

Agenda Independent School District 279 School Board	Regular Business Meeting Educational Service Center - Forum Room 11200 93rd Ave N Maple Grove, MN 55369 Tuesday, August 30, 2022 4:00 PM
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*Our mission is to inspire and prepare each and every scholar with the confidence, courage and competence to achieve their dreams; contribute to community; and engage in a lifetime of learning.*

This regular meeting of the Osseo School Board is being conducted the Board Room of the Educational Service Center, and is open to the public. The meeting can be monitored electronically by streaming online at [district279.org/info-center/school-board](http://district279.org/info-center/school-board) (Watch Livestream). An archived recording will also be available on the district website.

### Agenda Items

1. Check in  
Tim Palmatier
2. Review of 500 series policies (student-focused policies)  
Tim Palmatier
  - A. Policy/Procedure 532 - Use of Police Officers and Crisis Teams to Remove Students from School Grounds 2
  - B. Policy/Procedure 541 - Chemical Use/Abuse 6
  - C. Policy/Procedure 543 - Use of Restrictive Procedures as Behavioral Interventions for Children with Disabilities Receiving Special Education Services 11
  - D. Policy/Procedure 545 - Student Fees 16
3. Next Meeting: October 11, 2022
4. Adjournment  
Tim Palmatier

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## **POLICY 532 – USE OF PEACE OFFICERS AND CRISIS TEAMS TO REMOVE STUDENTS FROM SCHOOL GROUNDS**

### **I. Purpose**

The purpose of this policy is to describe the appropriate use of peace officers and crisis teams to remove, a student from school grounds.

### **II. General Statement of Policy**

- A. The school district is committed to promoting learning environments that are safe for all members of the school community. It further believes that students are the first priority and that they should be reasonably protected from physical or emotional harm at all school locations and during all school activities.
- B. All students are subject to the terms of the school district's discipline policy. Building level administrators are responsible to maintain a safe, secure, and orderly educational environment within which learning can occur. Corrective action to discipline a student and/or modify a student's behavior will be taken by staff when a student's behavior violates the school district's discipline policy.
- C. If a student engages in conduct which, in the judgment of school personnel, endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property school district personnel may call 911, or peace officers and that student may be removed from school grounds in accordance with this policy and associated procedures.

#### Policy Revised:

Policy Revised: 3/15/16

Policy Dated: 9/21/2004

#### **Legal References**

20 U.S.C. 1415(k)(9) (Individuals with Disabilities Education Act (IDEA))  
34 C.F.R. 300.529 (IDEA Regulation Regarding Involvement of Law Enforcement)  
20 U.S.C. 1232g et seq. (Family Educational Rights and Privacy (FERPA))  
M.S. 13.01, et seq. (Minnesota Government Data Practices Act)  
M.S. 121A.40-121A.56 (Minnesota Pupil Fair Dismissal Act)  
[M.S. 121A.55 \(Policies to be Established\)](#)  
M.S. 121A.582 (Student Discipline; Reasonable Force)  
M.S. 121A.61 (Discipline and Removal of Students from Class)  
M.S. 121A.67 (Aversive and Deprivation Procedures)  
M.S. 125A.094-.0924 (Restrictive Procedures for Children with Disabilities)  
M.S. 245.487-.4889 (Children's Mental Health Act)  
M.S. 609.06 (Authorized Use of Force)  
M.S. 609.379 (Permitted Actions)

#### **Cross References**

District Policy 506 (Student Discipline)  
District Policy 507 (Corporal Punishment)  
District Policy 515 (Protection and Privacy of Education Records)  
District Policy 543 (The Use of Regulated Conditional Procedures as Behavioral Interventions with Special Education Students)

**Commented [PT(1)]:** This policy is required by Minn. Stat. § 121A.55. Although the board may wish to add to, modify or expand on the policy -- there are no changes to the law that require changes at this time.

Not every large school district has such a policy. St. Paul and RAVE do not have a policy directly on this topic -- although RAVE has procedures that appropriately define how SRO and other police should be engaged in addressing student behavior. Minneapolis' policy closely mirrors our policy. EP and South St. Paul follow MSBA policy which incorporates provisions not required by the statute. AH's policy is identical to ours.

