT PRIOR TO DISCLOSURE), THE PARENT OR ELIGIBLE STUDENT MUST MAKE A WRITTEN REQUEST TO THE BUILDING PRINCIPAL WITHIN THIRTY (30) DAYS AFTER THE DATE OF THE LAST PUBLICATION OF THIS NOTICE. THIS WRITTEN REQUEST MUST INCLUDE THE FOLLOWING INFORMATION:

- (1) NAME OF STUDENT AND PARENT, AS APPROPRIATE;
- (2) HOME ADDRESS;
- (3) SCHOOL PRESENTLY ATTENDED BY STUDENT;
- (4) PARENT'S LEGAL RELATIONSHIP TO STUDENT, IF APPLICABLE;
- (5) SPECIFIC CATEGORY OR CATEGORIES OF DIRECTORY INFORMATION WHICH IS NOT TO BE MADE PUBLIC WITHOUT THE PARENT'S OR ELIGIBLE STUDENT'S PRIOR WRITTEN CONSENT.

5. Pursuant to applicable law, Independent School District No. 138 hereby gives notice to parents of students and eligible students in grades 11 and 12 of their rights regarding release of information to military recruiting officers and post-secondary educational institutions. The school district must release the names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request. Data released to military recruiting officers under this provision may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military and cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces.

SHOULD THE PARENT OF A STUDENT OR THE ELIGIBLE STUDENT SO DESIRE, ANY OR ALL OF THE LISTED INFORMATION WILL NOT BE DISCLOSED TO MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS WITHOUT PRIOR CONSENT.

IN ORDER TO REFUSE THE RELEASE OF THIS INFORMATION WITHOUT PRIOR CONSENT, THE PARENT OR ELIGIBLE STUDENT MUST MAKE A WRITTEN REQUEST TO THE BUILDING PRINCIPAL, BY SEPTEMBER 15 EACH YEAR. THIS WRITTEN REQUEST MUST INCLUDE THE FOLLOWING INFORMATION:

- (1) NAME OF STUDENT AND PARENT, AS APPROPRIATE;
- (2) HOME ADDRESS;
- (3) STUDENT'S GRADE LEVEL;
- (4) SCHOOL PRESENTLY ATTENDED BY STUDENT;
- (5) PARENT'S LEGAL RELATIONSHIP TO STUDENT, IF APPLICABLE;
- (6) SPECIFIC CATEGORY OR CATEGORIES OF INFORMATION WHICH ARE NOT TO BE RELEASED TO MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS WITHOUT PRIOR CONSENT;
- (7) SPECIFIC CATEGORY OR CATEGORIES OF DIRECTORY INFORMATION WHICH ARE NOT TO BE RELEASED TO THE PUBLIC, INCLUDING MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS.

*Notice: Refusal to release the above information to military recruiting officers alone does not affect the School District's release of directory information to the public, including military recruiting officers. In order to make any directory information about a student private, the procedures contained in the Directory Information section of this notice also must be followed. If you do not want your child's or eligible student's directory information released to military recruiting officers, you also must notify the school district that you do not want this directory information released to any member of the public, including military recruiting officers.*

## **TEACHER QUALIFICATION NOTICE**

### **NOTICE TO PARENTS**

To: All Parents  
From: North Branch Independent School District 138  
Date: August 2020

As a parent of a student at North Branch Independent School District 138, you have the right to know the professional qualifications of the classroom teachers who instruct your child. Federal law allows you to ask for certain information about your child's classroom teacher, and requires us to give you this information in a timely manner if you ask for it. Specifically,

you have the right to ask for the following information about each of your child's classroom teachers:

- Whether the Professional Educator Licensing and Standards Board (PELSB) has licensed or qualified the teacher for the grades and subjects he or she teaches.
  - Whether the Professional Educator Licensing and Standards Board (PELSB) has decided that the teacher can teach in a classroom without being licensed or qualified under state regulations because of special circumstances.
  - The teacher's college major; whether the teacher has any advanced degrees and, if so, the subject of the degrees.
  - Whether any teachers' assistants provide services to your child and, if they do, their qualifications.
- If you would like to receive any information, please call Jody Spofford at 651-674-1008.

## **ASBESTOS – ANNUAL NOTIFICATION OF AVAILABILITY OF THE MANAGEMENT PLAN AND RELATED ACTIVITIES**

To all parents, teachers, and employees of ISD #138:

ISD #138 has on file a complete and updated Management Plan for dealing with asbestos-containing building materials within the school district's buildings. The Management Plan is available for viewing by interested parties, Monday through Friday, 8 a.m. through 2:30 p.m. at the office of Art Tobin, Director of Buildings and Grounds, in the North Branch Area Education Center, North Branch, or at the respective school sites. Copies will be made available for reproduction at a nominal cost.

Buildings contain asbestos in the following areas:

- North Branch Area Education Center: all known and accessible asbestos material has been removed except for fire door cores and some pipe insulation inside of walls
- Sunrise River School: was designed and built without using asbestos
- Middle School: was designed and built without using asbestos
- Senior High School: fire door cores
- Brooker Building: was designed and built without using asbestos

As required by Federal Law, the condition of asbestos in our school is surveyed every six months as part of an ongoing operations and maintenance program. The most recent surveillance was completed prior to the January 2019 deadline and no damaged asbestos was observed. The asbestos is re-inspected every three years by certified staff. The most recent triennial inspection was completed prior to July 2019 deadline. Some asbestos containing materials were removed from the High School and Education Center in June 2019. Due to continued renovation at the Education Center, additional removal of asbestos material is scheduled for the summer and fall of 2019. If you have any questions or concerns, please address them to Art Tobin at 651-674-1091.

## **STUDENT POLICIES**

### **413 HARASSMENT AND VIOLENCE**

#### **I. PURPOSE**

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

#### **II. GENERAL STATEMENT OF POLICY**

- A. The policy of the school district is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.
- B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, as defined by this policy. (For purposes of this policy, school

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

- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who is found to have violated this policy.

### III. DEFINITIONS

- A. "Assault" is:
  - 1. an act done with intent to cause fear in another of immediate bodily harm or death;
  - 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
  - 3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability when the conduct:
  - 1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
  - 2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
  - 3. otherwise adversely affects an individual's employment or academic opportunities.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions
  - 1. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:
    - a. has a physical, sensory, or mental impairment which materially limits one or more major life activities;
    - b. has a record of such an impairment; or
    - c. is regarded as having such an impairment.
  - 2. "Familial status" means the condition of one or more minors being domiciled with:
    - a. their parent or parents or the minor's legal guardian; or
    - b. the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
  - 3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
  - 4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
  - 5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
  - 6. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.
  - 7. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.

E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.

F. Sexual Harassment: Definition

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

G. Sexual Violence: Definition

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

H. Violence: Definition

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

**IV. REPORTING PROCEDURES**

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct which

- may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.
  - C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
  - D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.
  - E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
  - F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
  - G. In the District. The school board hereby designates Director of Finance and Human Resources as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.<sup>1</sup>
  - H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
  - I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
  - J. Use of formal reporting forms is not mandatory.
  - K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
  - L. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.
  - M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
  - N. False accusations or reports of violence or harassment against another person are prohibited.
  - O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

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<sup>1</sup> In some school districts the superintendent may be the human rights officer. If so, an alternative individual should be designated by the school board.

Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

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

**V. INVESTIGATION**

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

**VI. SCHOOL DISTRICT ACTION**

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

**VII. RETALIATION OR REPRISAL**

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

individual(s) who engaged in the harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

**VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

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

**IX. HARASSMENT OR VIOLENCE AS ABUSE**

A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minn. Stat. § 626.556 may be applicable.

B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

**X. DISSEMINATION OF POLICY AND TRAINING**

A. This policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members.

B. This policy shall be given to each school district employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.

C. This policy shall appear in the student handbook.

D. The school district will develop a method of discussing this policy with students and employees.

E. The school district may implement violence prevention and character development education programs to prevent and reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, resourcefulness, and/or sexual abuse prevention.

F. This policy shall be reviewed at least annually for compliance with state and federal law.

**418 DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL**

**I. PURPOSE**

The purpose of this policy is to maintain a safe and healthful environment for employees and students by prohibiting the use of alcohol, toxic substances, medical cannabis, and controlled substances without a physician's prescription.

**II. GENERAL STATEMENT OF POLICY**

A. Use or possession of controlled substances, toxic substances, medical cannabis, and alcohol before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited.

B. A violation of this policy occurs when any student, teacher, administrator, other school district personnel, or member of the public uses or possesses alcohol, toxic substances, controlled substances, or medical cannabis in any school location.

C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

**III. DEFINITIONS**

A. "Alcohol" includes any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor.

B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 U.S.C. § 812, including analogues and look-alike drugs.

C. "Medical cannabis" means any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of: (1) liquid, including, but not limited to, oil; (2) pill; (3) vaporized delivery method with use of liquid or oil but which does not require the use of dried leaves or plant form; or (4) any other method, excluding smoking, approved by the commissioner.

D. "Toxic substances" includes glue, cement, aerosol paint, or other substances used or possessed with the intent of inducing intoxication or excitement of the central nervous system.

E. "Use" includes to sell, buy, manufacture, distribute, dispense, possess, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration or consideration.

F. "Possess" means to have on one's person, in one's effects, or in an area subject to one's control.

G. "School location" includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school

district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.

**IV. EXCEPTIONS**

- A. A violation of this policy does not occur when a person brings onto a school location, for such person's own use, a controlled substance, except medical cannabis, which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.
- B. A violation of this policy does not occur when a person possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minn. Stat. § 624.701, Subd. 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).

**V. PROCEDURES**

- A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, must comply with the school district's student medication policy.
- B. Employees who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.
- C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.
- D. Employees are subject to the school district's drug and alcohol testing policies and procedures.
- E. Members of the public are not permitted to possess controlled substances in a school location except with the express permission of the superintendent.
- F. No person is permitted to possess or use medical cannabis on a school bus or van; or on the grounds of any preschool or primary or secondary school; or on the grounds of any child care facility.
- G. Possession of alcohol on school grounds pursuant to the exceptions of Minn. Stat. § 624.701, Subd. 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

**VI. ENFORCEMENT**

- A. Students
  - 1. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.
  - 2. The student may be referred to a drug or alcohol assistance or rehabilitation program and/or to law enforcement officials when appropriate.
- B. Employees
  - 1. As a condition of employment in any federal grant, each employee who is engaged either directly or indirectly in performance of a federal grant shall abide by the terms of this policy and shall notify his or her supervisor in writing of his or her conviction of any criminal drug statute for a violation occurring in any of the places listed above on which work on a school district federal grant is performed, no later than five (5) calendar days after such conviction. Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
  - 2. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, termination, or discharge as deemed appropriate by the school board.
  - 3. In addition, any employee who violates the terms of this policy may be required to satisfactorily participate in a drug and/or alcohol abuse assistance or rehabilitation program approved by the school district. Any employee who fails to satisfactorily participate in and complete such a program is subject to nonrenewal, suspension, or termination as deemed appropriate by the school board.
  - 4. Sanctions against employees, including nonrenewal, suspension, termination, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.
- C. The Public

A member of the public who violates this policy shall be informed of the policy and asked to leave. If necessary, law enforcement officials will be notified and asked to provide an escort.

**419 TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES**

**I. PURPOSE**

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

**II. GENERAL STATEMENT OF POLICY**

- A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the school district, or person smokes or uses tobacco, tobacco-related devices, or carries or uses an activated electronic delivery device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- B. A violation of this policy occurs when any elementary school, middle school, or secondary school student possesses any type of tobacco, tobacco-related devices, or electronic delivery devices in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.
- D. The school district will not solicit or accept any contributions or gifts of money, curricula, materials, or equipment from companies that directly manufacture and are identified with tobacco products, tobacco-related devices, or electronic delivery devices. The school district will not promote or allow promotion of tobacco products or electronic delivery devices on school property or at school-sponsored events.

**III. TOBACCO AND TOBACCO-RELATED DEVICES DEFINED**

- A. "Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any other substance intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of vapor from the product. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device does not include any product that has been approved or certified by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is marketed and sold for such an approved purpose.
- B. "Tobacco" means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco.
- C. "Tobacco-related devices" means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- D. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.

**IV. EXCEPTIONS**

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

**V. ENFORCEMENT**

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

**VI. DISSEMINATION OF POLICY**

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

**501 SCHOOL WEAPONS POLICY**

**I. PURPOSE**

The purpose of this policy is to assure a safe school environment for students, staff and the public.

**II. GENERAL STATEMENT OF POLICY**

No student or nonstudent, including adults and visitors, shall possess, use or distribute a weapon when in a school location except as provided in this policy. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school employee, volunteer, or member of the public who violates this policy.

**III. DEFINITIONS**

- A. "Weapon"
  - 1. A "weapon" means any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including, but not limited to, any firearm, whether loaded or unloaded; airguns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; numchucks; throwing stars; explosives; fireworks; mace and other propellants; stunguns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.
  - 2. No person shall possess, use or distribute any object, device or instrument having the appearance of a weapon and such objects, devices or instruments shall be treated as weapons including, but not limited to, weapons listed above which are broken or non-functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon.
  - 3. No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.), to inflict bodily harm and/or intimidate and such use will be treated as the possession and use of a weapon.
- B. "School Location" includes any school building or grounds, whether leased, rented, owned or controlled by the school, locations of school activities or trips, bus stops, school buses or school vehicles, school-contracted vehicles, the area of entrance or departure from school premises or events, all locations where school-related functions are conducted, and anywhere students are under the jurisdiction of the school district.
- C. "Possession" means having a weapon on one's person or in an area subject to one's control in a school location.

**IV. EXCEPTIONS**

- A. A student who finds a weapon on the way to school or in a school location, or a student who discovers that he or she accidentally has a weapon in his or her possession, and takes the weapon immediately to the principal's office shall not be considered to possess a weapon. If it would be impractical or dangerous to take the weapon to the principal's office, a student shall not be considered to possess a weapon if he or she immediately turns the weapon over to an administrator, teacher or head coach or immediately notifies an administrator, teacher or head coach of the weapon's location.
- B. It shall not be a violation of this policy if a nonstudent (or student where specified) falls within one of the following categories:
  - 1. active licensed peace officers;

2. military personnel, or students or nonstudents participating in military training, who are on duty performing official duties;
  3. persons authorized to carry a pistol under Minn. Stat. § 624.714 while in a motor vehicle or outside of a motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle;
  4. persons who keep or store in a motor vehicle pistols in accordance with Minn. Stat. §§ 624.714 or 624.715 or other firearms in accordance with § 97B.045;
    - a. Section 624.714 specifies procedures and standards for obtaining pistol permits and penalties for the failure to do so. Section 624.715 defines an exception to the pistol permit requirements for “antique firearms which are carried or possessed as curiosities or for their historical significance or value.”
    - b. Section 97B.045 generally provides that a firearm may not be transported in a motor vehicle unless it is (1) unloaded and in a gun case without any portion of the firearm exposed; (2) unloaded and in the closed trunk; or (3) a handgun carried in compliance with §§ 624.714 and 624.715.
  5. firearm safety or marksmanship courses or activities for students or nonstudents conducted on school property;
  6. possession of dangerous weapons, BB guns, or replica firearms by a ceremonial color guard;
  7. a gun or knife show held on school property;
  8. possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or other person having general control and supervision of the school or the director of a child care center; or
  9. persons who are on unimproved property owned or leased by a child care center, school or school district unless the person knows that a student is currently present on the land for a school-related activity.
- C. Policy Application to Instructional Equipment/Tools  
While the school district does not allow the possession, use, or distribution of weapons by students or nonstudents, such a position is not meant to interfere with instruction or the use of appropriate equipment and tools by students or nonstudents. Such equipment and tools, when properly possessed, used, and stored, shall not be considered in violation of the rule against the possession, use, or distribution of weapons. However, when authorized instructional and work equipment and tools are used in a potentially dangerous or threatening manner, such possession and use will be treated as the possession and use of a weapon.
- D. Firearms in School Parking Lots and Parking Facilities  
A school district may not prohibit the lawful carry or possession of firearms in a school parking lot or parking facility. For purposes of this policy, the “lawful” carry or possession of a firearm in a school parking lot or parking facility is specifically limited to nonstudent permit-holders authorized under Minn. Stat. § 624.714 to carry a pistol in the interior of a vehicle or outside the motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle. Any possession or carry of a firearm beyond the immediate vicinity of a permit-holder’s vehicle shall constitute a violation of this policy.