## **PROCEDURE 532 – USE OF PEACE OFFICERS AND CRISIS TEAMS TO REMOVE STUDENTS FROM SCHOOL GROUNDS**

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### **I. Definitions**

For purposes of this policy, the following terms have the meaning given them in this section:

#### **A. Student with an IEP**

A student with an IEP means a student who is eligible to receive special education and related services pursuant to the terms of an individual education program (IEP) or an individual interagency intervention plan (IIIP).

#### **B. Peace Officer**

A peace officer means an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the Board of Peace Officer Standards and Training, charged with the prevention and detection of crime and the enforcement of general criminal laws of the state and who has the full power of arrest. The term peace officer includes a person who serves as a sheriff, a deputy sheriff, a police officer, or a state patrol trooper.

#### **C. School Resource Officer**

A school resource officer is a peace officer who, pursuant to an agreement between the school district and a political subdivision or law enforcement agency, is assigned to a school building for all or a portion of the school day to provide law enforcement assistance and support to the building administration and to promote school safety, security, and positive relationships with students.

#### **D. Crisis Team**

A crisis team means crisis services that may be available in accordance with an agreement regarding procedures to coordinate crisis services for Hennepin County implementing the Minnesota Children's Mental Health Act.

#### **E. Remove the Student from School Grounds**

The phrase remove the student from school grounds is the act of ~~securing the person of a student and~~ escorting that student from the school building or school activity at which the student is located.

#### **F. Other**

All other terms and phrases used in this policy and procedures will be defined in accordance with applicable state and federal law or ordinary and customary usage.

### **II. Removal of Students from School Grounds**

#### **A. Removal by Crisis Team**

If the behavior of a student endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the Site Administrator may summon a county crisis team if one is available. If the student is a student with an IEP, the site leader may provide the student's IEP or behavior intervention plan to the Crisis Team. The Crisis Team may attempt to de-escalate the

student's behavior through any legal means. If such measures fail, or when the crisis team determines that the student's behavior continues to endanger or may endanger the health, safety, or property of the student, other students, staff members, or school property, the crisis team may remove the student from school grounds.

B. Removal by School Resource Officer or Peace Officer

If a student engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, members of the county crisis team, building administrator, or the building administrator's designee, may request that the school resource officer or a peace officer remove the student from school grounds.

C. Reporting a Crime

1. Whether or not a student engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, school district personnel may report a crime committed by a student to appropriate authorities.
2. If the school district reports a crime committed by a student, school personnel will transmit copies of disciplinary records and, if applicable, relevant special education records of the student for consideration by appropriate authorities to whom it reports the crime, to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act (FERPA), the Minnesota Government Data Practices Act, and Policy 515 - Protection and Privacy of Education Records.

D. Reasonable Force Permitted

In removing a student from school grounds, a building administrator, crisis team members, or the school resource officer or other agents of the school district, may use reasonable force when it is necessary under the circumstances to correct or restrain a student who, in the judgment of school personnel, endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property.

In removing a student with an IEP from school grounds, school resource officers and school district personnel shall not use the prohibited procedures listed in Policy 543 - The Use of Regulated Conditional Procedures as Behavioral Interventions with Special Education Students.

E. Parental Notification

The building administrator or designee will make reasonable efforts to notify the student's parent/guardian of the student's removal from school grounds as soon as possible following the removal.

F. Continued Removal of a Student with an IEP

Continued and repeated use of the removal process described herein must be reviewed in the development of the individual student's IEP or Individual Interagency Intervention Plan. If a student with an IEP is removed from a classroom, school building, or school grounds during the school day by a county crisis team or school resource officer at the request of a school administrator or school personnel twice in a

**Commented [PT(1)]:** While this provision is fine as is - I do like the language used by RAVE in their procedures which states: "[School Resource of Peace] officers may not be used to perform educational interventions, including regulated procedures, either on an emergency basis or in accordance with an IEP. Law enforcement officers shall not be involved in an educational decision to remove a student from school as a disciplinary response."

**Commented [PT(2R1)]:** This provision may be included in Policy 532

thirty (30) day period, the student's IEP team must meet to determine if the student's IEP is adequate or if additional evaluation is needed.