**V. CONSEQUENCES FOR STUDENT WEAPON POSSESSION/USE/ DISTRIBUTION**

- A. The school district does not allow the possession, use, or distribution of weapons by students. Consequently, the minimum consequence for students possessing, using, or distributing weapons shall include:
1. immediate out-of-school suspension;
  2. confiscation of the weapon;
  3. immediate notification of police;
  4. parent or guardian notification; and
  5. recommendation to the superintendent of dismissal for a period of time not to exceed one year.
- B. Pursuant to Minnesota law, a student who brings a firearm, as defined by federal law, to school will be expelled for at least one year. The school board may modify this requirement on a case-by-case basis.
- C. Administrative Discretion  
While the school district does not allow the possession, use, or distribution of weapons by students, the superintendent may use discretion in determining whether, under the circumstances, a course of action other than the minimum consequences specified above is warranted. If so, other appropriate action may be taken, including consideration of a recommendation for lesser discipline.

## VI. CONSEQUENCES FOR WEAPON POSSESSION/USE/DISTRIBUTION BY NONSTUDENTS

### A. Employees

1. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, or discharge as deemed appropriate by the school board.
2. Sanctions against employees, including nonrenewal, suspension, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.
3. When an employee violates the weapons policy, law enforcement may be notified, as appropriate.

### B. Other Nonstudents

1. Any member of the public who violates this policy shall be informed of the policy and asked to leave the school location. Depending on the circumstances, the person may be barred from future entry to school locations. In addition, if the person is a student in another school district, that school district may be contacted concerning the policy violation.
2. If appropriate, law enforcement will be notified of the policy violation by the member of the public and may be asked to provide an escort to remove the member of the public from the school location.

## 502 SEARCH OF STUDENT LOCKERS, DESKS, PERSONAL POSSESSIONS AND STUDENT'S PERSON

### I. PURPOSE

The purpose of this policy is to provide for a safe and healthful educational environment by enforcing the school district's policies against contraband.

### II. GENERAL STATEMENT OF POLICY

#### A. Lockers and Personal Possessions Within a Locker.

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

#### B. Desks.

School desks are the property of the school district. At no time does the school district relinquish its exclusive control of desks provided for the convenience of students. Inspection of the interior of desks may be conducted by school officials for any reason at any time, without notice, without student consent, and without a search warrant.

#### C. Personal Possessions and Student's Person.

The personal possessions of students and/or a student's person may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law or school rules. The search will be reasonable in its scope and intrusiveness.

- D. It shall be a violation of this policy for students to use lockers and desks for unauthorized purposes or to store contraband. It shall be a violation for students to carry contraband on their person or in their personal possessions.

### III. DEFINITIONS

- A. "Contraband" means any unauthorized item possession of which is prohibited by school district policy and/or law. It includes but is not limited to weapons and "look-alikes", "alcoholic beverages," controlled substances and "look-alikes", overdue books and other materials belonging to the school district, and stolen property.
- B. "Personal possessions" includes but is not limited to purses, backpacks, book bags, packages, and clothing.
- C. "Reasonable suspicion" means that a school official has grounds to believe that the search will result in evidence of a violation of school district policy, rules, and/or law. Reasonable suspicion may be based on a school official's personal observation, a report from a student, a parent, or staff member, a student's suspicious behavior, a student's age and past history or record of conduct both in and out of the school context, or other reliable sources of information.
- D. "Reasonable scope" means that the scope and/or intrusiveness of the search is reasonably related to the objectives of the search. Factors to consider in determining what is reasonable include the seriousness of the suspected infraction, the reliability of the information, the necessity of acting without delay, the existence of exigent circumstances necessitating an immediate search and further investigation (e.g. to prevent violence, serious and immediate risk of harm or destruction of evidence), and the age of the student.

#### **IV. PROCEDURES**

- A. School officials may inspect the interiors of lockers and desks for any reason at any time, without notice, without student consent, and without a search warrant.
- B. School officials may inspect the personal possessions of a student and/or a student's person based on a reasonable suspicion that the search will uncover a violation of law or school rules. A search of personal possessions of a student and/or a student's person will be reasonable in its scope and intrusiveness.
- C. As soon as practicable after a search of personal possessions within a locker pursuant to this policy, the school officials must provide notice of the search to students whose possessions were searched unless disclosure would impede an ongoing investigation by police or school officials.
- D. Whenever feasible, a search of a person shall be conducted in private by a school official of the same sex. A second school official of the same sex shall be present as an observer during the search of a person whenever feasible.
- E. A strip search is a search involving the removal of coverings or clothing from private areas. Mass strip searches, or body cavity searches, are prohibited. Strip searches will be conducted only in circumstances involving imminent danger.
- F. A school official conducting any other search may determine when it is appropriate to have a second official present as an observer.
- G. A copy of this policy will be printed in the student handbook or disseminated in any other way which school officials deem appropriate. The school district shall provide a copy of this policy to a student when the student is given use of a locker.

#### **V. DIRECTIVES AND GUIDELINES**

School administration may establish reasonable directives and guidelines which address specific needs of the school district, such as use of tape in lockers, standards of cleanliness and care, posting of pin-ups and posters which may constitute sexual harassment, etc.

#### **VI. SEIZURE OF CONTRABAND**

If a search yields contraband, school officials will seize the item and, where appropriate, turn it over to legal officials for ultimate disposition.

#### **VII. VIOLATIONS**

A student found to have violated this policy and/or the directives and guidelines implementing it shall be subject to discipline in accordance with the school district's Student Discipline Policy, which may include suspension, exclusion, or expulsion, and the student may, when appropriate, be referred to legal officials.

### **503 ATTENDANCE POLICY**

#### **I. PURPOSE**

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

#### **II. GENERAL STATEMENT OF POLICY**

##### **A. Responsibilities**

##### **1. Student's Responsibility**

It is the student's right to be in school. It is also the student's responsibility to attend all assigned classes and study halls every day that school is in session and to be aware of and follow the correct procedures when absent from an assigned class or study hall. Finally, it is the student's responsibility to request any missed assignments due to an absence.

##### **2. Parent or Guardian's Responsibility**

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

##### **3. Teacher's Responsibility**

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

##### **4. Administrator's Responsibility**

- a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing

attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.

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

B. Attendance Procedures

The superintendent shall develop procedures to implement the policy for district schools and keep the school board informed of any changes in these procedures.

1. Excused Absences

- a. To be considered an excused absence, the student's parent or legal guardian will verify within two days of the absence, in writing or by phone, the reason for the student's absence from school. The school district reserves the right to request documentation for any excused absence. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.
- b. The following reasons shall be sufficient to constitute excused absences:
  - (1) Illness. (Documentation from a medical provider may be required.)
  - (2) Serious illness or injury in the student's immediate family.
  - (3) A death or funeral in the student's immediate family or of a close friend or relative.
  - (4) Medical, dental or orthodontic treatment, or counseling appointment.
  - (5) Court appearances occasioned by family or personal action.
  - (6) Religious instruction not to exceed three hours in any week.
  - (7) Physical emergency conditions such as fire, flood, storm, etc.
  - (8) Official school field trip or other school-sponsored outing.
  - (9) Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
  - (10) Family emergencies
  - (11) Active duty in any military branch of the United States
  - (12) Family member on military leave
  - (13) Observance of a religious or cultural holiday
  - (14) Successfully appealed absences
  - (15) A student's condition that requires ongoing treatment for a mental health diagnosis.

c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher. The student is responsible for contacting teachers to initiate makeup work.
- (2) Work missed because of absence must be made up within 2 days from the date of the student's return to school. Any work not completed within this period shall result in "no credit" for the missed assignment. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

2. Unexcused Absences

- a. The following are examples of absences which will not be excused:
  - (1) Truancy. An absence by a student which was not approved by the parent and/or the school district.
  - (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.
  - (3) Work at home/Needed at home.
  - (4) Work at a business, except under a school-sponsored work release program.
  - (5) Vacations with family.
  - (6) Personal trips to schools or colleges.
  - (7) Absences resulting from cumulated unexcused tardies. Three unexcused tardies equal one unexcused absence.
  - (8) Any other absence not included under the attendance procedures set out in this policy. For Example: Hunting, Fishing, 4-H, Rodeo, etc.

b. Consequences of Unexcused Absences

- (1) Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.
- (2) Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.
- (3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.
- (4) Students with unexcused absences shall be subject to discipline in the following manner:
  - (a) With the exception of truancy absences, work missed on a day marked unexcused may be turned in the day after the student returns to school. Work completed on the day of truancy that represents work from multiple days (tests, group projects, long term projects) will be accepted.
  - (b) After the 3<sup>rd</sup> cumulated unexcused absence in a trimester, a student's parent or guardian will be notified by mail that his or her child is nearing a total of 5 unexcused absences and that, after the 5th unexcused absence, students in grades 9-12 shall have their grade reduced by one increment for each unexcused absence thereafter.
  - (c) After such notification, the student or his or her parent or guardian may, within a reasonable time, request a conference with school officials regarding the student's absences and the prescribed discipline. The notification will offer the student's parent or guardian an opportunity to request such a conference.
  - (d) For high school students in grades 9-12 on the 6th cumulative unexcused absence in a trimester the teacher will reduce the student's letter grade by one increment in consultation with the building administrator. The grade will be reduced one increment for each unexcused absence thereafter (i.e. A- to B+). The administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior to loss of credit, an administrative contact must be made with the student and parent and the parent must be provided an opportunity to have an administrative conference if desired.
  - (e) Students may be assigned detention or suspended from school for truancy.
  - (f) If the result of a grade reduction or loss of credit has the effect of an expulsion, the school district will follow the procedures set forth in the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.
  - (g) A student may appeal the grade reduction process if the student feels that he/she has a valid reason (i.e. unforeseeable extenuating circumstance) for the absence. An Appeals Committee will review and make a decision on the appeal.

C. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness. A student will be marked tardy if they arrive to class within ten minutes of the bell. Students that are more than ten minutes late will be marked absent.
2. Procedures for Reporting Tardiness
  - a. Students tardy at the start of school must report to the school office or classroom for an admission slip.
  - b. Tardiness between periods will be handled by the teacher.
3. Excused Tardiness

Valid excuses for tardiness are:

  - a. Illness.
  - b. Serious illness in the student's immediate family.
  - c. A death or funeral in the student's immediate family or of a close friend or relative.
  - d. Medical, dental, orthodontic, or mental health treatment.
  - e. Court appearances occasioned by family or personal action.
  - f. Physical emergency conditions such as fire, flood, storm, etc.
  - g. Any tardiness for which the student has been excused in writing by an administrator or faculty member.
4. Unexcused Tardiness
  - a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
  - b. Consequences of tardiness may include detention after 3 unexcused tardies. In addition for grades 9-12, 3 unexcused tardies are equivalent to one unexcused absence. Three late to school unexcused tardies for grades K-8 are the equivalent to one unexcused absence.

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

**III. DISSEMINATION OF POLICY**

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

**IV. REQUIRED REPORTING**

A. Continuing Truant

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

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

B. Reporting Responsibility

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

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

C. Habitual Truant

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

**504 STUDENT DRESS AND APPEARANCE**

**I. PURPOSE**

The purpose of this policy is to enhance the education of students by establishing expectations of dress and grooming that are related to educational goals and community standards.

**II. GENERAL STATEMENT OF POLICY**

- A. The policy of the school district is to encourage students to be dressed appropriately for school activities and in keeping with community standards. This is a joint responsibility of the student and the student's parent(s) or guardian(s).
- B. Appropriate clothing includes, but is not limited to, the following:

1. Clothing appropriate for the weather.
  2. Clothing that does not create a health or safety hazard.
  3. Clothing appropriate for the activity (i.e., physical education or the classroom).
- C. Inappropriate clothing includes, but is not limited to, the following:
1. "Short shorts," skimpy tank tops, tops that expose the midriff, and other clothing that is not in keeping with community standards.
  2. Clothing bearing a message that is lewd, vulgar, or obscene.
  3. Apparel promoting products or activities that are illegal for use by minors.
  4. Objectionable emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group, evidences gang membership or affiliation, or approves, advances, or provokes any form of religious, racial, or sexual harassment and/or violence against other individuals as defined in MSBA/MASA Model Policy 413.
  5. Any apparel or footwear that would damage school property.
- D. Headgear, including hats or head coverings, are not allowed in the building except with the approval of the building principal (i.e., student undergoing chemotherapy, medical situations, student religious practice or belief).
- E. The intention of this policy is not to abridge the rights of students to express political, religious, philosophical, or similar opinions by wearing apparel on which such messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, defamatory, profane, or do not advocate violence or harassment against others.
- F. "Gang," as defined in this policy, means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or whose members engaged in a pattern of criminal gang activity. "Pattern of gang activity" means the commission, attempt to commit, conspiring to commit, or solicitation of two or more criminal acts, provided the criminal acts were committed on separate dates or by two or more persons who are members of or belong to the same criminal street gang.

### III. PROCEDURES

- A. When, in the judgment of the administration, a student's appearance, grooming, or mode of dress interferes with or disrupts the educational process or school activities, or poses a threat to the health or safety of the student or others, the student will be directed to make modifications or will be sent home for the day. Parents/guardians will be notified.
- B. The administration may recommend a form of dress considered appropriate for a specific event and communicate the recommendation to students and parents/guardians.
- C. Likewise, an organized student group may recommend a form of dress for students considered appropriate for a specific event and make such recommendation to the administration for approval.

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

### I. PURPOSE

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

### II. GENERAL STATEMENT OF POLICY

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

### III. DEFINITIONS

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

and tangible objects.

- C. "Obscene to minors" means:
  - 1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
  - 2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and
  - 3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- D. "Minor" means any person under the age of eighteen (18).
- E. "Material and substantial disruption" of a normal school activity means:
  - 1. Where the normal school activity is an educational program of the district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
  - 2. Where the normal school activity is voluntary in nature (including, but not limited to, school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecast, including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.
- F. "School activities" means any activity sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods.
- G. "Libelous" or "slanderous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower that individual in the esteem of the community.

#### IV. GUIDELINES

- A. Students and employees of the school district have the right to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, nonschool-sponsored material.
- B. Requests for distribution of nonschool-sponsored material will be reviewed by the administration on a case-by-case basis. However, distribution of the materials listed below is always prohibited. Material is prohibited that:
  - 1. is obscene to minors;
  - 2. is libelous or slanderous;
  - 3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended;
  - 4. advertises or promotes any product or service not permitted to minors by law, including, but not limited to movies that are unrated or carry a rating of "R" or above and non-charitable gambling;
  - 5. advocates violence or other illegal conduct;
  - 6. constitutes insulting or fighting words, the very expression of which bullies, injures or harasses other people (e.g., threats of violence, defamation of character or harasses a person or group based on race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation or disability);
  - 7. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, or will cause the commission of unlawful acts or the violation of lawful school regulations.
- C. Distribution by students and employees of nonschool-sponsored materials on school district property are subject to reasonable time, place, and manner restrictions set forth below. In making decisions regarding the time, place, and manner of distribution, the administration will consider factors including, but not limited to, the following:
  - 1. whether the material is educationally related;
  - 2. the extent to which distribution is likely to cause disruption of or interference with the school district's educational objectives, discipline, or school activities;
  - 3. whether the materials can be distributed from the office or other isolated location so as to minimize disruption of traffic flow in hallways;
  - 4. the quantity or size of materials to be distributed;
  - 5. whether distribution would require assignment of school district staff, use of school district equipment, or other resources;
  - 6. whether distribution would require that nonschool persons be present on the school grounds;
  - 7. whether the materials are a solicitation for goods or services not requested by the recipients.

- D. A student or staff member who seeks to distribute materials of a commercial nature on behalf of a nonschool person or nonschool organization will be subject to Policy 904 (Distribution of Materials on School District Property by Nonschool Personnel).
- E. Materials that contain advertisements must comply with Policy 905 (Advertising) and Procedure 905.1 (Advertising Procedures).

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

- A. No nonschool-sponsored material shall be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.
- B. Distribution of nonschool-sponsored material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the school, and school parking lots. Distribution shall not impede entrance to or exit from school premises in any way.
- C. Nonschool materials will not be distributed through school district-sponsored electronic mail systems.
- D. No one shall coerce a student or staff member to accept any publication.
- E. The time, place, and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy.
- F. The materials must contain identification of the student, student group or staff member distributing the materials.
- G. The materials cannot imply or declare approval of or endorsement by the school or school district and must contain the following disclaimer in bold type: "DISCLAIMER: The school district does not endorse or promote the message contained in this material, and no costs for the creation and distribution of these materials have been paid by the school district."
- H. Materials posted on bulletin boards must be dated and removed after a prescribed period of time to ensure full access to the bulletin boards by others.

**VI. PROCEDURES**

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

**VII. DISCIPLINARY ACTION**

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

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

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

**IX. IMPLEMENTATION**

The school district administration may develop any additional guidelines and procedures necessary to implement this policy for submission to the school board for approval.

**506 STUDENT DISCIPLINE**

**I. PURPOSE**

The purpose of this policy is to ensure that students are aware of and comply with the school district's expectations for student conduct. Such compliance will enhance the school district's ability to maintain discipline

and ensure that there is no interference with the educational process. The school district will take appropriate disciplinary action when students fail to adhere to the Code of Student Conduct established by this policy.

## II. **GENERAL STATEMENT OF POLICY**

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

All students are entitled to learn and develop in a setting which promotes respect of self, others, and property. Proper positive discipline can only result from an environment which provides options and stresses student self-direction, decision-making, and responsibility. Schools can function effectively only with internal discipline based on mutual understanding of rights and responsibilities.

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

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

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

## III. **AREAS OF RESPONSIBILITY**

- A. The School Board. The school board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.
- B. Superintendent. The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students, and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.
- C. Principal. The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of behavior referrals and shall make use of those agencies appropriate for assisting students and parents. A principal, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.
- D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.
- E. Other School District Personnel. All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.
- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the behavior of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.

- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

**IV. STUDENT RIGHTS**

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

**V. STUDENT RESPONSIBILITIES**

All students have the responsibility:

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

**VI. CODE OF STUDENT CONDUCT**

- A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school premises or events; and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.
  - 1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
  - 2. The use of profanity or obscene language, or the possession of obscene materials;
  - 3. Gambling, including, but not limited to, playing a game of chance for stakes;
  - 4. Violation of the school district's Hazing Prohibition Policy;
  - 5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
  - 6. Violation of the school district's Student Attendance Policy;
  - 7. Opposition to authority using physical force or violence;
  - 8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment Policy;
  - 9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
  - 10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other

- controlled substances, or look-alike substances, except as prescribed by a physician, including one student sharing prescription medication with another student;
11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
  12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
  13. Violation of the school district's Weapons Policy;
  14. Violation of the school district's Violence Prevention Policy;
  15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
  16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
  17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
  18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
  19. Violation of any local, state, or federal law as appropriate;
  20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
  21. Violation of the school district's Internet Acceptable Use and Safety Policy;
  22. Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;
  23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
  24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
  25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
  26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
  27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
  28. Possession or distribution of slanderous, libelous, or pornographic materials;
  29. Violation of the school district' Bullying Prohibition Policy;
  30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
  31. Criminal activity;
  32. Falsification of any records, documents, notes, or signatures;
  33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
  34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
  35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other school district personnel;
  36. Violation of the school district's Harassment and Violence Policy;
  37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;
  38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;

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

**VII. DISCIPLINARY ACTION OPTIONS**

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

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

**VIII. REMOVAL OF STUDENTS FROM CLASS**

- A. The teacher of record shall have the general control and government of the classroom. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is

otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean any actions taken by a teacher, principal, or other school district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

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

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

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

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

- B. If a student is removed from class more than ten (10) times in a school year, the school district shall notify the parent or guardian of the student's tenth removal from class and make reasonable attempts to convene a meeting with the student's parent or guardian to discuss the problem that is causing the student to be removed from class.

C. Procedures for Removal of a Student From a Class

1. The teacher or staff member will inform the student of expected behavior and allow the student a reasonable amount of time to correct his/her behavior. The teacher or staff member will determine if the student behavior requires removal of the student from class. If determined necessary, the student will be asked to leave the classroom by the teacher or staff member.
2. If the student refuses to follow a teacher or staff member's direction to leave the classroom, the office will be notified and the principal or designee will respond.
3. Details of the incident requiring removal from class will be provided to the principal or designee by the teacher or staff member initiating the removal as soon as possible following the occurrence.

D. Responsibility for and Custody of a Student Removed From Class

1. Each building in the school district will have a designated space that students will be directed to upon removal from class.
2. The teacher or staff member removing the student from class will make a decision as to whether or not the student needs to be accompanied.
3. Each building will have a discipline plan providing information as to the procedure the student follows while out of the class, and designation of who has control over and responsibility for a student after removal from class.

E. Procedures for Return of a Student to a Class From Which the Student Was Removed

1. Following a conference with the principal or his/her designee, the student will return to class based on the readmission plan developed by the principal or designee during the conference with the student.

F. Procedures for Notification

1. Students and parents will be notified of rule violations and resulting disciplinary action through any of the following methods: a conference with the student, a phone call, a letter, an email, a copy of the referral form, or a conference with the parent, at the discretion of the principal or designee as appropriate for the severity of the infraction.

G. Disabled Students; Special Provisions

1. Procedures for students with disabilities will be determined by the IEP teams and will follow current IDEA rules and regulations, including due process.

H. Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises.

1. Establishment of a chemical abuse preassessment team pursuant to Minn. Stat. § 121A.26; and

2. Establishment of teacher reporting procedures to the chemical abuse preassessment team pursuant to Minn. Stat. § 121A.29.

I. Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student Conduct

The principal or his/her designee has discretion in assigning appropriate consequences to students for violations of the code of student conduct, considering such things as the severity of the infraction and the student's previous history of violations of the code of conduct.

J. Any Procedures Determined Appropriate for Encouraging Early Involvement of Parents or Guardians in Attempts to Improve a Student's Behavior

Parents will be notified of infractions of the student code of conduct that result in the student being referred to the principal or his/her designee. Each building will maintain adequate records of documented behaviors and interventions for each student.

K. Any Procedures Determined Appropriate for Encouraging Early Detection of Behavioral Problems

Each building will have a Student Assistance Team that will be designed to promote early intervention practices in the classroom and school when staff and/or parents have indicated a concern.

**IX. DISMISSAL**

A. "Dismissal" means the denial of the current educational program to any student, including exclusion, expulsion and suspension. Dismissal does not include removal from class.

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

The school district shall not dismiss any student without attempting to provide alternative educational services before dismissal proceedings, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

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

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

C. Suspension Procedures

1. "Suspension" means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.

2. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the pupil's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.

3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding

persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.

4. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6<sup>th</sup>) consecutive day of suspension or the tenth (10<sup>th</sup>) cumulative day of suspension has elapsed.
  5. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under 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.
  6. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.
  7. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:
    - a. strongly encourage a parent or guardian of the student to attend school with the student for one day;
    - b. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
    - c. petition the juvenile court that the student is in need of services under Minn. Stat. Ch. 260C. (NB change)
  8. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference.
  9. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
  10. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
  11. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) days.
- D. Expulsion and Exclusion Procedures
1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
  2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.

3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56; describe alternative educational services accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE).
6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.
8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.
10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.
13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.
14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation provided that neither party presents any evidence not admitted at the hearing. The decision by the school board must be based on the record, must be in writing, and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the Commissioner of Education (Commissioner) of the basis and reason for the decision.
18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action.

pursuant to Minn. Stat. § 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.

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

**X. ADMISSION OR READMISSION PLAN**

A school administrator shall prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan may include measures to improve the student's behavior, including completing a character education program consistent with Minn. Stat. § 120B.232, Subd. 1, and require parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

**XI. NOTIFICATION OF POLICY VIOLATIONS**

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

In addition, the school district must report, through the MDE electronic reporting system, each physical assault of a school district employee by a student within thirty (30) days of the assault. This report must include a statement of the alternative educational services or other sanction, intervention, or resolution given to the student in response to the assault 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.

**XII. STUDENT DISCIPLINE RECORDS**

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

**XIII. DISABLED STUDENTS**

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

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

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

**XIV. OPEN ENROLLED STUDENTS**

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.

**XV. DISTRIBUTION OF POLICY**

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

**XVI. REVIEW OF POLICY**

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

**511 FUNDRAISING AND SOLICITATION**

**I. PURPOSE**

The purpose of this policy is to address fund raising for the district including student fund-raising as well as the solicitation of funds from students, parents and staff.

**II. GENERAL STATEMENT OF POLICY**

The school board recognizes a desire and a need for fund-raising to support district programs or student activities. The school board also recognizes a need for some constraint to prevent fund-raising activities from becoming too numerous and overly demanding on employees, students, and the general public. While the school board encourages students and staff to participate in their financial support as a social and community project, students, staff, parent groups and individuals or groups outside of the school district will not be permitted to conduct fund-raising drives or activities on behalf of non-school agencies or for non-school activities on school district property or during school hours unless expressly authorized by the principal or appropriate administrator.

- A. School fund-raisers are approved fund-raisers conducted by students, staff, or parent groups. These fund-raisers fall under the provisions of Section IV.
- B. Non-school fund-raisers are fund-raisers conducted by groups outside the jurisdiction of the schools. Non-school fund-raisers may or may not be for the benefit of the school district, its students or staff.

**III. SCHOOL FUNDRAISING**

- A. All school fund-raising must be approved in advance by the principal or appropriate administrator. The purpose of each fund-raiser must be identified and approved in advance. A form shall be available for this approval.
- B. Fund-Raising during the school day is not allowed unless expressly authorized by the principal or appropriate administrator.
- C. School fund-raising shall not be conducted for the purpose of hiring licensed or support staff with the exception of the fund-raising coordinator.
- D. Individual student participation is optional. Students shall not be pressured to sell products or solicit funds will not be required to meet a sales quota to participate in an activity or field trip. Staff shall not use their positions of influence to pressure students to participate nor shall students who do not participate in any way be penalized.
- E. Whenever possible, local businesses will be given opportunities to provide fund-raising services or products.
- F. The school district expects all students who participate in approved fund-raising activities to represent the school, the student organization, and the community in a responsible manner. All rules pertaining to student conduct and discipline extend to student fund-raising activities.
- G. Door-to-door sales are discouraged but, if approved by the principal or appropriate administrator, students may be allowed to sell according to the following guidelines:
  - 1. K-5 No door-to-door sales allowed
  - 2. 6-8 Allowed only if parent or guardian is with student
  - 3. 9-12 Allowed only if two or more students work together.
- H. The school district will provide alternative ways for people to donate money to schools without purchasing fund-raiser products.
- I. Funds raised at grades K-8 must not create inequities within buildings. Proceeds shall be distributed based on approval from the building principal(s) or appropriate administrator(s).
- J. Information explaining the district's fund-raising policy will be summarized in fund-raising materials and the full policy will be available on the school district website or from the school offices.
- K. Each school will submit to the School Board annually a report detailing fund-raising activities, the amount earned, and how the funds were utilized.

**IV. NON-SCHOOL FUNDRAISING**

- A. Non-school groups who conduct fund-raisers to benefit school programs independently will be treated in

accordance with Policy 706 (Acceptance of Gifts).

- B. Any employee or student of the School District involved in fund-raising with a non-school group must maintain a clear separation between the group and the school by:
  - 1. Communicating to staff, students and parents that the fund-raiser is a non-school effort;
  - 2. Clearly stating to staff and students that their participation is optional and that there is no penalty for not participating;Meeting the provisions of Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees) when the fund-raiser is sponsored or promoted by the school district or Policy 904 (Distribution of Materials on School District Property by Nonschool Personnel) when the fund-raiser is sponsored or promoted by individuals or groups outside of the school district;  
Ensuring that no fundraising costs are incurred by the District.
- C. Non-school groups may conduct fund-raisers to support school activities on school property if they meet the following conditions:
  - 1. It is made clear that the fund-raiser is not a school-affiliated event. A disclaimer stating such must be included on printed materials. Materials may not include any emblem, logo, mascot or other design associating the materials with the school district except in accordance with Policy 905 (Advertising).
  - 2. Pre-approval of the fund-raising activity is received from the building principal or appropriate administrator.
  - 3. The purpose of the fund-raiser has been approved by the building principal or appropriate administrator and is clearly communicated to all participants.
  - 4. No cost associated with the fund-raiser is incurred by the District.
- D. Non-school groups, students and staff may conduct fund-raisers on school district property to support non-school activities that do not otherwise directly benefit the school district if the purpose of the fund-raiser does not conflict with school district purposes, is approved by the building principal or appropriate administrator and complies with District policies and procedures and any other conditions imposed by the building principal or appropriate administrator.
- E. Non-school groups or individuals must comply with the Policy 903 (Visitors to School District Buildings and Sites) when conducting activities on school district property.

#### **V. SOLICITATION**

- A. Solicitation of students and staff on school district property for the sale of products and services not related to an approved fundraising effort is prohibited. This prohibition applies to students and staff as well as non-school individuals, groups or businesses. Exceptions will be made when such services and products directly relate to a school district activity or are directly sponsored or provided on behalf of the school district and are approved in advance by the superintendent. Such activities include, but are not limited to, the sale of yearbooks, class rings, graduation announcements, school pictures, etc.
- B. Salespeople are prohibited from visiting employees during school hours for the purpose of soliciting the sale of products or services for use by the school district, students and staff for educational purposes unless prior approval is obtained from the building principal or appropriate administrator.
- C. Students and employees are prohibited from using school time or school facilities in connection with any personal activity for personal financial profit outside of the regular school program.
- D. Commercial advertising shall not be announced, distributed or otherwise promoted in or through the schools except as provided in Policy 904 (Distribution of Materials by Non-School Personnel and Policy 905 (Advertising).
- E. No student, employee or other entity acting on behalf of or for the benefit of the school district may request a candidate or committee to contribute to the school district, buy tickets for or pay space in a publication unless:
  - 1. The solicitation is for a business advertisement in a periodical in which the candidate was a regular contributor before candidacy;
  - 2. The contribution relates to ordinary business advertisements;
  - 3. The contribution is a regular payment made to the school district by a candidate, of which the school was a member, or to which the candidate was a contributor for more than six months before candidacy.