**Revised:** \_\_\_\_\_

Revised: 3/15/16

Procedure Dated: 9/21/2004

**Legal References**

- 20 U.S.C. 1415(k)(9) (Individuals with Disabilities Education Act (IDEA))
- 34 C.F.R. 300.529 (IDEA Regulation Regarding Involvement of Law Enforcement)
- 20 U.S.C. 1232g et seq. (Family Educational Rights and Privacy (FERPA))
- M.S. 13.01, et seq. (Minnesota Government Data Practices Act)
- M.S. 121A.40-121A.56 (Minnesota Pupil Fair Dismissal Act)
- [M.S. 121A.55 \(Policies to be Established\)](#)
- M.S. 121A.582 (Student Discipline; Reasonable Force)
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- M.S. 121A.67 (Aversive and Deprivation Procedures)
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- M.S. 245.487-.4889 (Children's Mental Health Act)
- M.S. 609.06 (Authorized Use of Force)
- M.S. 609.379 (Permitted Actions)

**Cross References**

- District Policy 506 (Student Discipline)
- District Policy 507 (Corporal Punishment)
- District Policy 515 (Protection and Privacy of Education Records)
- District Policy 543 (The Use of Regulated Conditional Procedures as Behavioral Interventions with Special Education Students)

## POLICY 541 – CHEMICAL USE / ABUSE

Commented [PT(1)]: No revisions are suggested for this policy

### I. PURPOSE

~~A.~~ The school board recognizes that chemical use and abuse constitutes a grave threat to the physical and mental well-being of students and employees and significantly impedes the learning process. Chemical use and abuse also creates significant problems for society in general. The School Board believes that the public school has a role in education, intervention and prevention of chemical use and abuse. The purpose of this policy is to assist the school district in its goal to prevent chemical use and abuse by providing procedures for education and intervention and to maintain a safe and healthy environment for students.

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### II. GENERAL STATEMENT OF POLICY

- A. No student, regardless of age, may possess, use, be under the influence of, distribute, sell and/or exchange unauthorized or illegal chemical substances including but not limited to, narcotics, drugs, or other controlled substances, alcohol, or other intoxicating substances or mood-altering chemicals, drug paraphernalia or look-alike substances, or other articles that are illegal or harmful to persons or property. This prohibition also includes one student sharing a prescription medication with another. Medication prescribed by a physician must be handled in accordance with Policy 516 – Student Medication.
- B. This policy 541 - Chemical Use/Abuse applies district-wide on school property and at all school related activities, trips and functions, whether on or off school property, school bus stops, school buses, any other vehicle approved for District purposes, and the area of entrance to or departure from school premises or events for all students regardless of age.

### III. ENFORCEMENT

- A. Students using, possessing and/or exchanging chemical substances in violation of this policy will be subject to consequences under Policy 506 – Student Discipline, and treated according to existing school rules, including notification of law enforcement agencies and the application of appropriate school discipline.
- B. Students suspected of violating this policy will be referred to their school's student assistance team which is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
- C. Students presently not under the influence who disclose their use of chemicals for the purpose of obtaining help with this problem will be treated in a non-punitive way by school personnel.

D. In the event a student receives treatment outside the District, every effort must be made to effect a successful continuation in or re-entry into the school community.

**Policy Reviewed:**

Policy Revised: 1/16/18  
Policy Revised: 6/23/09  
Policy Revised: 2/14/04  
Policy Revised: 10/16/01  
Policy 541 Adopted: 6/6/00 (formerly Policy 5217)  
Policy Revised: 3/22/94  
Policy Revised: 1/2/85  
Policy Revised: 11/15/83  
Policy Adopted: 3/24/81

***Legal References***

Federal Drug Free Schools and Communities Act  
M.S. 152.01 – Definitions and Schedules Controlled Substances  
M.S. 152.01, Subd. 18 – Drug Paraphernalia  
M.S. 121A.26 – [School Reassessment Teams](#)  
M.S. 121A.29 – [Reporting of Chemical Abuse](#)

***Cross References***

Policy 502 – Search of Student Lockers, Desks, Personal Possessions and Student’s Person  
Policy 515 – Protection and Privacy of Student Records  
Policy 506 – Student Discipline  
Policy 516 – Student Medication  
Policy 550 – Suspension  
Policy 551 – Exclusion and Expulsion

## PROCEDURE 541 – STUDENTS - CHEMICAL USE / ABUSE

Commented [PT(1)]: Only minor changes are proposed for this procedure.