#### **514 BULLYING PROHIBITION POLICY**

##### **I. PURPOSE**

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

of preventing and responding to acts of bullying, intimidation, violence, reprisal, retaliation, and other similar disruptive and detrimental behavior.

## II. GENERAL STATEMENT OF POLICY

- A. An act of bullying, by either an individual student or a group of students, is expressly prohibited on school premises, on school district property, at school functions or activities, 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, or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources.
- 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 or negate 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, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures, including the school district's discipline policy (See MSBA/MASA Model Policy 506). The school district may take into account the following factors:
1. The developmental ages and maturity levels of the parties involved;
  2. The levels of harm, surrounding circumstances, and nature of the behavior;
  3. Past incidences or past or continuing patterns of behavior;
  4. The relationship between the parties involved; and
  5. The context in which the alleged incidents occurred.
- Consequences for students who commit prohibited acts of bullying may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion. The school district shall employ research-based developmentally appropriate best practices that include preventative and remedial measures and effective discipline for deterring violations of this policy, apply throughout the school district, and foster student, parent, and community participation.
- Consequences for employees who permit, condone, or tolerate bullying or engage in an act of reprisal or intentional false reporting of bullying may result in disciplinary action up to and including termination or discharge.
- Consequences for other individuals engaging in prohibited acts of bullying may include, but not be limited to, exclusion from school district property and events.
- 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 harming conduct that is objectively offensive and:
1. an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or
  2. materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.
- The term, "bullying," specifically includes cyberbullying 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 harming conduct" means, but is not limited to, conduct that does the following:
  1. Causes physical harm to a student or a student's property or causes a student to be in reasonable fear of harm to person or property;
  2. Under Minnesota common law, violates a student's reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or
  3. Is directed at any student or students, including those based on a person's actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age, or any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.
- E. "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, alleging, 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 person may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available in the school district office, but oral reports shall be considered complaints as well.
- C. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.  
The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as the primary contact on policy and procedural matters. The building report taker or a third party designated by the school district shall be responsible for the investigation. The building report taker shall provide information about available community resources to the target or victim of the bullying or other prohibited conduct, the perpetrator, and other affected individuals as appropriate.
- D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.

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

**V. SCHOOL DISTRICT ACTION**

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

**VI. RETALIATION OR REPRISAL**

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

**VII. TRAINING AND EDUCATION**

- A. The school district shall discuss this policy with school personnel and volunteers and provide appropriate training to school district personnel regarding this policy. The school district shall establish a training cycle for school personnel to occur during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school district. The school district or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This

- policy shall be included in employee handbooks, training materials, and publications on school rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.
- B. The school district shall require ongoing professional development, consistent with Minn. Stat. § 122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:
1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
  2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
  3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;
  4. The incidence and nature of cyberbullying; and
  5. Internet safety and cyberbullying.
- C. The school district annually will provide education and information to students regarding bullying, including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.
- D. The administration of the school district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.
- E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students.
- The administration must establish strategies for creating a positive school climate and use evidence-based social-emotional learning to prevent and reduce discrimination and other improper conduct. The administration is encouraged, to the extent practicable, to take such actions as it may deem appropriate to accomplish the following:
1. Engage all students in creating a safe and supportive school environment;
  2. Partner with parents and other community members to develop and implement prevention and intervention programs;
  3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;
  4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;
  5. Teach students to advocate for themselves and others;
  6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and
  7. Foster student collaborations that, in turn, foster a safe and supportive school climate.
- F. The school district may implement violence prevention and character development education programs to prevent or reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.
- G. The school district shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The school district may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy (See MSBA/MASA Model Policy 515) in the student handbook.

**VIII. NOTICE**

- A. The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.
- B. This policy 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.

**516 STUDENT MEDICATION**

**I. PURPOSE**

The purpose of this policy is to set forth the provisions that must be followed when administering nonemergency prescription medication to students at school.

**II. GENERAL STATEMENT OF POLICY**

The school district acknowledges that some students may require prescribed drugs or medication during the school day. The school district's licensed school nurse, trained health clerk, principal, or teacher will administer prescribed medications, except any form of medical cannabis, in accordance with law and school district procedures.

**III. REQUIREMENTS**

- A. The administration of prescription medication or drugs at school requires a completed signed request from the student's parent. An oral request must be reduced to writing within two school days, provided that the school district may rely on an oral request until a written request is received.
- B. An "Administering Prescription Medications" form must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs. Prescription medication as used in this policy does not include any form of medical cannabis as defined in Minn. Stat. § 152.22, Subd. 6.
- C. Prescription medication must come to school in the original container labeled for the student by a pharmacist in accordance with law, and must be administered in a manner consistent with the instructions on the label.
- D. The school nurse may request to receive further information about the prescription, if needed, prior to administration of the substance.
- E. Prescription medications are not to be carried by the student, but will be left with the appropriate school district personnel. Exceptions to this requirement are: prescription asthma medications self-administered with an inhaler (See Part J.5. below), and medications administered as noted in a written agreement between the school district and the parent or as specified in an IEP (individualized education program), Section 504 plan, or IHP (individual health plan).
- F. The school must be notified immediately by the parent or student 18 years old or older in writing of any change in the student's prescription medication administration. A new medical authorization or container label with new pharmacy instructions shall be required immediately as well.
- G. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.
- H. The school nurse, or other designated person, shall be responsible for the filing of the Administering Prescription Medications form in the health records section of the student file. The school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.
- I. Procedures for administration of drugs and medicine at school and school activities shall be developed in consultation with a school nurse, a licensed school nurse, or a public or private health organization or other appropriate party (if appropriately contracted by the school district under Minn. Stat. § 121A.21). The school district administration shall submit these procedures and any additional guidelines and procedures necessary to implement this policy to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy.
- J. Specific Exceptions:
  - 1. Special health treatments and health functions such as catheterization, tracheostomy suctioning, and gastrostomy feedings do not constitute administration of drugs and medicine;
  - 2. Emergency health procedures, including emergency administration of drugs and medicine are not subject to this policy;

3. Drugs or medicine provided or administered by a public health agency to prevent or control an illness or a disease outbreak are not governed by this policy;
4. Drugs or medicines used at school in connection with services for which a minor may give effective consent are not governed by this policy;
5. Drugs or medicines that are prescription asthma or reactive airway disease medications can be self-administered by a student with an asthma inhaler if:
  - a. the school district has received a written authorization from the pupil's parent permitting the student to self-administer the medication;
  - b. the inhaler is properly labeled for that student; and
  - c. the parent has not requested school personnel to administer the medication to the student.

The parent must submit written authorization for the student to self-administer the medication each school year. In a school that does not have a school nurse or school nursing services, the student's parent or guardian must submit written verification from the prescribing professional which documents that an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed.

If the school district employs a school nurse or provides school nursing services under another arrangement, the school nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers;

6. Medications:
  - a. that are used off school grounds;
  - b. that are used in connection with athletics or extracurricular activities; or
  - c. that are used in connection with activities that occur before or after the regular school day

are not governed by this policy.

7. Nonprescription Medication. A secondary student may possess and use nonprescription pain relief in a manner consistent with the labeling, if the school district has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The school district may revoke a student's privilege to possess and use nonprescription pain relievers if the school district determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients. Except as stated in this paragraph, only prescription medications are governed by this policy.

8. At the start of each school year or at the time a student enrolls in school, whichever is first, a student's parent, school staff, including those responsible for student health care, and the prescribing medical professional must develop and implement an individualized written health plan for a student who is prescribed epinephrine auto-injectors that enables the student to:
  - a. possess epinephrine auto-injectors; or
  - b. if the parent and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to epinephrine auto-injectors in close proximity to the student at all times during the instructional day.

The plan must designate the school staff responsible for implementing the student's health plan, including recognizing anaphylaxis and administering epinephrine auto-injectors when required, consistent with state law. This health plan may be included in a student's § 504 plan.

9. A student may possess and apply a topical sunscreen product during the school day while on school property or at a school-sponsored event without a prescription, physician's note, or other documentation from a licensed health care professional. School personnel are not required to provide sunscreen or assist students in applying sunscreen.

K. "Parent" for students 18 years old or older is the student.

L. The school district discourages the administration and use of narcotic pain medications (i.e. Vicodin, Percocet, Tylenol with codeine, among others) in the school setting. In the event it is necessary for a child to take a narcotic pain medication while at school, the child's parent will be

asked to come to school and administer the narcotic pain medication directly to the child. School nurses will not maintain supplies of narcotic pain medications at school.

- M. Districts and schools may obtain and possess epinephrine auto-injectors to be maintained and administered by school personnel to a student or other individual if, in good faith, it is determined that person is experiencing anaphylaxis regardless of whether the student or other individual has a prescription for an epinephrine auto-injector. The administration of an epinephrine auto-injector in accordance with this section is not the practice of medicine.

A district or school may enter into arrangements with manufacturers of epinephrine auto-injectors to obtain epinephrine auto-injectors at fair-market, free, or reduced prices. A third party, other than a manufacturer or supplier, may pay for a school's supply of epinephrine auto-injectors.

## **520 STUDENT SURVEYS**

### **I. PURPOSE**

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

### **II. GENERAL STATEMENT OF POLICY**

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

### **III. STUDENT SURVEYS IN GENERAL**

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

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

- A. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be available for inspection by the parents or guardians of the students.
- B. No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, without the prior consent of the student (if the student is an adult or emancipated minor), or, in the case of an unemancipated minor, without the prior written consent of the parent, to submit to a survey that reveals information concerning:
  1. political affiliations or beliefs of the student or the student's parent;
  2. mental and psychological problems of the student or the student's family;
  3. sex behavior or attitudes;
  4. illegal, antisocial, self-incriminating, or demeaning behavior;
  5. critical appraisals of other individuals with whom respondents have close family relationships;
  6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
  7. religious practices, affiliations, or beliefs of the student or the student's parent; or

8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
- C. A school district that receives funds under any program funded by the U.S. Department of Education shall develop local policies consistent with Sections IV.A. and IV.B., above, concerning student privacy, parental access to information, and administration of certain physical examinations to minors.
1. The following policies are to be adopted in consultation with parents:
    - a. The right of a parent to inspect, on request, a survey, including an evaluation, created by a third party before the survey is administered or distributed by a school to a student, including procedures for granting a parent's request for reasonable access to such survey within a reasonable period of time after the request is received.  
 "Parent" means a legal guardian or other person acting *in loco parentis* (in place of a parent), such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child.
    - b. Arrangements to protect student privacy in the event of the administration or distribution of a survey, including an evaluation, to a student which contains one or more of the items listed in Section IV.B., above, including the right of a parent of a student to inspect, on request, any such survey.
    - c. The right of a parent of a student to inspect, on request, any instructional material used as part of the educational curriculum for the student and procedures for granting a request by a parent for such access within a reasonable period of time after the request is received.  
 "Instructional material" means instructional content that is provided to a student, regardless of format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (i.e., materials accessible through the Internet). The term does not include academic tests or academic assessments.
    - d. The administration of physical examinations or screenings that the school district may administer to a student. This provision does not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. § 1400, *et seq.*).
    - e. The collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing the information to others for that purpose), including arrangements to protect student privacy that are provided by the school district in the event of such collection, disclosure, or use.
      - (1) "Personal information" means individually identifiable information including a student or parent's first and last name; a home or other physical address (including street name and the name of the city or town); a telephone number; or a Social Security identification number.
      - (2) This provision does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as:
        - (a) college or other post-secondary education recruitment or military;
        - (b) book clubs, magazines, and programs providing access to low cost literary products;
        - (c) curriculum and instructional materials used by elementary and secondary schools;
        - (d) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students, or to generate other statistically useful data for the purpose of securing such tests and assessments and the subsequent analysis and public release of the aggregate data from such tests and assessments;

- (e) the sale by students of products or services to raise funds for school-related or education-related activities; and
  - (f) student recognition programs.
  - (3) The right of a parent to inspect, on request, any instrument used in the collection of information, as described in Section IV.C.1., Subparagraph e., above, before the instrument is administered or distributed to a student and procedures for granting a request by a parent for reasonable access to such an instrument within a reasonable period of time after the request is received.
2. The policies adopted under Section IV.C., Subparagraph 1., above, shall provide for reasonable notice of the adoption or continued use of such policies directly to parents of students enrolled in or served by the school district.
- a. The notice will be provided at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in a policy.
  - b. The notice will provide parents with an opportunity to opt out of participation in the following activities:
    - (1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.
    - (2) The administration of any third-party survey (non-Department of Education funded) containing one or more of the items contained in Section IV.B., above.
    - (3) Any nonemergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school and scheduled by the school in advance, and not necessary to protect the immediate health and safety of the student or other students.  
 "Invasive physical examination" means any medical examination that involves the exposure of private body parts, or act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.
  - c. The notice will advise students of the specific or approximate dates during the school year when the activities in Section IV.C.2., Subparagraph b., above, are scheduled, or expected to be scheduled.
  - d. The notice provisions shall not be construed to preempt applicable provisions of state law that require parental notification and do not apply to any physical examination or screening that is permitted or required by applicable state law, including physical examinations or screenings that are permitted without parental notification.

**V. NOTICE**

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

**522 STUDENT SEX NONDISCRIMINATION**

**I. PURPOSE**

Students are protected from discrimination on the basis of sex pursuant to Title IX of the Education Amendments of 1972 and the Minnesota Human Rights Act. The purpose of this policy is to provide equal educational opportunity for all students and to prohibit discrimination on the basis of sex.

**II. GENERAL STATEMENT OF POLICY**

- A. The school district provides equal educational opportunity for all students and does not unlawfully discriminate on the basis of sex. No student will be excluded from participation in, denied the benefits

of, or otherwise subjected to discrimination under any educational program or activity operated by the school district on the basis of sex.

- B. Every school district employee shall be responsible for complying with this policy.
- C. The school board hereby designates Matthew Lattimore, 38175 Grand Ave, North Branch, MN 55056, 651-674-1512, [mlattimo@isd138.org](mailto:mlattimo@isd138.org), as its Title IX coordinator. This employee coordinates the school district's efforts to comply with and carry out its responsibilities under Title IX.
- D. Any student, parent, or guardian having questions regarding the application of Title IX and its regulations and/or this policy should discuss them with the Title IX coordinator. Questions relating solely to Title IX and its regulations may be referred to the Assistant Secretary for Civil Rights of the United States Department of Education. In the absence of a specific designee, an inquiry or complaint should be referred to the superintendent or the school district human rights officer.

### III. REPORTING GRIEVANCE PROCEDURES

- A. Any student who believes he or she has been the victim of unlawful sex discrimination by a teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute unlawful sex discrimination toward a student should report the alleged acts immediately to an appropriate school district official designated by this policy or may file a grievance. The school district encourages the reporting party or complainant to use the report form available from the principal of each building or available from the school district office, but oral reports shall be considered complaints as well. Nothing in this policy shall prevent any person from reporting unlawful sex discrimination toward a student directly to a school district human rights officer or to the superintendent.
- B. In Each School Building. The building principal is the person responsible for receiving oral or written reports or grievances of unlawful sex discrimination toward a student at the building level. Any adult school district personnel who receives a report of unlawful sex discrimination toward a student shall inform the building principal immediately.
- C. Upon receipt of a report or grievance, the principal must notify the school district human rights officer immediately, without screening or investigating the report. The principal may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the principal to the human rights officer. If the report was given verbally, the principal shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any report or complaint of unlawful sex discrimination toward a student as provided herein may result in disciplinary action against the principal. If the complaint involves the building principal, 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. The school board hereby designates Sara Paul, 38705 Grand Ave, North Branch, MN 55056, 651-674-1000, [spaul@isd138.org](mailto:spaul@isd138.org), as the school district human rights officer(s) to receive reports, complaints or grievances of unlawful sex discrimination toward a student. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.
- E. The school district shall conspicuously post the names of the Title IX coordinator and human rights officer(s), including office addresses and telephone numbers and work e-mail addresses.
- F. Submission of a good faith complaint, grievance, or report of unlawful sex discrimination toward a student will not affect the complainant or reporter's future employment, grades, or work assignments.
- G. Use of formal reporting forms is not mandatory.
- H. The school district will respect the privacy of the complainant, 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 conform with any discovery or disclosure obligations.