### I. DEFINITIONS

#### A. Chemicals

Chemicals include but are not limited to alcohol, toxic substances, and controlled substances as defined in the school district's Drug-Free Workplace/Drug-Free School policy.

#### B. Use

Use is defined as drinking, sniffing, smoking, swallowing, chewing, injecting, or otherwise absorbing into the body such illegal or mood-altering substances.

~~Hereinafter, the term chemical(s) or chemical substances(s) will refer to all the prohibited substances defined in this paragraph A.~~

#### C. Chemical Abuse

Chemical abuse means use of any psychoactive or mood-altering chemical substance, without compelling medical reason, in a manner that induces mental, emotional, or physical impairment and causes socially dysfunctional or socially disordering behavior, to the extent that the student's normal function in academic, school, or social activities is chronically impaired.

#### D. Paraphernalia

Paraphernalia is defined as equipment, products, and materials of any kind which are knowingly or intentionally used primarily in manufacturing a controlled substance or injecting, ingesting, inhaling, or otherwise introducing a controlled substance into the human body (M.S. 152.01 – Definitions and Schedules of Controlled Substances). It is unlawful for any person knowingly or intentionally to use, possess or manufacture drug paraphernalia (M.S. 152.01, Subd. 18 – Drug Paraphernalia).

### II. PREVENTION

#### A. Prevention

Prevention will be directed toward providing students with information and experiences which will prepare them to make responsible decisions regarding chemical use, including:

1. Pharmacological information appropriate to the students' age and development which includes potential social, legal, psychological, and physical effects of chemicals.
2. Understanding peer pressures and other influences upon students' lives.
3. Understanding the effects of emotions and stress in students' lives and learning appropriate coping skills.

#### B. Curriculum

Curriculum areas which are related to prevention of chemical use/abuse will be reviewed periodically in accordance with the District's Program Improvement Plan to determine if the content is appropriate and current for its intended students.

1. Units of instruction will be developed in the Health, and Guidance and Counseling curricula which deal with content appropriate to that area.
2. The two curricular areas identified in II.B,1 are not to be considered as being exclusive in the study of chemical use/abuse.

### III. STAFF RESPONSIBILITY FOR REPORTING

- A. Staff who know or have reason to believe that a student is or will be using, possessing, or transferring alcohol or a controlled substance while on the school premises or involved in school-related activities, will immediately notify a member of the school's chemical abuse pre-assessment team of this information.

### IV. PRE-ASSESSMENT TEAM (STUDENT ASSISTANCE TEAM) SERVICES

- A. Pre-assessment services will be available to students to help them with their concerns about chemicals and problems related to chemical use.
- B. Every school will have a chemical abuse pre-assessment team. The team will be composed of classroom teachers, administrators and other appropriate professional staff to the extent they exist in each school, such as the school nurse, school counselor or psychologist, social worker, chemical abuse specialist, or others.
- C. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to individual reported cases from the school and law enforcement.
- D. When a community violation has occurred, law enforcement is required to provide information about the violation to the Student Assistance/Pre-Assessment team. This notice must be provided to the team within two weeks after the incident occurs and then the data are handled in accordance with M.S. 121A.26, 121.29 and Policy 515 – Protection and Privacy of Education Records.
- E. Within forty-five days after receiving an individual reported case, the team will make a determination whether to provide the student and, in the case of a minor, the student's parents with information about school and community services in connection with chemical abuse.
- F. If the team decides not to provide a student and, in the case of a minor, the student's parents with information about school or community services in connection with chemical abuse, records created or maintained by the team about the student must be destroyed not later than six months after the determination is made.  
If the team decides to provide a student and, in the case of a minor, the student's parents with information about school or community services in connection with chemical abuse, records created or maintained by the team about the student must be destroyed not later than six months after the student is no longer enrolled in the district.

**Commented [PT(2)]:** The provisions in this section are required by Minn. Stat. 121A.26, 121A.28 & 121A.29.

### ~~V. STUDENTS VIOLATING THE POLICY MAY HAVE CONSEQUENCES SUBJECT TO POLICY 506 – STUDENT DISCIPLINE AND DISTRICT PRACTICES~~

**Commented [PT(3)]:** This section is unnecessary since the exact requirement is included in Policy 541.

VI.V. PROVISION OF SUPPORT SERVICES FOR STUDENTS IN TREATMENT AND RETURNING FROM TREATMENT

The school will support a student returning from treatment for chemical abuse and other problems by:

- A. Cooperating with the treatment facility by providing information necessary to enable the facility to plan for the student's educational needs.
- B. Assigning school credit for work completed during the treatment experience.
- C. Formulating a school plan which will consider alternatives which best suit the student's needs and provides support as needed.