### IV. INVESTIGATION

- A. By authority of the school district, the human rights officer, upon receipt of a report, complaint, or grievance alleging unlawful sex discrimination toward a student, shall promptly 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 complainant, pupils, teachers, administrators, or other school personnel pending completion of an investigation of alleged unlawful sex discrimination toward a student.
  - E. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.
- V. SCHOOL DISTRICT ACTION**
- A. Upon conclusion of the investigation and receipt of a report, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and school district policies.
  - B. The result of the school district's investigation of each complaint filed under these procedures will be reported in writing to the complainant by the school district in accordance with state and federal law regarding data or records privacy.
- VI. REPRISAL**
- The school district will discipline or take appropriate action against any pupil, teacher, administrator, or other school personnel who retaliates against any person who reports alleged unlawful sex discrimination toward a student or any person who testifies, assists, or participates in an investigation, or who testifies, assists, or participates in a proceeding or hearing relating to such unlawful sex discrimination. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.
- VII. 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, or contacting the Office of Civil Rights for the United States Department of Education.
- VIII. DISSEMINATION OF POLICY AND EVALUATION**
- A. This policy shall be made available to all students, parents/guardians of students, staff members, employee unions, and organizations.
  - B. The school district shall review this policy and the school district's operation for compliance with state and federal laws prohibiting discrimination on a continuous basis.

**524 INTERNET ACCEPTABLE USE AND SAFETY 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 and safe 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 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 computer system, which includes Internet access. The purpose of the system is more specific than providing students 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, addresses, 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 Policy 515; 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 Policy 515.

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 such as "Facebook," "Twitter," "Instagram," "Snapchat," and "Reddit," and similar websites or applications.
  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 of 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 unauthorized 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 (Policy 514). 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 disclosure 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.
- B. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:
1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or

2. 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
  3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.
  - D. 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.
  - E. 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 the 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 at any time to investigate or review the contents of their child's files and e-mail 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 e-mail files. In addition, school district employees should be aware that data and other materials 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.

**X. LIMITATION 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 or nondeliveries 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**

- A. All users shall be notified of the school district policies relating to Internet use.
- B. 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 the student's parents.
6. Notification that the collection, creation, reception, maintenance, and dissemination of data via the Internet, including electronic communications, is governed by Policy 406, Public and Private Personnel Data, and Policy 515, Protection and Privacy of Pupil Records.
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. PARENTS' 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 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 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 periodically review this policy.

**525 VIOLENCE PREVENTION – (APPLICABLE TO STUDENTS AND STAFF)**

**I. PURPOSE**

The purpose of this policy is to recognize that violence has increased and to identify measures that the school district will take in an attempt to maintain a learning and working environment that is free from violent and disruptive behavior.

The school board is committed to promoting healthy human relationships and learning environments that are physically and psychologically safe for all members of the school community. It further believes that students are the first priority and they should be protected from physical or emotional harm during school activities and on school grounds, buses, or field trips while under school district supervision.

**II. GENERAL STATEMENT OF POLICY**

- A. The policy of the school district is to strictly enforce its weapons policy (Policy 501).
- B. The policy of the school district is to act promptly in investigating all acts, or formal or informal complaints, of violence and take appropriate disciplinary action against any student or staff member who is found to have violated this policy or any related policy.
- C. The administration will periodically review discipline policies and procedures, prepare revisions if necessary, and submit them to the school board for review and adoption.
- D. The school district will implement approved violence prevention strategies to promote safe and secure learning environments, to diminish violence in our schools, and to aid in the protection of children whose health or welfare may be jeopardized through acts of violence.

### III. IMPLEMENTATION OF POLICY

- A. The school board will review and approve policies to prevent and address violence in our schools. The superintendent or designee will develop procedures to effectively implement the school weapons and violence prevention policies. It shall be incumbent on all students and staff to observe all policies and report violations to the school administration.
- B. The school board and administration will inform staff and students annually of policies and procedures related to violence prevention and weapons.
- C. The school district will act promptly to investigate all acts and formal and informal complaints of violence and take appropriate disciplinary action against any student or staff member who is found to have violated this policy or any related policy.
- D. The consequences set forth in the school weapons policy (Policy 501) will be imposed upon any student or nonstudent who possesses, uses or distributes a weapon when in a school location.
- E. The consequences set forth in the school hazing policy (Policy 526) will be imposed upon any student or staff member who commits an act against a student or staff member; or coerces a student or staff member into committing an act, that creates a substantial risk of harm to a person in order for the student or staff member to be initiated into or affiliated with an organization, or for any other purpose.
- F. Students who engage in assault or violent behavior will be removed from the classroom immediately and for a period of time deemed appropriate by the principal, in consultation with the teacher, pursuant to the student discipline policy (Policy 506).
- G. Students with disabilities may be expelled for behavior unrelated to their disabilities, subject to the procedural safeguards required by the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and the Pupil Fair Dismissal Act.
- H. Procedures will be developed for the referral of any person in violation of this policy or the weapons policy to the local law enforcement agency in accordance with Minn. Stat. § 121A.05.
- I. Students who wear objectionable emblems, signs, words, objects, or pictures on clothing communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership or that approves, advances, or provokes any form of religious, racial, or sexual harassment or violence against other individuals as defined in the harassment and violence policy (Policy 413) will be subject to the procedures set forth in the student dress and appearance policy (Policy 504). "Gang" as used in this policy means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or whose members engaged in a pattern of criminal gang activity. A "pattern of gang activity" means the commission, attempt to commit, conspiring to commit, or solicitation of two or more criminal acts, provided the criminal acts were committed on separate dates or by two or more persons who are members of or belong to the same criminal street gang.
- J. This policy is not intended to abridge the rights of students to express political, religious, philosophical, or similar opinions by wearing apparel on which such messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, defamatory, profane, denote gang affiliation, advocate harassment or violence against others, are likely to disrupt the education process, or cause others to react in a violent or illegal manner (Policy 504).

### IV. PREVENTION STRATEGIES

The school district has adopted and will implement the following prevention strategies to promote safe and secure learning environments, to diminish violence in our schools, and to aid in the protection of children whose health or welfare may be jeopardized through acts of violence.

- A. Adopt a district crisis management policy to address potential violent crisis situations in the district.
- B. Provide training in recognition, prevention, and safe responses to violence and development of a positive school climate.
- C. Coordinate a local school security review committee or task force comprised of school officials, law enforcement, parents, students, and other youth service providers to advise on policy implementation.
- D. In-service training for personnel in aspects of reporting, visibility, and supervision as deterrents to violence.
- E. In-service training for personnel and school board members by experts familiar with sexual abuse, domestic violence, and personal safety issues on the following: helping students identify violence in the family and the community so that students may learn to resolve conflicts in effective, nonviolent ways; responding to a disclosure of child sexual abuse in a supportive, appropriate manner; and/or complying with mandatory reporting requirements under the Maltreatment of Minors Reporting Act.
- F. Promote student safety responsibility by encouraging the reporting of suspicious individuals and unusual activities on school grounds.

- G. Establish a curriculum committee that explores ways of teaching students violence prevention strategies, law-related education, and character/values education (universal values, e.g., honesty, personal responsibility, self-discipline, cooperation, and respect for others).
- H. Establish clear school rules that prevent and deter violence.
- I. Develop cross-cultural awareness programs to unify students of all cultures and backgrounds, to develop mutual respect and understanding of shared experiences and values among students, and to promote the message of inclusion.
- J. Establish conflict resolution training, conflict management, or peer mediation programs for staff and students to teach conservative approaches to settling disputes.
- K. Develop curriculum that teaches social skills such as maintaining self-control, building communications skills, forming friendships, resisting peer pressure, being appropriately assertive, forming positive relationships with adults, and resolving conflict in nonviolent ways.
- L. Develop curriculum that teaches critical viewing and listening skills in analyzing mass media to recognize stereotypes, distinguish fact from fantasy, and identify differences in behavior and values that conflict with their own.
- M. Develop student safety forums that both inform and elicit students' ideas about particular safety problems in the building.
- N. Develop a student photo or name identification system for quick identification of the student in case of emergency.
- O. Develop a staff photo or name identification system using identification badges for quick identification of unauthorized people on campus.
- P. Require all visitors to check-in the main office upon their arrival and state their business at the school. A visitor badge may be issued for easy identification that the visitor is authorized to be present in the school building.
- Q. Develop curriculum 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.

**V. STUDENT SUPPORT**

- A. Students will have access to school-based student service professionals, when available, including counselors, nurses, social workers, and psychologists who are knowledgeable in methods to assist students with violence prevention and intervention.
- B. Students will be apprised of school board policies designed to protect their personal safety.
- C. Students will be provided with information as to school district and building rules regarding weapons and violence.
- D. Students will be informed of resources for violence prevention and proper reporting.

**VI. PERSONNEL**

- A. School district personnel shall comply with the school weapons policy (Policy 501) and the school hazing policy (Policy 526).
- B. School district personnel shall be knowledgeable of violence prevention policies and report any violation to school administration immediately. School district personnel will be informed annually as to school district and building rules regarding weapons and violence prevention.
- C. School district personnel or agents of the school district shall not engage in emotionally abusive acts including malicious shouting, ridicule, and/or threats or other forms of corporal punishment (Policy 507).

**526 HAZING PROHIBITION**

**I. PURPOSE**

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

**II. GENERAL STATEMENT OF POLICY**

- A. No student, teacher, administrator, volunteer, contractor, or other employee of the school district shall plan, direct, encourage, aid, or engage in hazing.
- B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate hazing.
- C. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of hazing is prohibited.
- E. False accusations or reports of hazing against a student, teacher, administrator, volunteer, contractor, or other employee are prohibited.

- F. A person who engages in an act of hazing, reprisal, retaliation, or false reporting of hazing or permits, condones, or tolerates hazing shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.  
Consequences for students who commit, tolerate, or are a party to prohibited acts of hazing may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.  
Consequences for employees who permit, condone, or tolerate hazing or engage in an act of reprisal or intentional false reporting of hazing may result in disciplinary action up to and including termination or discharge.  
Consequences for other individuals engaging in prohibited acts of hazing may include, but not be limited to, exclusion from school district property and events and/or termination of services and/or contracts.
- G. This policy applies to hazing that occurs during and after school hours, on or off school premises or property, at school functions or activities, or on school transportation.
- H. A person who engages in an act that violates school policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act.
- I. The school district will act to investigate all complaints of hazing and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.

### III. DEFINITIONS

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

### IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report hazing

anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

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

#### **V. SCHOOL DISTRICT ACTION**

- A. Within three (3) days of the receipt of a complaint or report of hazing, the school district shall undertake or authorize an investigation by school district officials or a third party designated by the school district.
- B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the hazing, the complainant, the reporter, and students or others pending completion of an investigation of alleged hazing prohibited by this policy.
- C. The alleged perpetrator of the hazing shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of an investigation that determines hazing has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; and applicable school district policies and regulations.
- E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets or victims of hazing and the parent(s) or guardian(s) of alleged perpetrators of hazing who have been involved in a reported and confirmed hazing incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or to respond to hazing committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in hazing.

#### **VI. RETALIATION OR REPRISAL**

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who commits an act of reprisal or who retaliates

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

**VII. DISSEMINATION OF POLICY**

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

**527 STUDENT USE AND PARKING OF MOTOR VEHICLES; PATROLS, INSPECTIONS, AND SEARCHES**

**I. PURPOSE**

The purpose of this policy is to provide guidelines for use and parking of motor vehicles by students in school district locations, to maintain order and discipline in the schools, and to protect the health, safety, and welfare of students and school personnel.

**II. GENERAL STATEMENT OF POLICY**

The policy of this school district is to allow the limited use and parking of motor vehicles by students in school district locations. The position of the school district is that a fair and equitable district-wide student motor vehicle policy will contribute to the quality of the student's educational experience, will maintain order and discipline in the schools, and will protect the health, safety, and welfare of students and school personnel. This policy applies to all students in the school district.

**III. DEFINITIONS**

- A. "Contraband" means any unauthorized item possession of which is prohibited by school district policy and/or law. It includes, but is not limited to, weapons and "look-alikes," alcoholic beverages, controlled substances and "look-alikes," overdue books and other materials belonging to the school district, and stolen property.
- B. "Reasonable suspicion" means that a school official has grounds to believe that the search will result in evidence of a violation of school district policy, rules, and/or law. Reasonable suspicion may be based on a school official's personal observation, a report from a student, parent, or staff member, a student's suspicious behavior, a student's age and past history or record of conduct both in and out of the school context, or other reliable sources of information.
- C. "Reasonable scope" means that the scope and/or intrusiveness of the search is reasonably related to the objectives of the search. Factors to consider in determining what is reasonable include the seriousness of the suspected infraction, the reliability of the information, the necessity of acting without delay, the existence of exigent circumstances necessitating an immediate search and further investigation (e.g., to prevent violence, serious and immediate risk of harm, or destruction of evidence), and the age of the student.
- D. "School district location" means property that is owned, rented, leased, or borrowed by the school district for school purposes, as well as property immediately adjacent to such property that may be used for parking or gaining access to such property. A school district location also shall include off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.

**IV. STUDENT USE OF MOTOR VEHICLES IN SCHOOL DISTRICT LOCATIONS**

Students generally are not permitted to use motor vehicles during the school day in any school district location. Students may use motor vehicles on the high school campus[es] during the school day only if there is an emergency and permission has been granted to the student by the high school principal or designee to use a motor vehicle. Students are permitted to use motor vehicles in school district locations outside of the school day only on the high school campus[es].

**V. STUDENT PARKING OF MOTOR VEHICLES IN SCHOOL DISTRICT LOCATIONS**

- A. Students are permitted to park in a school district location as a matter of privilege, not of right. Students driving a motor vehicle to a high school campus may park the motor vehicle in the parking lot designated for student parking only. Students will not park vehicles in driveways, on private property, or in other designated areas, e.g., parking lots designated for use only by staff or by the general public.
- B. When there are unauthorized vehicles parked on school district property, school officials may:
  - 1. move the vehicle or require the driver or other person in charge of the vehicle to move it off school district property; or

2. if unattended, provide for the removal of the vehicle, at the expense of the owner or operator, to the nearest convenient garage or other place of safety off of school district property.

**VI. PATROLS, INSPECTIONS, AND SEARCHES**

School officials may conduct routine patrols of school district locations and routine inspections of the exteriors of the motor vehicles of students. In addition, the interiors of motor vehicles of students in school district locations may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law and/or school policy or rule.

- A. Patrols and Inspections  
School officials may conduct routine patrols of student parking lots and other school district locations and routine inspections of the exteriors of the motor vehicles of students. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.
- B. Search of Interior of Student Motor Vehicle  
The interiors of motor vehicles of students in school district locations, including glove or trunk compartments, may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law and/or school policy or rule. The search will be reasonable in its scope and intrusiveness. Such searches may be conducted without notice, without consent, and without a search warrant. A student will be subject to withdrawal of parking privileges and to discipline if the student refuses to open a locked motor vehicle under the student's control or its compartments upon the request of a school official.
- C. Prohibition of Contraband and Interference with Patrols, Inspections, Searches, and/or Seizures  
A violation of this policy occurs when students store or carry contraband in motor vehicles in a school district location or interfere with patrols, inspections, searches, and/or seizures as provided by this policy.
- D. Seizure of Contraband  
If a search yields contraband, school officials will seize the item and may turn it over to legal officials for ultimate disposition when appropriate.
- E. Dissemination of Policy  
A copy of this policy will be printed in the student handbook or disseminated in any other way which school officials deem appropriate.