Procedure reviewed/revised:

Procedure revised: 1/16/18  
Procedure revised: 6/23/09  
Procedure revised: 2/17/04  
Procedure revised: 10/16/01  
Procedure 541 Dated: 6/6/00  
(formerly Policy 5217)

**Legal References**

Federal Drug Free Schools and Communities Act  
M.S. 152.01 – Definitions and Schedules Controlled Substances  
M.S. 152.01, Subd. 18 – Drug Paraphernalia  
M.S. 121A.26, M.S. 121A.8, M.S. 121A.29

**Cross References**

Policy 502 – Search of Student Lockers, Desks, Personal Possessions and Student's Person  
Policy 515 – Protection and Privacy of Education Records  
Policy 506 – Student Discipline  
Policy 516 – Student Medication  
Policy 550 – Suspension  
Policy 551 – Exclusion and Expulsion

## **POLICY 543 – USE OF RESTRICTIVE PROCEDURES AS BEHAVIORAL INTERVENTIONS FOR CHILDREN WITH DISABILITIES RECEIVING SPECIAL EDUCATION SERVICES**

### I. Purpose

The School Board recognizes that in order to achieve its mission, a safe and healthy learning environment is essential. The District promotes positive behavioral interventions, but recognizes that in some emergency situations involving students with disabilities receiving special education services, it may be necessary to ~~seclude or physically~~ restrain a student in order to protect the student or others.

**Commented [PT(1):** Since we don't specifically employ seclusion -- I think we can modify this section.

### II. General Statement

Restrictive procedures as behavioral interventions with children with disabilities receiving special education services will be used only in emergency situations and in accordance with applicable provisions of Minnesota Laws.

### III. The superintendent will provide training on the use of restrictive procedures for behavioral interventions.

Policy 543 Revised: 1/19/16  
Policy 543 Revised: 1/24/12  
Policy 543 Revised: 9/21/04  
Policy 543 Adopted: 4/17/01  
(Formerly Policy 5410)  
Policy Adopted: 1/4/94

#### **Legal References:**

[Minn. Stat. §§ 125A.0941 & 125A.0942](#)  
[Minn. R. 3525.0850](#)  
[Minn. Rule 3525.0200, subps 1d-1g, 2a-2c, 8e, 8f, 25a, 25b \[repealed\]](#)  
[Minn. Rule 3525.1100, subp. 2F \[repealed\]](#)  
[Minn. Rule 3525.2900, subp. 5 \[repealed\]](#)

## PROCEDURE 543 – THE USE OF RESTRICTIVE PROCEDURES AS BEHAVIORAL INTERVENTIONS FOR CHILDREN WITH DISABILITIES RECEIVING SPECIAL EDUCATION SERVICES