**VII. DIRECTIVES AND GUIDELINES**

The superintendent is granted authority to develop and present for school board review and approval reasonable directives and guidelines which address specific needs of the school district related to student use and parking of motor vehicles in school district locations, such as a permit system and parking regulations. Approved directives and guidelines shall be attached as an addendum to this policy.

**VIII. VIOLATIONS**

A student found to have violated this policy and/or the directives and guidelines implementing it shall be subject to withdrawal of parking privileges and/or to discipline in accordance with the school district's Student Discipline Policy, which may include suspension, exclusion, or expulsion. In addition, the student may be referred to legal officials when appropriate.

**529 STAFF NOTIFICATION OF VIOLENT BEHAVIOR BY STUDENTS**

**I. PURPOSE**

In an effort to provide a safe school environment, the assigned classroom teacher and certain staff members should know whether a student to be placed in the classroom has a history of violent behavior. Additionally, decisions should be made regarding how to manage such a student.

The purpose of this policy is to address the circumstances in which data should be provided to classroom teachers and other school staff members about students with a history of violent behavior and to establish a procedure for notifying staff regarding the placement of students with a history of violent behavior.

**II. GENERAL STATEMENT OF POLICY**

- A. Any staff member or other employee of the school district who obtains or possesses information concerning a student in the building with a history of violent behavior shall immediately report said information to the principal of the building in which the student attends school.
- B. The administration will meet with the assigned classroom teacher and other appropriate staff members for the purpose of notifying and determining how staff will manage such student.
- C. Only staff members who have a legitimate educational interest in the information will receive notification.

**III. DEFINITIONS**

For purposes of this policy, the following terms have the meaning given them.

- A. Administration  
"Administration" means the superintendent, building principal, or other designee.

- B. Classroom Teacher  
"Classroom Teacher" means the instructional personnel responsible for the course or room to which a student is assigned at any given time, including a substitute hired in place of the classroom teacher.
- C. History of Violent Behavior
  - 1. A student will be considered to have a history of violent behavior if incident(s) of violence, including any documented physical assault of a school district employee by the student, have occurred during the current or previous school year.
  - 2. If a student has an incident of violence during the current or previous school year, that incident and all other past related or similar incidents of violence will be reported.
- D. Incident(s) of Violence  
"Incident(s) of violence" means willful conduct in which a student endangers or causes physical injury to the student, other students, a school district employee, or surrounding person(s) or endangers or causes significant damage to school district property, regardless of whether related to a disability or whether discipline was imposed.
- E. Legitimate Educational Interest  
"Legitimate educational interest" includes interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, student health and welfare, and the ability to respond to a request for educational data. It includes a person's need to know in order to:
  - 1. Perform an administrative task required in the school or the employee's contract or position description approved by the school board;
  - 2. Perform a supervisory or instructional task directly related to the student's education; or
  - 3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid.
  - 4. Perform a task directly related to responding to a request for data.
- F. School Staff Member  
"School Staff Member" includes:
  - 1. A person duly elected to the school board;
  - 2. A person employed by the school board in an administrative, supervisory, instructional, or other professional position;
  - 3. A person employed by the school board as a temporary substitute in a professional position for the period of his or her performance as a substitute; and
  - 4. A person employed by, or under contract to, the school board to perform a special task such as a secretary, a clerk, a public information officer or data practices compliance official, an attorney, or an auditor for the period of his or her performance as an employee or contractor.

**IV. PROCEDURE FOR STAFF NOTIFICATION OF STUDENTS WITH VIOLENT BEHAVIOR**

- A. Reports of Violent Behavior  
Any staff member or other employee of the school district who becomes aware of any information regarding the violent behavior of an enrolling student or any student enrolled in the school district shall immediately report the information to the building principal where the student is enrolled or seeks to enroll.
- B. Recipients of Notice  
Each classroom teacher of a student with a history of violent behavior (see Section III.C., above) will receive written notification from the administration prior to placement of the student in the teacher's classroom. In addition, written notice will be given by the administration to other school staff members who have a legitimate educational interest, as defined in this policy, when a student with a history of violent behavior is placed in a teacher's classroom. The administration will provide notice to anyone substituting for the classroom teacher or school staff member, who has received notice under this policy, that the substitute will be overseeing a student with a history of violent behavior. The administration may provide other school district employees or individuals outside of the school district with information regarding a student, including information regarding a student's history of violent behavior, in accordance with Policy 515, Protection and Privacy of Pupil Records.
- C. Determination of Who Receives Notice  
The determination of which classroom teachers and school staff members have a legitimate educational interest in information regarding a student with a history of violent behavior will be made by either: (1) the school district's Responsible Authority appointed by the school board under the Minnesota Government Data Practices Act or (2) the administration. In the event the administration makes this determination, the Responsible Authority will provide guidance to the administration as to what data will be shared.
- D. Form of Written Notice  
The notice given to classroom teachers and school staff members will be in writing and will include

the following:

1. Name of the student;
2. Date of notice;
3. Notification that the student has been identified as a student with a history of violent behavior as defined in Section III. of this policy; and
4. Reminder of the private nature of the data provided.

E. Record of Notice

1. The administration will retain a copy of the notice or other documentation provided to classroom teachers and school staff members notified under this section.
2. Retention of the written notice or other documentation provided to classroom teachers and school staff members is governed by the approved Records Retention Schedule.

F. Meetings Regarding Students with a History of Violent Behavior

1. If the administration determines, in his or her discretion, that the classroom teacher and/or school staff members with a legitimate educational interest in such data reasonably require access to the details regarding a student's history of violent behavior for purposes of school safety and/or intervention services for the student, the administration also may convene a meeting to share and discuss such data.
2. The persons present at the meeting may have access to the data described in Section IV.D., above.

G. Law Enforcement Reports

Staff members will be provided with notice of disposition orders or law enforcement reports received by the school district in accordance with Policy 515, Protection and Privacy of Pupil Records. Where appropriate, information obtained from disposition orders or law enforcement reports also may be included in a Notification of Violent Behavior.

**V. MAINTENANCE AND TRANSFER OF RECORDS**

A report, notice, or documentation pertaining to a student with a history of violent behavior are educational records of a student and will be retained, maintained, and transferred to a school or school district in which a student seeks to enroll in accordance with Policy 515, Protection and Privacy of Pupil Records.

**VI. PARENTAL NOTICE**

- A. The administration will notify parents annually that the school district gives classroom teachers and other school staff members notice about students' history of violent behavior.
- B. Prior to providing the written notice of a student's violent behavior to classroom teachers and/or school staff members, the administration will inform the student's parent or guardian that such notice will be provided.
- C. Parents will be given notice that they have the right to review and challenge records or data, including the data documenting the history of violent behavior, in accordance with Policy 515, Protection and Privacy of Pupil Records.

**VII. TRAINING NEEDS**

Representatives of the school board and representatives of the teachers will discuss the needs of students and staff. The parties may discuss necessary training which may include training on conflict resolution and positive behavior interventions and may discuss necessary intervention services such as student behavioral assessments.

**530 IMMUNIZATION REQUIREMENTS**

**I. PURPOSE**

The purpose of this policy is to require that all students receive the proper immunizations as mandated by law to ensure the health and safety of all students.

**II. GENERAL STATEMENT OF POLICY**

All students are required to provide proof of immunization, or appropriate documentation exempting the student from such immunization, and such other data necessary to ensure that the student is free from any communicable diseases, as a condition of enrollment.

**III. STUDENT IMMUNIZATION REQUIREMENTS**

- A. No student may be enrolled or remain enrolled, on a full-time, part-time, or shared-time basis, in any elementary or secondary school within the school district until the student or the student's parent or guardian has submitted to the designated school district administrator the required proof of immunization. Prior to the student's first date of attendance, the student or the student's parent or guardian shall provide to the designated school district administrator one of the following statements:
  1. a statement from a physician, advanced practice registered nurse, physician assistant, or a public clinic which provides immunizations (hereinafter "medical statement"), affirming that the student received the immunizations required by law, consistent with medically acceptable standards; or

2. a medical statement affirming that the student received the primary schedule of immunizations required by law and has commenced a schedule of the remaining required immunizations, indicating the month and year each immunization was administered, consistent with medically acceptable standards.
- B. The statement of a parent or guardian of a student or an emancipated student may be substituted for the medical statement. If such a statement is substituted, this statement must indicate the month and year each immunization was administered. Upon request, the designated school district administrator will provide information to the parent or guardian of a student or an emancipated student of the dosages required for each vaccine according to the age of the student.
  - C. The parent or guardian of persons receiving instruction in a home school shall submit one of the statements set forth in Section III.A. or III.B., above, or statement of immunization set forth in Section IV., below, to the superintendent of the school district by October 1 of the first year of their home schooling in Minnesota and the grade 7 year.
  - D. When there is evidence of the presence of a communicable disease, or when required by any state or federal agency and/or state or federal law, students and/or their parents or guardians may be required to submit such other health care data as is necessary to ensure that the student has received any necessary immunizations and/or is free of any communicable diseases. No student may be enrolled or remain enrolled in any elementary or secondary school within the school district until the student or the student's parent or guardian has submitted the required data.
  - E. The school district may allow a student transferring into a school a maximum of 30 days to submit a statement specified in Section III.A. or III.B., above, or Section IV., below. Students who do not provide the appropriate proof of immunization or the required documentation related to an applicable exemption of the student from the required immunization within the specified time frames shall be excluded from school until such time as the appropriate proof of immunizations or exemption documentation has been provided.
  - F. If a person who is not a Minnesota resident enrolls in a school district online learning course or program that delivers instruction to the person only by computer and does not provide any teacher or instructor contact time or require classroom attendance, the person is not subject to the immunization, statement, and other requirements of this policy.

#### **IV. EXEMPTIONS FROM IMMUNIZATION REQUIREMENTS**

Students will be exempt from the foregoing immunization requirements under the following circumstances:

- A. The parent or guardian of a minor student or an emancipated student submits a signed medical statement affirming that the immunization of the student is contraindicated for medical reasons or that laboratory confirmation of the presence of adequate immunity exists; or
- B. The parent or guardian of a minor student or an emancipated student submits his or her notarized statement stating the student has not been immunized because of the conscientiously held beliefs of the parent, guardian or student.

#### **V. NOTICE OF IMMUNIZATION REQUIREMENTS**

- A. The school district will develop and implement a procedure to:
  1. notify parents and students of the immunization and exemption requirements by use of a form approved by the Department of Health;
  2. notify parents and students of the consequence for failure to provide required documentation regarding immunizations;
  3. review student health records to determine whether the required information has been provided; and
  4. make reasonable arrangements to send a student home when the immunization requirements have not been met and advise the student and/or the student's parent or guardian of the conditions for re-enrollment.

[See Attachments A, B, C, and D.]

- B. The notice provided shall contain written information describing the exemptions from immunization as permitted by law. The notice shall be in a font size at least equal to the font size and style as the immunization requirements and on the same page as the immunization requirements.

#### **VI. IMMUNIZATION RECORDS**

- A. The school district will maintain a file containing the immunization records for each student in attendance at the school district for at least five years after the student attains the age of majority.
- B. Upon request, the school district may exchange immunization data with persons or agencies providing services on behalf of the student. Immunization data is private student data and disclosure of such data shall be governed by Policy 515 Protection and Privacy of Pupil Records.
- C. The designated school district administrator will assist a student and/or the student's parent or guardian in the transfer of the student's immunization file to the student's new school within 30 days of the student's transfer.

- D. Upon request of a public or private post-secondary educational institution, the designated school district administrator will assist in the transfer of the student's immunization file to the post-secondary educational institution.

**VII. OTHER**

Within 60 days of the commencement of each new school term, the school district will forward a report to the Commissioner of the Department of Education stating the number of students attending each school in the school district, including the number of students receiving instruction in a home school, the number of students who have not been immunized, and the number of students who received an exemption. The school district also will forward a copy of all exemption statements received by the school district to the Commissioner of the Department of Health.

**533 WELLNESS**

**I. PURPOSE**

The purpose of this policy is to set forth methods that promote student wellness, prevent and reduce childhood obesity, and assure that school meals and other food and beverages sold and otherwise made available on the school campus during the school day are consistent with applicable minimum local, state, and federal standards.

**II. GENERAL STATEMENT OF POLICY**

- A. The school board recognizes that nutrition promotion and education, physical activity, and other school-based activities that promote student wellness are essential components of the educational process and that good health fosters student attendance and learning.
- B. The school environment should promote students' health, well-being, and ability to learn by encouraging healthy eating and physical activity.
- C. The school district encourages the involvement of parents, students, representatives of the school food authority, teachers, school health professionals, the school board, school administrators, and the general public in the development, implementation, and periodic review and update of the school district's wellness policy.
- D. Children need access to healthy foods and opportunities to be physically active in order to grow, learn, and thrive.
- E. All students in grades K-12 will have opportunities, support, and encouragement to be physically active on a regular basis.
- F. Qualified food service personnel will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; try to accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat.

**III. WELLNESS GOALS**

**A. Nutrition Promotion and Education**

- 1. The school district will encourage and support healthy eating by students and engage in nutrition promotion that is:
  - a. offered as part of a comprehensive program designed to provide students with the knowledge and skills necessary to promote and protect their health;
  - b. part of health education classes, as well as classroom instruction in subjects such as math, science, language arts, social sciences, and elective subjects, where appropriate; and
  - c. enjoyable, developmentally appropriate, culturally relevant, and includes participatory activities, such as contests, promotions, taste testing, and field trips.
- 2. The school district will encourage all students to make age appropriate, healthy selections of foods and beverages, including those sold individually outside the reimbursable school meal programs, such as through a la carte/snack lines, vending machines, fundraising events, concession stands, and student stores.

**B. Physical Activity**

- 1. Students need opportunities for physical activity and to fully embrace regular physical activity as a personal behavior. Toward that end, health and physical education will reinforce the knowledge and self-management skills needed to maintain a healthy lifestyle and reduce sedentary activities, such as watching television;
- 2. Opportunities for physical activity will be incorporated into other subject lessons, where appropriate; and
- 3. Classroom teachers will provide short physical activity breaks between lessons or classes, as appropriate.

- C. Communications with Parents
1. The school district recognizes that parents and guardians have a primary role in promoting their children's health and well-being.
  2. The school district will support parents' efforts to provide a healthy diet and daily physical activity for their children.
  3. The school district encourages parents to pack healthy lunches and snacks and refrain from including beverages and foods without nutritional value.
  4. The school district will provide information about physical education and other school-based physical activity opportunities and will support parents' efforts to provide their children with opportunities to be physically active outside of school.