### I. Definitions

- A. Restrictive Procedures means the use of physical holding or seclusion in an emergency.
- B. Physical holding is physical intervention intended to hold a student immobile or limit a student's movement and where body contact is the only source of physical restraint and where immobilization is used to effectively gain control of a child in order to protect a child or other individual from physical injury. Physical holding does not include physical contact that:
1. helps a student respond or complete a task;
  2. assists a student without restricting the student's movement;
  3. is needed to administer an authorized health-related service or procedure;
  4. is needed to physically escort a student when the student does not resist or the student's resistance is minimal; or
  5. is used to discipline a non-compliant student.
- C. Seclusion is confining a student alone in a room from which egress is barred. Egress may be barred by an adult locking or closing the door in the room or preventing the child from leaving the room. Removing a student from an activity to a location where the student cannot participate in or observe the activity is not seclusion.
- D. Emergency means a situation where immediate intervention is needed to protect a student or other individual from physical injury. Emergency does not include a student not responding to a task or request unless such failure to respond would result in physical injury to the child or other individual.
- E. Prohibited Procedures
- ~~1.~~ Prohibited procedures are interventions that are prohibited from use in schools by district employees, contracted personnel, and volunteers. The actions described below are prohibited procedures:
  - ~~2.~~~~1.~~ Corporal punishment, as defined in state law.
  - ~~3.~~~~2.~~ Requiring a pupil to assume and maintain a specified physical position, activity, or postures that induces physical pain as punishment.
  - ~~4.~~~~3.~~ Presentation of intense sounds, lights, or other sensory stimuli as punishment.
  - ~~5.~~~~4.~~ Denying or restricting a student's access to equipment and devices that facilitate the student's functioning, except temporarily when necessary to prevent injury to the student or others or the student is perceived to be destroying or seriously damaging equipment or devices, in which case the equipment or device shall be returned to the child as soon as possible.
  - ~~6.~~~~5.~~ Total or partial restriction of auditory or visual senses **as punishment** (not to include study carrels when used as an academic intervention).
  - ~~7.~~~~6.~~ Withholding regularly scheduled meals or water.
  - ~~8.~~~~7.~~ Denying a student access to toilet facilities.
  - ~~9.~~~~8.~~ Interacting with a student in a manner that constitutes sexual abuse, neglect, or physical abuse as defined by Minnesota law.
  - ~~9.~~ Physical holding that restricts or impairs a student's ability to breathe, restricts or impairs a child's ability to communicate distress, places pressure or weight on a child's head, throat, neck, chest, lungs, sternum, diaphragm, back or abdomen, or results in straddling a child's torso.

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Commented [PT(1)]: This modification aligns with the language of the statute.

10. ~~Prone restraint (i.e. placing a child in a face down position as a means controlling a student).~~

**Commented [PT(2)]:** This provision reflects current prohibited procedures under MN statute.

## II. Training for Staff

- A. Staff training will be provided to licensed special education teachers, school social workers, school psychologists, behavior analysts certified by the National Behavior Analyst Certification Board, a person with a master's degree in behavior analysis, other licensed education professionals, paraprofessionals credentialed for education paraprofessionals, and mental health professionals who work with students receiving special education services. Staff training will include:
  1. Positive behavioral interventions.
  2. Communicative intent of behaviors
  3. Relationship building.
  4. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior.
  5. De-escalation methods.
  6. Standards for using restrictive procedures only in an emergency.
  7. Obtaining emergency medical assistance.
  8. The physiological and psychological impact of physical holding and seclusion.
  9. Monitoring and responding to a child's physical signs of distress when physical holding is being used.
  10. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used.
  11. School district policies and procedures for timely reporting and documenting each incident involving use of a restricted procedure.
  12. School wide programs on positive behavior strategies.
- B. The school district will document participation in staff development activities regarding the use of restrictive procedures and who provided the training.

## III. Documenting Use of Restrictive Procedures

- A. Restrictive procedures may be used only in an emergency. Restrictive procedures may be included in a student's Individual Educational Program (IEP) or Behavior Intervention Plan (BIP); however, the restrictive procedures may be used only in response to behavior that constitutes an emergency.
- B. A student's case manager will make reasonable efforts to notify a student's parent on the same day a restrictive procedure is used. If same day notice is not possible, the case manager will send a notice within two days by written or electronic means or by the preferred means indicated by the parent at an IEP team meeting.
- C. The staff member who implements or oversees the physical holding or seclusion must document all uses of restrictive procedures.
- D. ~~The site leader at any school that intends to use restrictive procedures~~ District administration will post the following information on the ~~school's~~ district's website:
  1. a list of the restrictive procedures ~~the school intends to that may be used~~;
  2. a description of how the ~~school~~ district will implement a range of positive behavior strategies and provide links to mental health services;
  3. a description of how the ~~school~~ district will monitor and review the use of restrictive procedures, including:
    - a. conducting post-use briefings
    - b. convening an oversight committee to undertake a quarterly review of the use of restrictive procedures.

4. a description of staff training; and
5. identity of the oversight committee members.