**IV. STANDARDS AND NUTRITION GUIDELINES**

- A. School Meals
1. The school district will provide healthy and safe school meal programs that comply with all applicable federal, state, and local laws, rules, and regulations.
  2. Food service personnel will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students.
  3. Food service personnel will try to accommodate the religious, ethnic, and cultural diversity of the student body in meal planning.
  4. Food service personnel will provide clean, safe, and pleasant settings and adequate time for students to eat.
  5. Food service personnel will take every measure to ensure that student access to foods and beverages meets or exceeds all applicable federal, state, and local laws, rules, and regulations and that reimbursable school meals meet USDA nutrition standards.
  6. Food service personnel shall adhere to all applicable federal, state, and local food safety and security guidelines.
  7. The school district will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price school meals.
  8. The school district will provide students access to hand washing or hand sanitizing before they eat meals or snacks.
  9. The school district will make every effort to provide students with sufficient time to eat after sitting down for school meals and will schedule meal periods at appropriate times during the school day.
  10. The school district will discourage tutoring, club, or organizational meetings or activities during mealtimes unless students may eat during such activities.
- B. School Food Service Program/Personnel
1. The school district shall designate an appropriate person to be responsible for the school district's food service program, whose duties shall include the creation of nutrition guidelines and procedures for the selection of foods and beverages made available on campus to ensure food and beverage choices are consistent with current USDA guidelines.
  2. As part of the school district's responsibility to operate a food service program, the school district will provide continuing professional development for all food service personnel in schools.
- C. Competitive Foods and Beverages
1. All foods and beverages sold on school grounds to students, outside of reimbursable meals, are considered "competitive foods." Competitive foods include items sold a la carte in the cafeteria, from vending machines, school stores, and for in-school fundraisers.
  2. All competitive foods will meet the USDA Smart Snacks in School (Smart Snacks) nutrition standards and any applicable state nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day, and create an environment that reinforces the development of healthy eating habits.
  3. Before and Aftercare (child care) programs must also comply with the school district's nutrition standards unless they are reimbursable under USDA school meals program, in which case they must comply with all applicable USDA standards.
- D. Other Foods and Beverages Made Available to Students
1. Student wellness will be a consideration for all foods offered, but not sold, to students on the school campus, including those foods provided through:

- a. Celebrations and parties. The school district will provide a list of healthy party ideas to parents and teachers, including non-food celebration ideas.
      - b. Classroom snacks brought by parents. The school district will provide to parents a list of suggested foods and beverages that meet Smart Snacks nutrition standards.
    - 2. Rewards and incentives. Schools will not use foods or beverages as rewards for academic performance or good behavior (unless this practice is allowed by a student's individual education plan or behavior intervention plan) and will not withhold food or beverages as punishment.
    - 3. Fundraising. The school district will make available to parents and teachers a list of suggested healthy fundraising ideas.
  - E. Food and Beverage Marketing in Schools
    - 1. School-based marketing will be consistent with nutrition education and health promotion.
    - 2. Schools will restrict food and beverages marketing to the promotion of only those foods and beverages that meet the Smart Snacks nutrition standards.
- V. **WELLNESS LEADERSHIP AND COMMUNITY INVOLVEMENT**
  - A. Wellness Coordinator
    - 1. The superintendent will designate a school district official to oversee the school district's wellness-related activities (Wellness Coordinator). The Wellness Coordinator will ensure that each school implements the policy.
    - 2. The principal of each school, or a designated school official, will ensure compliance within the school and will report to the Wellness Coordinator regarding compliance matters upon request.
  - B. Public Involvement
    - 1. The Wellness Coordinator will permit parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the general public to participate in the development, implementation, and periodic review and update of the wellness policy.
    - 2. The Wellness Coordinator will hold meetings, from time to time, for the purpose of discussing the development, implementation, and periodic review and update of the wellness policy. All meeting dates and times will be posted on the school district's website and will be open to the public.
- VI. **POLICY IMPLEMENTATION AND MONITORING**
  - A. Implementation and Publication
    - 1. After approval by the school board, the wellness policy will be implemented throughout the school district.
    - 2. The school district will post its wellness policy on its website, to the extent it maintains a website.
  - B. Annual Reporting

The Wellness Coordinator will annually inform the public about the content and implementation of the wellness policy and make the policy and any updates to the policy available to the public.
  - C. Triennial Assessment
    - 1. At least once every three years, the school district will evaluate compliance with the wellness policy to assess the implementation of the policy and create a report that includes the following information:
      - a. the extent to which schools under the jurisdiction of the school district are in compliance with the wellness policy;
      - b. the extent to which the school district's wellness policy compares to model local wellness policies; and
      - c. a description of the progress made in attaining the goals of the school district's wellness policy.
    - 2. The Wellness Coordinator will be responsible for conducting the triennial assessment.
    - 3. The triennial assessment report shall be posted on the school district's website or otherwise made available to the public.
  - D. Recordkeeping

The school district will retain records to document compliance with the requirements of the wellness policy. The records to be retained include, but are not limited to:

    - 1. The school district's written wellness policy.
    - 2. Documentation demonstrating compliance with community involvement requirements, including requirements to make the local school wellness policy and triennial assessments available to the public.

3. Documentation of the triennial assessment of the local school wellness policy for each school under the school district's jurisdiction efforts to review and update the wellness policy (including an indication of who is involved in the update and methods the school district uses to make stakeholders aware of their ability to participate on the Wellness Committee).

### **534 UNPAID MEAL CHARGES**

#### **I. PURPOSE**

The purpose of this policy is to ensure that students receive healthy and nutritious meals through the school district's nutrition program and that school district employees, families, and students have a shared understanding of expectations regarding meal charges. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day and minimize identification of students with insufficient funds to pay for school meals as well as to maintain the financial integrity of the school nutrition program.

#### **II. PAYMENT OF MEALS**

##### **A. Unpaid Meal Charge and Debt Collection Procedures**

##### Charge Procedure

1. If the student or family account has insufficient funds to pay for breakfast and/or lunch meals, the following will apply:
  - All students will be provided a Type A meal, regardless of meal account status. The charge for the meal will be added to the family account.
  - Students with an overdrawn account will not be allowed to charge ala carte items.
2. Students eligible for free or reduced-price meals will always be served a meal regardless of unpaid food service accounts. When a student eligible for PAID meals has "cash in hand" to pay for a meal, the student will be served a meal regardless of unpaid food service accounts. The "cash in hand" will not be applied towards past due balances.

##### Notification of Account Status

1. There are several ways families can obtain their lunch account balances.
  - Families can check their student's meal account balance via Wordware.
  - Families can contact the Food Service Department at (651) 674-1521 for account balances.
2. The parent/guardian will be notified when their account has a low balance.
  - When a family's balance reaches \$10.00 or less, an e-mail will be sent daily to the parent/guardian advising them of the student meal account balance(s).
  - At the end of each month, a letter will be mailed home to parents when a family's balance reaches -\$30.00 or less.
  - The Food Service Department will encourage parents to complete the free/reduced-price meal application.

##### Collection of Unpaid Meal Debt

1. Prior to the end of the school year, the following collection actions will be taken on any accounts with a balance of -\$50.00 or less:
  - A formal letter will be sent to the household notifying that the debt will be turned over to a collection agency if the balance isn't paid by a designated date or if a payment plan isn't established. If there is no response by the designated date, the account will be turned over to a collection agency.
  - Two attempts will be made by phone to discuss the status of the negative accounts.
  - The expectation is all fees owed to the district will be paid in full on the last day the student will be attending classes.
- B. If the school district receives school lunch aid under Minn. Stat. § 124D.111, it must make lunch available without charge to all participating students who qualify for free or reduced-price meals regardless of account balance.
- C. A student with an outstanding meal charge debt will be allowed to purchase a meal if the student pays for the meal when it is received.
- D. The school district may provide an alternate meal that meets federal and state requirements to a student who does not have sufficient funds in the student's account or cannot pay cash for a meal. The school district will accommodate special dietary needs with respect to alternate meals. The cost of the alternative meal will be the same as a standard meal price and will be charged to the student's account or otherwise charged to the student.
- E. When a student has a negative account balance, the student will not be allowed to charge a snack item.
- F. If a parent or guardian chooses to send in one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the students' accounts.

Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.

**III. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION**

- A. The school district will make reasonable efforts to notify families when meal account balances are low or fall below zero.
- B. Families will be notified of an outstanding negative balance once the negative balance reaches -\$10.00 or less. Families will be notified by email.  
Families will be notified of an outstanding negative balance once the negative balance reaches -\$30.00 or less. Families will be notified by mail.
- C. Reminders for payment of outstanding student meal balances will not demean or stigmatize any student participating in the school lunch program.

**IV. UNPAID MEAL CHARGES**

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free and reduced-price meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than -\$50.00 or less not paid prior to the end of the school year will be turned over to the superintendent or superintendent's designee for collection. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.
- E. The school district may not deny any student the opportunity to participate in graduation ceremonies or other commencement activities due to unpaid meal charges.

**V. COMMUNICATION OF POLICY**

- A. This policy and any pertinent supporting information shall be provided in writing in the student handbook to:
  - 1. all households at or before the start of each school year;
  - 2. students and families who transfer into the school district, at the time of enrollment; and
  - 3. all school district personnel who are responsible for enforcing this policy.
- B. The school district may post the policy on the school district's website, in addition to providing the required written notification described above.

**711 VIDEO RECORDING ON SCHOOL BUSES**

**I. PURPOSE**

The transportation of students to and from school is an important function of the school district, and transportation by the school district is a privilege and not a right for an eligible student. The behavior of students and employees on the bus is a significant factor in the safety and efficiency of school bus transportation. Student and employee misbehavior increases the potential risks of injury. Therefore, the school district believes that video recording student passengers and employees on the school bus will encourage good behavior and, as a result, promote safety. The purpose of this policy is to establish a school bus video recording system.

**II. GENERAL STATEMENT OF POLICY**

- A. Placement
  - 1. Each and every school bus owned, leased, contracted, and/or operated by the school district shall be equipped with a fully enclosed box for placement and operation of a video camera and conspicuously placed signs notifying riders that their conversations or actions may be recorded.
  - 2. A video camera will not necessarily be installed in each and every school bus owned, leased, contracted, and/or operated by the school district, but cameras may be rotated from bus to bus without prior notice to students.
  - 3. Video cameras will be placed on a particular school bus, to the extent possible, where the school district has received complaints of inappropriate behavior.
- B. Use of Video Recordings
  - 1. A video recording of the actions of student passengers and/or employees may be used by the school district as evidence in any disciplinary action brought against any student or employee arising out of the student's or employee's conduct on the bus.

2. A video recording will be released only in conformance with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13 and the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g and the rules and/or regulations promulgated thereunder.
3. Video recordings will be viewed by school district personnel on a random basis and/or when discipline problems on the bus have been brought to the attention of the school district.
4. A video recording will be retained by the school district until relooped or until the conclusion of disciplinary proceedings in which the video recording is used for evidence.

**712 VIDEO SURVEILLANCE OTHER THAN ON BUSES**

**I. PURPOSE**

Maintaining the health, welfare, and safety of students, staff, and visitors while on school district property and the protection of school district property are important functions of the school district. The behavior of individuals who come on to school property is a significant factor in maintaining order and discipline and protecting students, staff, visitors, and school district property. The school board recognizes the value of video/electronic surveillance systems in monitoring activity on school property in furtherance of protecting the health, welfare, and safety of students, staff, visitors, and school district property.

**II. GENERAL STATEMENT OF POLICY**

**A. Placement**

1. School district buildings and grounds may be equipped with video cameras.
2. Video surveillance may occur in any school district building or on any school district property.
3. Video surveillance will normally not be used in bathrooms or locker rooms, although these areas may be placed under surveillance by individuals of the same sex as the occupants of the bathrooms or locker rooms. Video surveillance in bathrooms or locker rooms will only be utilized in extreme situations, with extraordinary controls, and only as expressly approved by the superintendent.

**B. Use of Video Recordings**

1. Video recordings will be viewed by school district personnel on a random basis and/or when problems have been brought to the attention of the school district.
2. A video recording of the actions of students and/or employees may be used by the school district as evidence in any disciplinary action brought against any student or employee arising out of the student's or employee's conduct in school district buildings or on school grounds.
3. A video recording will be released only in conformance with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and the rules and/or regulations promulgated thereunder.

**C. Security and Maintenance**

1. The school district shall establish appropriate security safeguards to ensure that video recordings are maintained and stored in conformance with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and the rules and/or regulations promulgated thereunder.
2. The school district shall ensure that video recordings are retained in accordance with the school district's records retention schedule.

**903 VISITORS TO SCHOOL DISTRICT BUILDINGS AND SITES**

**I. PURPOSE**

The purpose of this policy is to inform the school community and the general public of the position of the school board on visitors to school buildings and other school property.

**II. GENERAL STATEMENT OF POLICY**

- A. The school board encourages interest on the part of parents and community members in school programs and student activities. The school board welcomes visits to school buildings and school property by parents and community members provided the visits are consistent with the health, education and safety of students and employees and are conducted within the procedures and requirements established by the school district.
- B. The school board reaffirms its position on the importance of maintaining a school environment that is safe for students and employees and free of activity that may be disruptive to the student learning process or employee working environment.

**III. POST-SECONDARY ENROLLMENT OPTIONS STUDENTS**

- A. A student enrolled in a post-secondary enrollment options course may remain at the school site during regular school hours in accordance with established procedures.

- B. A student enrolled in a post-secondary enrollment options course may be provided with reasonable access, during regular school hours, to a computer and other technology resources that the student needs to complete coursework for a post-secondary enrollment course in accordance with established procedures.

**IV. RESPONSIBILITY**

- A. The school district administration shall present recommended visitor and post-secondary enrollment options student procedures and requirements to the school board for review and approval. The procedures should reflect input from employees, students and advisory groups, and shall be communicated to the school community and the general public. Upon approval by the school board, such procedures and requirements shall be an addendum to this policy.
- B. The superintendent shall be responsible for providing coordination that may be needed throughout the process and providing for periodic school board review and approval of the procedures.

**V. VISITOR LIMITATIONS**

- A. An individual, post-secondary enrollment options student, or group may be denied permission to visit a school or school property or such permission may be revoked if the visitor(s) does not comply with the school district procedures and regulations or if the visit is not in the best interest of students, employees or the school district.
- B. Visitors, including post-secondary enrollment options students, are authorized to park vehicles on school property at times and in locations specified in the approved visitor procedures and requirements which are an addendum to this policy or as otherwise specifically authorized by school officials. When unauthorized vehicles of visitors are parked on school property, school officials may:
  - 1. move the vehicle or require the driver or other person in charge of the vehicle to move it off school district property; or
  - 2. if unattended, provide for the removal of the vehicle, at the expense of the owner or operator, to the nearest convenient garage or other place of safety off of school property.
- C. An individual, post-secondary enrollment options student, or group who enters school property without complying with the procedures and requirements may be guilty of criminal trespass and thus subject to criminal penalty. Such persons may be detained by the school principal or a person designated by the school principal in a reasonable manner for a reasonable period of time pending the arrival of a police officer.

**PROCEDURES FOR PARENTS VISITING OR CALLING  
STUDENTS DURING THE SCHOOL DAY  
(School District Policy 903 – Visitors to School District Buildings and Sites)**

Independent School District No. 138 recognizes the importance of providing a learning environment for its students that is free from distractions and disruptions. Whenever possible, parents should arrange to meet with and/or talk to their children outside of the school day.

Parents may not go to classrooms or other school district locations to meet with their children unless they receive approval of the Principal’s Office to do so. Adults must present this approval to the teacher when they talk to the child.

In the event of an emergency which requires that parents contact their child/children, parents should contact the school office to:

- 1. Explain the emergency; and
- 2. Request that their child be called to the office to meet with them and/or talk to them on the telephone.

Policy 903 and the above procedures apply to all parents, custodial and noncustodial. Although Independent School District No. 138 recognizes that disputes often arise between divorced or estranged parents, it is not an arbiter of these disputes and will not assume that role. Accordingly, the school district will not enforce custody orders that are not specifically directed at it.

Dated: June 2006

Addendum to Policy 903 Visitors to School District Buildings and Sites

**904 DISTRIBUTION OF MATERIALS ON SCHOOL DISTRICT PROPERTY BY NONSCHOOL PERSONNEL**

**I. PURPOSE**

The purpose of this policy is to provide for distribution of materials appropriate to the school setting by nonstaff and nonstudents on school district property in a reasonable time, place, and manner which does not disrupt the educational program nor interfere with the educational objectives of the school district.

**II. GENERAL STATEMENT OF POLICY**

- A. The school district intends to provide a method for nonschool persons and organizations to distribute materials appropriate to the school setting, within the limitations and provisions of this policy.

- B. To provide for orderly and nondisruptive distribution of materials, the school board adopts the following regulations and procedures.

### III. DEFINITIONS

- A. "Distribute" or "Distribution" means circulation or dissemination of materials by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying materials, including posting or displaying materials on school district websites, or placing materials in internal staff or student mailboxes.
- B. "Materials" includes all materials and objects intended by nonschool persons or nonschool organizations for distribution. Examples of nonschool-sponsored materials include but are not limited to leaflets, brochures, buttons, badges, emails, electronic postings, flyers, petitions, posters, underground newspapers whether written by students, employees or others, and tangible objects, including advertising or promotional materials.
- C. "Nonschool person" means any person who is not currently enrolled as a student in or employed by the school district. For purposes of this policy, non-school person also will include a staff member or a student who seeks to distribute materials on behalf of a non-school person or nonschool organization.
- D. "Obscene to minors" means:
  - 1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
  - 2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, and lewd exhibition of the genitals; and
  - 3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- E. "Minor" means any person under the age of eighteen (18).
- F. "Material and substantial disruption" of a normal school activity means:
  - 1. Where the normal school activity is an educational program of the school district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
  - 2. Where the normal school activity is voluntary in nature (including, but not limited to, school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecast, including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.
- G. "School activities" means any activity sponsored by the school, including but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays, other theatrical productions, and in-school lunch periods.
- H. "Libelous" or "slanderous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower him or her in the esteem of the community.

### IV. GUIDELINES

- A. Nonschool persons and organizations may, within the provisions of this policy, be granted permission to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, materials and objects which are appropriate to the school setting.
- B. Requests for distribution of materials will be reviewed by the administration on a case-by-case basis. However, distribution of the following materials is always prohibited. Material is prohibited that:
  - 1. is obscene to minors and/or contains materials that are sexually explicit or contains a sexual overtone;
  - 2. is libelous or slanderous;
  - 3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended;
  - 4. advertises any product or service not permitted to minors by law, including but not limited to movies that are unrated or carry a rating of "R" or above and non-charitable gambling;
  - 5. advocates violence or other illegal conduct;
  - 6. constitutes insulting or fighting words, the very expression of which bullies, injures or harasses other people (e.g., threats of violence, defamation of character or harasses a person based on race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation or disability);
  - 7. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the

- school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations; or
8. advertises or promotes a political party, a political viewpoint, the candidacy of a person for public office, or a position on a referendum;
  9. advertises or promotes a issues deemed controversial in nature in that the issue or subject causes or is reasonably likely to cause debate or disagreement about a matter which arouses strong contrasting opinions;
  10. violates other school district policies or procedures.
- C. Permission for nonschool persons to distribute materials on school district property is a privilege and not a right. In making decisions regarding permission for such distribution, the administration will consider factors including, but not limited to the following:
    1. whether the material is educationally related or otherwise relates to youth activities;
    2. the extent to which distribution is likely to cause disruption of or interference with the school district's educational objectives, discipline, or school activities;
    3. whether the materials can be distributed from the office or other isolated location so as to minimize disruption of traffic flow in hallways;
    4. the quantity or size of materials to be distributed;
    5. whether distribution would require assignment of school district staff, use of school district equipment, or other resources;
    6. whether distribution would require that nonschool persons be present on the school grounds;
    7. whether the materials are a solicitation for goods or services not requested by the recipients.
  - D. Materials cannot imply or declare approval of or endorsement by the school, school district, students, parents or staff.
  - E. The school district reserves the right to deny advertising or promotional activities that do not serve the best interests of the school and/or school district, students and/or the community. Advertisements also must comply with Policy 905 (Advertising) and Policy 905.1 (Advertising Procedures).
- V. TIME, PLACE, AND MANNER OF DISTRIBUTION**
- If permission is granted pursuant to this policy for the distribution of any materials, the time, place, and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy. Non-school materials will not be distributed through school district-sponsored electronic mail systems.
- VI. PROCEDURES**
- A. Any nonschool person wishing to distribute materials must first submit for approval a copy of the materials to the administration at least five days in advance of desired distribution time, together with the following information:
    1. Name and contact information of the person submitting the request.
    2. Date(s) and time(s) of day of requested distribution.
    3. If material is intended for students, the grade(s) of students to whom the distribution is intended.
    4. The proposed method of distribution.
  - B. All written materials must contain the following disclaimer in bold type: "DISCLAIMER: The School District does not endorse or promote the message contained in this material. All costs for the creation and distribution of these materials have been paid for by the sponsoring organization or entity."
  - C. The administration will review the request and render a decision. The administration will assign a location and method of distribution and will inform the persons submitting the request whether nonschool persons may be present to distribute the materials. In the event that permission to distribute the materials is denied or limited, the person submitting the request should be informed in writing of the reasons for the denial or limitation.
  - D. Permission or denial of permission to distribute material does not imply approval or disapproval of its contents by either the school, the administration of the school, the school board, or the individual reviewing the material submitted.
  - E. In the event that permission to distribute materials is denied, the nonschool person or organization may request reconsideration of the decision by the superintendent. The request for reconsideration must be in writing and must set forth the reasons why distribution is desirable and in the interest of the school community.
- VII. VIOLATION OF POLICY**
- Any party violating this policy or distributing materials without permission will be directed to leave the school property immediately and, if necessary, the police will be called. Staff members who violate this policy will be subject to disciplinary action.
- VIII. IMPLEMENTATION**
- The school district administration may develop any additional guidelines and procedures necessary to implement this policy for submission to the school board for approval.



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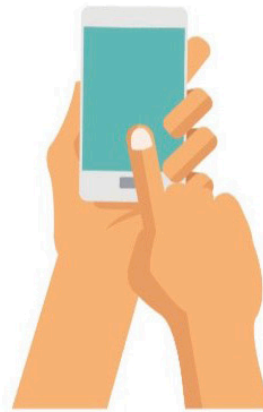
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Search North Branch Area Public Schools





# Phone Directory QUICK REFERENCE

## Districtwide Services:

School Information Line.....	651-674-1411
District Office.....	651-674-1000
Community Education.....	651-674-1025
Food Service – Taher Dining.....	651-674-1520
Transportation Department.....	651-674-1030

## Schools & Programs:

Early Childhood.....	651-674-1220
Kindergarten.....	651-674-1200
Sunrise River School (Grades 1-5).....	651-674-1100
Middle School (Grades 6-8).....	651-674-1300
High School (Grades 9-12).....	651-674-1500
Activities Department.....	651-674-1514
Office of Teaching and Learning.....	651-674-1050
Norse Area Learning Center.....	651-674-1050
Chisago County Schools’ Life Work Center.....	651-674-1505



# Early Childhood

Early Childhood Family Education, Early Childhood Special Education  
School Readiness, Community Preschool, Early Childhood Screening  
651.674.1220

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*38705 Grand Ave North Branch, MN 55056*

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## **Fund Raising Report 2019-20**

Early Childhood participated in the following fundraising opportunities during the 2019-20 school year. Here is a report of your earnings.

### **Box Tops for Education (\$.10/Box Top Label)**

Earnings: \$213.50

**Total Earnings: \$213.50**

**SUNRISE RIVER ELEMENTARY SCHOOL**

Dr. Lori Zimmerman, Principal

37775 Grand Ave., North Branch, MN 55056  
Phone / 651-674-1100 Fax / 651-674-1110



**NORTH BRANCH  
AREA PUBLIC SCHOOLS**

**Inspire Dreams, Build Integrity, Instill Hope**

2019-2020

Sunrise River Elementary  
Fundraiser Report

Domino's Pizza Fundraiser

Event Nights: October 28, 29, 30, 2019

Profit: \$740

Box Tops for Education

Event Nights N/A ongoing throughout the school year

Profit: \$423.80

Boosterthon

Rescheduled for \$1374 (received prior to COVID-19 pandemic)  
Spring of 2021

## **2019-2020 North Branch Area Middle School Fundraising Summary**

### **5th Grade:**

5th grade students did not participate in a fundraiser activity this year.

### **6th Grade:**

6th grade students participated in selling holiday wreaths to our families and members of our community. This is a long-standing fundraiser and fundraising efforts raised a total \$20,381.83. Sales tax in the amount of \$1,503.16 was paid due to a change in law around taxable fundraising sales. Wreath sales are now categorized in the taxable category. The 6th grade team uses the fundraising revenue to cover the costs of transportation and expenses for three, annual, field trips. The third field trip was not able to be planned due to the coronavirus/COVID-19 pandemic.

### **7th Grade:**

7th grade students did not participate in a fundraiser activity this year.

### **8th Grade:**

8th grade students did not participate in a fundraiser activity this year.



Group	Fundraiser	Season	Projected Profit	Deposits	Expenses	Profit	
Robotics, FRC	Arts Fest Tip Jar	Fall	\$100.00	\$138.31	\$0.00	\$138.31	
Robotics, FRC	Car Parking	Fall	\$500.00	\$1,264.00	\$0.00	\$1,264.00	
Robotics, FRC	Robotics Tournament Concessions	Winter	\$1,000.00	\$825.00	\$0.00	\$825.00	
			<b>\$100.00</b>	<b>\$1,402.31</b>	<b>\$0.00</b>	<b>\$1,402.31</b>	
Robotics, FTC	Arts Fest Tip Jar	Fall	\$100.00	\$289.70	\$0.00	\$289.70	
Robotics, FTC	Robotics Tournament Concessions	Winter	\$1,000.00	\$3,366.50	\$2,642.80	\$723.70	
			<b>\$1,000.00</b>	<b>\$3,656.20</b>	<b>\$2,642.80</b>	<b>\$1,013.40</b>	
Student Council	Candy Grams	Winter	\$100.00	\$118.00	\$0.00	\$118.00	
Student Council	Door Decorating	Winter	\$100.00	\$29.00	\$117.92	-\$88.92	
Student Council	Snow Days Dance, Talent Show	Winter	\$200.00	\$928.00	\$1,475.59	-\$547.59	
			<b>\$400.00</b>	<b>\$1,075.00</b>	<b>\$1,593.51</b>	<b>-\$518.51</b>	
Volleyball	Adrenaline Viking cards	Fall	\$10,000.00	\$10,192.00	\$0.00	\$10,192.00	
			<b>\$10,000.00</b>	<b>\$10,192.00</b>	<b>\$0.00</b>	<b>\$10,192.00</b>	
			<b>PAGE 2 TOTALS</b>	<b>\$11,500.00</b>	<b>\$16,325.51</b>	<b>\$4,236.31</b>	<b>\$12,089.20</b>



# Board & Administrator

FOR SCHOOL BOARD MEMBERS

July 2020 Vol. 34, No. 3

Editor: Jeff Stratton

## Add focus to the superintendent's evaluation

Give your board's members the opportunity to add specific comments about the superintendent's performance at the conclusion of his appraisal. This information should be collected by the president and used to direct the superintendent's work in the coming year.

Ask these four questions:

1. What impressed you the most about the superintendent's performance this year?
2. What specific recommendations do you have for the superintendent to improve per-

formance?

3. What should be the priorities for the superintendent over the next year?

4. Do you have any additional comments regarding the superintendent which have a bearing on her evaluation?

Question 3 "What should be the priorities for the superintendent over the next year?" lets board members provide guidance to the administrator on setting her performance goals for the next evaluation period. ■

## Build mutual trust between board, superintendent

Trust is a key element in a healthy board-and-superintendent partnership.

Here are some trust-building suggestions from the University of Northern Iowa's Institute for Educational Leadership monograph, "Strengthening Board of Education [and] Superintendent Relationships in America's Schools."

- Hold retreats for the board and superintendent away from your regular meeting room at least once a year.
- Provide regular education for board members with a mentor approach, new member orientation, and a regular meeting agenda item devoted to continuing education.

- Count on the board president to lead. The president should work at building relationships with board members and the superintendent and encourage meeting participation by all members.

- Keep board policies updated, including the administrator's job description, and a statement of roles and responsibilities for the superintendent, board president and board members.
- Evaluate the board and superintendent annually.

For information, go to [www.uni.edu/coe/iel/bssum.html](http://www.uni.edu/coe/iel/bssum.html). ■

## From The Board Doctor<sup>®</sup>: Teach board its role

After serving as a board member for more than a decade, a board member in Washington commented that board orientation is one of the most critical issues. He said that an average board member's tenure is often less than it takes for that member to understand the role he plays on the school board.

Consider a recent disagreement you have had with your school board. Then, reflect whether better board orientation could have prevented or eased the disagreement. Most major board blow-ups can trace their roots back to the superintendent's failure to give board members a thorough orientation to board roles and responsibilities and supplementing a sound orientation with regular refreshers for the board on its role.

It is never easy for a school district superintendent to manage the "boss" — in this case, the school board. But when it comes to teaching board members their proper role, you do indeed need to be assertive.

When educating board members about board service, you always need to make this point: No single board member has the authority to make decisions independently, unless the board member is acting on the authority of the full board.

There are many effective ways to teach this. In board member job descriptions, and in your board's policies, see that a statement on the limits of board member authority is included. The following language provides an example:

"The Board is a policy-making body as distinguished from the responsibility for administration of the district's affairs. The Superintendent and staff are charged with implementing and executing Board policy. The Board observes, questions, and evaluates the operational functions of the district, but refrains from direct participation in those functions.

"No individual Board member or Board officer has any authority over the district or district personnel. The individual Board member has no authority to issue instructions directly to staff. Such action can only be taken by the full Board acting in its official capacity."

As you participate in school board member orientation or a refresher course, keep this example close at hand.

Sincerely,

Jeff Stratton, Editor

(515) 963-7972; [jeff\\_stratton@msn.com](mailto:jeff_stratton@msn.com). ■

## Increase public participation in virtual board meetings

As districts continue to practice social distancing and hold virtual school board meetings, superintendents and board members should review efforts to facilitate stakeholder participation in the public meetings. Consider creating an electronic form that can be submitted in advance of the virtual meeting as a way to increase public input related to your agenda. Be sure to review the local regulations to determine what is possible for your district regarding public comments and virtual school board meetings first. The form can be posted on your district's website.

The general public comment form can contain the following:

- A notice that the comments include on the form will be read aloud during the public meeting.
- The maximum length of time permitted for commenting on the issue or topic listed on the form.
- Ample space for required information such as the stakeholder's name, address, topic or subject to be addressed, and the comment.

- A cut-off time of deadline (date and time) for submitting comments before the virtual meeting.
- The email address to submit the form or an alternative method for submitting it.
- Instructions on how the stakeholder will receive confirmation that the comment was submitted.
- An explanation that each topic on which the stakeholder wishes to comment should be submitted on a separate form.

Before the public meeting occurs, provide as much training as possible to your board to ensure each member's comfort level is high when the form comes into play. Try to host a practice meeting online with just a few members to test out the system using the comment form and reading the contents out loud. Work out any difficulties in advance.

Finally, continue discussions with your board on how long the form is intended to be used. Is this form a way to increase participation even when in-person school board meetings resume? ■

<https://legacy.mshsl.org/board/2019resources/School%20Board%20Video%202.mp4>