IV. Use of Restrictive Procedures, as Part of the IEP

~~In preparing the IEP, the IEP team will include, when appropriate, restrictive procedures to be used in an emergency. Restrictive procedures may only be used for emergency situations.~~

**Commented [PT(3)]:** This section is retained but moved below to enhance readability.

A. Use of Restrictive Procedures Not Included in an IEP

1. If the student's IEP does not provide for using restrictive procedures in an emergency and a restrictive procedure is used as an emergency intervention on two separate school days within 30 calendar days, or a student's pattern of behavior is emerging that interferes with the achievement of the student's educational goals and objectives, or at the request of the parent after restrictive procedures are used, the following procedures must be followed:
2. The staff person who implements or oversees the restrictive procedure will document the reason for and use of a restrictive procedure in an emergency situation and inform the parent/legal guardian and building administrator immediately following the emergency situation.
3. Within 10 calendar days after district staff use restrictive procedures on two separate school days within 30 calendar days or when a pattern emerges, the student's special education team must meet to determine if the student's IEP is adequate, if additional assessment is needed and, if necessary, amend the IEP. The team must review any known medical or psychological limitations, including any medical information the parent provides voluntarily, that contra-indicate the use of a restrictive procedure, consider whether to prohibit that restrictive procedure, and document any prohibition in the IEP or BIP.
4. Restrictive procedures may be used in emergencies until the IEP team meets.
5. If the school district uses restrictive procedures on a student on ten or more school days during the same school year, the IEP team must, as appropriate, take one or more of the following actions;
  - a. Consult with other professionals working with the child
  - b. Consult with experts on behavior analysis, mental health, communication, or autism,
  - c. Consult with culturally competent professionals,
  - d. Review existing evaluations, resources, and successful strategies, or consider whether to reevaluate the student.

B. Use of Restrictive Procedures in IEPs:

1. In preparing the IEP, the IEP team will include, when appropriate, restrictive procedures to be used in an emergency. Restrictive procedures may only be used for emergency situations.

~~1.2.~~ In order to plan for use of a restrictive procedure in an emergency, the team must conduct an assessment including a Functional Behavior Assessment (FBA) and prepare a report which includes:

- a. The frequency and severity of target behaviors for which the restrictive procedure is being considered;
- b. At least two positive interventions implemented and the effectiveness of each; and
- c. Recommendations for the design and implementation of restrictive procedures in an emergency based on present levels of performance, needs, goals and objectives, for documentation in the IEP.

~~2.3.~~ The IEP team must also develop a written BIP that describes the steps for implementing restrictive procedures in an emergency (use District Behavior Support Plan form).

~~3.4.~~ When restrictive procedures are in an IEP or BIP the school district shall prepare and serve a Notice of Proposed Special Education Services form indicating that restrictive procedures have been added to the IEP. The Notice must inform the parent that, except for initial placement and provision of services, the school district will proceed with the use of restrictive procedures in an emergency unless the parent objects in writing on the Notice or otherwise in writing within fourteen (14) calendar days after receipt of the Notice. The use of restrictive procedures must be reviewed at the student's annual IEP meeting.

~~4.5.~~ The IEP, Notice and Behavior Support Plan, if any must be filed in the student's cumulative file.

Revised

Procedure 543 Revised: 1/19/16

Procedure 543 Revised: 9/10/13

Procedure 543 Revised: 1/24/12

Procedure 543 Revised: 9/21/04

Procedure 543 Dated: 4/17/01

(Formerly Procedure 5410)

Procedure 5410 Dated: 1/4/94

**Legal References:**

Minn. Stat. ~~§§ 125A.0941 &~~ 125A.0942

Minn. Stat. §121A.58

Minn. Stat. ~~§626.556~~ Chapter 260E

## **POLICY 545 – STUDENT FEES**

### **I. PURPOSE**

The school district will provide free public school education, and no student will be denied an education because of economic inability to furnish educational books and supplies necessary to complete educational requirements necessary for graduation.

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

Any practice leading to suspension, coercion, exclusion, withholding of grades or diplomas, or discriminatory action based upon nonpayment of fees denies students their right to equal protection and entitled privileges, and is prohibited by Minnesota laws and this policy.

### **III. ACCEPTABLE FEES**

#### **A. The school district may:**

1. Accept voluntary contributions;
2. Make certain charges authorized by law and;
3. Establish fees in areas considered extracurricular, non-curricular or supplementary to the requirements for the successful completion of a class or educational program.

#### **B. The school district may not require the payment of fees except as authorized by the Minnesota Public School Fee law.**

### **IV. NEW FEES**

The school district may initiate new fees after holding a public hearing in accordance with the Minnesota Public School Fee Law.

Policy 545 Revised: 4/19/16

Policy 545 Dated: 11/21/00

(formerly Policies 5510, 5511, 5512 & 5513)

#### **Legal References**

M.S. 123B.34 et seq. Minnesota Public School Fee Law

M.S. 123B.88, Subd. 22

M.S. 124D.52 – Adult Basic Education

School Board

INDEPENDENT SCHOOL DISTRICT 279

Maple Grove, Minnesota

**Commented [PT(1)]:** This policy is not required by Minn. Law. St. Paul and Minneapolis do not post a Fee Policy on their website. So. Washington Public Schools has an Athletic and Activity Fee Policy. MSBA does not have a model policy. No changes are recommended at this time.

## PROCEDURE 545 – STUDENT FEES

**Commented [PT(1):** The provisions set forth in this procedure reflect what is set forth in the school fee statutes at Minn. Stat. 123B.34 to 123B.39. No change is needed or recommended at this time.

### I. Authorized Fees

- A. In accordance with the Minnesota Public School Fee Law, the school district is authorized to require payment of fees in the following areas:
1. In any program where the resultant product, in excess of minimum requirements and at the student's option, becomes the personal property of the student.
  2. Admission fees or charges for extracurricular activities where attendance is optional.
  3. A security deposit for the return of materials, supplies, or equipment.
  4. Personal physical education and athletic equipment and apparel. A student may provide his/her own equipment or apparel if it meets reasonable requirements and standards relating to health and safety established by the School Board.
  5. Items of personal use or products which a student may purchase at his/her own option, such as student publications, class rings, annuals, and graduation announcements.
  6. Fees specifically permitted by any other state statute.
  7. Field trips considered supplementary to a school district educational program.
  8. Any authorized voluntary student health and accident benefit plan.
  9. A rental fee for the use of musical instruments owned or rented by the school district, not to exceed either the school district's rental cost or the annual depreciation plus the actual annual maintenance cost for each instrument.
  10. Transportation to and from:
    - a. Extracurricular activities, when attendance is optional.
    - b. School for which no aid or levy is authorized by state statute, provided that no student is denied transportation solely because of inability to pay.
    - c. Post-secondary institutions for students enrolled under the post-secondary enrollment options.
  11. Motorcycle classroom education courses conducted outside of regular school hours, provided the charge does not exceed the school district's actual cost.
  12. The school district may charge reasonable fees for goods and services provided in connection with any post-secondary instructional program other than those conducted as part of Adult Basic Education.
- B. Students may be required to furnish:
1. Personal or consumable items including pencils, paper, pens, erasers and notebooks.
  2. Personal transportation to and from an instructional community-based employment station which is part of an approved occupational secondary vocational program when the student receives remuneration for participation in the program.
- C. The school district may operate a school store wherein students may purchase school supplies and materials.
- D. The school district may waive any deposit or fee if any student or his/her parent/guardian is unable to pay it.

### II. Prohibited Fees

- A. The school district will not authorize the charging of fees for supplies, instructional materials, staff, or activities required as part of a course or basic educational program, including:
1. Textbooks, workbooks, art materials, laboratory supplies, towels, except as specified below.

2. Supplies necessary for participation in any instructional course except as authorized by this policy.
  3. Field trips which are required as a part of a basic education program or course.
  4. Graduation caps, gowns, any specific form of dress necessary for any educational program, and diplomas.
  5. Instructional costs for necessary school personnel employed in any course or educational program required for graduation.
  6. Library books required to be utilized for any educational course or program.
  7. Admission fees, dues, or fees for any activity the student pupil is required to attend.
  8. Any admission or examination cost for any required educational course or program.
  9. Locker rentals.
  10. Transportation for which state transportation aid or levy authority is available.
- B. The school district may charge fees for textbooks, workbooks, and library books lost or destroyed by students provided the school district has provided annual notification of the charging of such fees.

### III. Prohibited Actions

No student's rights or privileges, including the receipt of grades or diplomas, may be denied or abridged for non-payment of fees. The school district may maintain an action provided by law for the collection of authorized fees.

Procedure 545 Revised: 4/19/16

Procedure 545 Dated: 11/21/00

(formerly Policies 5510, 5511, 5512 & 5513)

#### ***Legal References***

M.S.123B.34 et seq. Minnesota Public School Fee Law

M.S. 123B.88, Subd. 22

M.S. 124D.52 – Adult Basic Education